On January 17, in Washington, D.C., the House of Representatives Subcommittee on Coast Guard and Maritime Transportation held a public hearing to review the State of the U.S.-Flag Maritime Industry. Led by Subcommittee Chairman Congressman Duncan Hunter (R-California) and Ranking Democrat Congressman John Garamendi (D-California), the hearing clearly demonstrated that absent immediate and affirmative action to bolster the U.S.-flag fleet, our nation will continue to see the available pool of American mariners needed to support the Department of Defense decline to dangerously low levels. Sharing this concern, Maritime Administrator Admiral Mark Burby reminded the Subcommittee that “mariners are de facto layer of our national security.”

Bill Van Loo, Secretary-Treasurer of the Marine Engineers’ Beneficial Association, presented testimony on behalf of the seafaring labor Unions (SUP, MOWF, SIU-AGLIW, SIU, USWW). Eric Ebeling, President of American Roll-on Roll-off Carrier Group, presented testimony on behalf of all the U.S.-flag companies belonging to USA Maritime. The SUP is a member of USA Maritime.

Excerpts from Maritime Labor’s statement to the Subcommittee follows: “A strong U.S.-flag fleet and the corresponding base of American merchant mariners is imperative to securing America’s economic and national security. Unfortunately, the pool of licensed and unlicensed mariners has shrunk to a critical level. Without governmental action, the military will no longer be able to rely on the all-volunteer U.S. Merchant Marine as our Nation’s fourth arm of defense. We are pleased that the Subcommittee has called this hearing and has remained committed ensuring the existence of a vibrant U.S.-flag maritime industry.

“In Peace and War” is the motto of the U.S. Merchant Marine and that motto has been demonstrated in every domestic and international crisis in our nation’s history. From the Revolutionary War to World War I to Operation Enduring Freedom and from the evacuation of Manhattan during 9/11 to disaster relief in Haiti, the men and women of the U.S. Merchant Marine have consistently heeded the call to duty. In 1992, General Colin Powell, then-Chairman of the Joint Chiefs of Staff stated: “Fifty years ago, U.S. merchant vessels . . . were battling the frigid seas of the North Atlantic to provide the lifeline to our allies in Europe. The sacrifice of those mariners was essential to keeping us in the war until we could go on the offensive . . . In World War II, enemy attacks sank more than 700 U.S.-flag vessels and claimed the lives of more than 6,000 civilian seafarers . . .” It is worth noting that 700 is almost 10 times the size of the current fleet.

More recently, in 2008, Major General Kathleen Gainey, Commander of the Military Surface Deployment and Distribution Command, stated that “The merchant marine has always been there for us . . . There is no amount of thanks that I could give you, because I am here to tell you, having deployed twice . . . I know how critical it is that equipment and those supplies are delivered on time . . . You are the continued on page 3

Government slams Matson’s challenge to APL’s Guam service

The U.S. Department of Transportation (DOT) told the United States Court of Appeals for the District of Columbia on May 12, that Matson Navigation Company’s “untimely” challenge to federal subsidies granted to rival container shipper American President Lines (APL) for Guam and Saipan trade routes as part of the Maritime Security Program (MSP) must be rejected for lack of jurisdiction.

DOT and the Maritime Administration filed a 62-page brief urging the federal appeals court to shut down Matson’s petition challenging a pair of administrative approvals they granted in October 2015 and December 2016 to APL to replace two of its vessels participating in the Maritime Security Program and compete along the same trade routes as Matson.

The Maritime Security Program establishes a fleet of privately owned vessels “to meet national defense and other security requirements and maintain a U.S. presence in international commercial shipping.” The U.S. may use these privately owned and operated vessels for national defense or military purposes in time of war or national emergency and, in exchange, vessel owners receive payments for participating in the program.

The replacement vessels, the APL Guam and the APL Saipan, scored approval to transport cargo from the United States mainland to Palau in Micronesia, the Marshall Islands and New Guinea, and between Asia and Guam, as well as to provide regular service connecting “Asia and both Guam and Saipan,” including “direct service from Japan or Korea to Guam.”

The agencies say APL met the requirements for the program.

“Based on this record evidence, Matson has failed to demonstrate how it has suffered any injury from APL’s purported U.S.-flag, domestic trade with Saipan. Without any evidence of injury, Matson lacks standing to challenge the agency’s determination concerning any purported coastwise trade with Saipan under a U.S. flag,” the agencies said.

Matson doesn’t participate in the Maritime Security Program, but it argued in court documents that one of the requirements for eligibility is that the participating vessel must operate exclusively in foreign commerce.

But the DOT and MarAd argued that Matson has failed to demonstrate how it has suffered any injury from APL’s purported U.S.-flag, domestic trade with Saipan. “Without any evidence of injury, Matson cannot establish that U.S.-flag vessels would be operated in the U.S.-flag fleet,” the agencies said.

APL Lines’ established world-wide services satisfying the foreign commerce eligibility requirement,” the agencies said.

Matson further misstates the record by pointing to certain APL advertising and promotional materials, but APL’s statements, made subsequent to MarAd’s determinations, would not have affected the agency’s initial eligibility determination.”

Matson, which is based in Honolulu, and has corporate offices in Oakland, California, and in Pacific Ocean container shipper, primarily serving routes from the West Coast to Hawaii, Guam and the Mid-Pacific. Matson has insisted in court documents that it operates non-subsidized vessels in the same domestic shipping trades as the two APL vessels that scored the approvals.

But the DOT and MarAd argued that Matson has failed to demonstrate how it has suffered any injury from APL’s purported U.S.-flag, domestic trade with Saipan. “Without any evidence of injury, Matson lacks standing to challenge the agency’s determination concerning any purported coastwise trade with Saipan under a U.S. flag,” the agencies said.

Matson doesn’t participate in the Maritime Security Program, but it argued in court documents that one of the requirements for eligibility is that the participating vessel must operate exclusively in foreign commerce. And because APL provides coastwise service to Guam—which the statute defines as being within the United States—the vessels should not have been deemed eligible for the program and the subsidies that come with it, Matson argued.

The federal agencies said Matson’s petition comes too late since Matson didn’t launch its administrative appeal with MarAd until February 2017. MarAd denied Matson’s appeal in April 2017, setting up Matson’s instant appeal to the D.C. Circuit.

What’s more, according to the federal agencies, Matson isn’t even a contractor in the Maritime Security Program, and the District of Columbia Circuit lacks jurisdiction under the Hobbs Act to directly review the two decisions on the APL vessels’ eligibility for the program.

If Matson had wished to challenge MarAd’s decision concerning the APL Guam, it would have had to file a petition for review by December 21, 2015, which is 60 days after the decision was issued on October 21, 2015.

“Matson cannot establish timeliness for its challenge to the agency’s determination concerning the APL Guam by bootstrapping that challenge to a challenge to the agency’s determination concerning the APL Saipan,” the DOT and MarAd said in their brief.

The case is Matson Navigation Co. Inc. v. U.S. Department of Transportation et al., case number 17-1444, in the U.S. Court of Appeals for the District of Columbia Circuit.

The SUP has collective bargaining agreements with both APL and Matson.

SUP President Gunnar Landeberg praised the government for its strong and unambiguous position.

“The Sailors’ Union has long opposed Matson’s brazen attempt to scuttle APL’s U.S.-flag service to Guam in order to regain its monopoly to that U.S. territory.” Landeberg said. “What is at stake are the jobs of the American merchant mariners employed in the APL Guam and APL Saipan plus the government’s national defense priorities. We hope the court swiftly rejects Matson’s petition to challenge the status of the Guam and Saipan.”
**SUP Honor Roll**

Voluntary contributions from the membership to the following funds:

### Organization/General Fund

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**Dues-Paying Pensioners**

Donald Cushing  40777
Diane Ferrari  20225
Gerald Ingemanson  00379
Kai E. Kristens  03120
Hannu Kurppa  30102
Dave Lunden  19078
Duane Nash  24257
John Perez  03810
Alex Romo  30939
James Savage  07488
David Shands  07483
Arthur Thanas  03249

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**West Coast Sailors**

Richard Chung  100.00
Marvin Glasow  25.00
Michael Henneberry  25.00
Hans Lilledahl  100.00
John Mancilla  25.00
Jordan Polon  20.00
Reid Young  25.00
Kai Sorenson  25.00
Carl Walters  50.00

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**Preserving sight with hot tea**

Having hot tea every day may reduce your risk for blindness.

Researchers have found that a daily cup reduces the risk for glaucoma, a disease in which a buildup of fluid in the eye can damage the optic nerve and lead to gradual vision loss.

The study, in The British Journal of Ophthalmology, included 1,678 participants in a larger national health survey. Using photos of the optic disc and other diagnostic techniques, they recorded in-

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**SUP Meetings**

These are the dates for the regularly scheduled SUP meetings in 2013:

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**Russia may enact cabotage law for Arctic oil and gas**

Russian President Vladimir Putin this month gathered a group of top-level shipping executives at the Kremlin in order to talk with the Russian flag and direct their ships to a Russian shipyard. Arctic industry leaders from Rosneft Gazprom, Novatek and the United Shipbuilding Corporation,

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**A starfish is destroying the Great Barrier Reef**

Deadly starfish are feasting on parts of the world’s largest reef system, which is already threatened by rising ocean temperatures, the Great Barrier Reef Marine Park Authority this month.

Crown-of-thorns starfish, a native species but whose population has grown so out of control they endanger the reef, have been detected on 37 sections of the southern Swain Reef, more than 60 miles offshore according to the park authority.

The reef is one of the planet’s largest living structures – big enough to be seen from space– and is home to thousands of species, including sharks, turtles and whales. Australia relies on it for about 70,000 jobs and billions of dollars annually in tourism revenue.

Normally, the starfish contribute to the reef’s diversity by helping to faster-growing coral species, which allow for slow-growth species to thrive. But at out-

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**Final Departures**


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**Final Departures**

Gunnar Lundeberg, President/Secretary-Treasurer

Teressa Anhale, Editor

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The U.S. Coast Guard’s top official has acknowledged decisions made by El Faro’s captain and safety failures by vessel operator TOTE Services as major factors in the October 2015 accident that killed all 33 crew members. Zukunft called the October 1, 2015 event “tragic and preventable” in his official comments to his agency’s investigation into the accident. “This casualty did not occur due to a lack of standards or requirements; rather it was the result of poor seamanship compounded by failure of the safety framework that should have triggered a series of corrective actions that likely would have prevented it,” Zukunft stated in his report, published last month. (See the December West Coast Sailors page 11.)

He called decisions made by Michael Davidson, the ship’s captain, as “by far the most prominent” factor contributing to the accident. Zukunft pointed out that the ship’s captain took “unusual and notable” decisions at every stage of the storm’s path and intensity.” Zukunft also acknowledged safety lapses by El Faro’s operator, TOTE Services, as major factors. He noted that the company’s actions mandated the ship’s master solely responsible for weather planning and preparation, which operates under the International Safety Management Code.

“The company deliberately abandoned the practice of assisting masters with heavy weather planning, storm system monitoring, and avoidance,” Zukunft commented, citing information from a former company official. “Understanding that the company routinely provided liner service in an area prone to hurricanes during hurricane season, the decision to abandon such a crucial support system is irresponsible and inexcusable.” Zukunft concurred outright with – and with the intent of – most of his agency’s 31 safety recommendations, many of which involved requiring that shipowners install updated shipboard safety equipment. He also agreed with the investigation’s recommendation that the USCG’s Jacksonville sector initiate civil penalties against TOTE for four offenses, including failure to comply with federal work-rest rules.

He also pointed out procedural gaps by ABS, El Faro’s classification society, as by the Coast Guard itself.

“Keeping cargo aboard in the face of the entire maritime community. TOTE, ABS (American Bureau of Shipping), and the Coast Guard must learn and move with a sense of urgency. This tragic story points to a need for a stronger and more uniform commitment at all elements of the safety framework.”

In response, TOTE did not address Zeskunft’s specific references to the company, pointing out that the Coast Guard’s investigation identified no single cause for the accident.

“Although the report finds that responsibility for the accident is shared among a number of parties, the El Faro and her crew were lost on our watch. For this we will be eternally sorry,” the company said in its statement. “Nothing we can do will bring back the members of the TOTE team lost in this accident, but we will do everything possible going forward to ensure the safety of our team members who go to sea.”

TOTE acknowledged the safety recommendations made by the USCG in October when the agency presented its initial findings, as well as those made by the U.S. National Transportation Safety Board last month.

Los Angeles and Oakland set cargo records in 2017

Los Angeles

Port of Los Angeles experienced the busiest year for container movement in its 110-year history, Gene Seroka, Executive Director of the Port of Los Angeles revealed to a roomful of stakeholders on January 11, during his annual “State of the Port” luncheon in San Pedro, California. At the invitation-only event, which was organized by the port in conjunction with the Pacific Merchant Shipping Association, Seroka told the attendees that 2017 was monumental for the port.

“Together, we’ve accomplished a great deal this past year,” he told more than 300 stakeholders during the luncheon, held at a hotel ballroom a few minutes’ drive from the port. “It was a year of milestones for us at the Port of Los Angeles in the three main areas that we focus: business, community and environment,” Seroka said. “And on the business front – which encompasses our cargo and commercial side of the Los Angeles waterfront – we have another record-setting year, with container volumes.

“In 2017, the Port of Los Angeles moved more than 9.3 million twenty-foot equivalent units, which broke our own record, set just last year, for the largest amount of cargo moved in the history of the Western Hemisphere,” Seroka revealed, to a vigorous round of applause.

In calendar year 2016, the port moved 8.8 million TEUs, according to its data. Before that, the previous record was set in 2006, when the port handled 8.46 million units.

“The (2017) number is especially impressive when we take into consideration that our ships coming into Los Angeles handle more containers per ship call than any other port in the world,” Seroka said. “And these ships keep getting larger. Our customers continue to push the envelope in terms of testing methods with us in how better we can handle business and how much we can move forward with our participation in the overall flow of cargo.

“In fact, between October 17, and 22 of 2017, our large pulpwood short-haul ship the MSC Livorno stores, as much as 24,800 containers on the Maersk Evora, setting an all-time record for cargo containers on one ship call,” he said. “Then, in November, we moved 924,000 TEUs in a port, which was also the single largest movement of cargo for one month of a Western Hemisphere port.”

The Maersk Evora, which arrived at the port fully loaded with nine containers above deck, for the first time in U.S. history, has a capacity of 14,924 TEUs, according to Maersk.

“Our customers, laborers and supply chain partners have been able to handle extraordinary storms, not only in cargo volume, but changes in our industry," Seroka reiterated during his remarks. "And you have been a great partner. And in the last 36 months, collaborating in unprecedented ways to find different ideas in how to fashion the product that we put out there for our customers and our supply chain stakeholders, making sure that we adapt to the ever-changing dynamics in our industry.

Oakland

The Port of Oakland handled the equivalent of 2.42 million TEUs in 2017, making last year the busiest in its 90-year history, the port announced this month. The amount broke the port’s previous record of 2.39 million containers, which had been set in 2014. The port also said that it broke two other records in 2017, with 919,523 loaded import containers and 1.85 million combined imports and exports.

“Our record-setting 2017 has set the stage for the future,” Port of Oakland Maritime Director John Driscoll predicted. “With new development projects already underway, we expect to increase our capacity and drive greater volume.”

Import growth was the key driver for the record performance, the port said. Oakland reported that imports rose 4% in 2017 over 2016 totals. December imports alone were up 6.4% over the same month in 2016, according to port statistics. The port moved a total of 206,835 units last month, data shows, including 80,490 full exports, 78,703 full imports, 28,555 empty exports and 19,087 empty imports. The port attributed the improvement to a rally to a strong U.S. economy, as well as increasing consumer demand for retail products.

Oakland could be positioning itself to also have a record-breaking 2018. The port said it expects Cool Port Oakland – a 280,000-square-foot temperature-controlled distribution center– to open late this summer, and that it projects that the agricultural exports clearinghouse will handle about 30,000 containers full of chilled and frozen meat products annually. Additionally, the port said work on its recently approved 440,000-square-foot Seaport Logistics Complex could begin by spring, instead of the fourth quarter of the year, as had been previously projected.

The Seaport Logistics Complex is a planned $52 million, 440,000-square-foot distribution center designed for the rapid transfer of cargo between ships, trucks and trains.
In Memoriam

Final Departures of SUP members reported in 2017


Moon is about to do something it hasn’t done in 150 years

On January 31, three separate celestial events will occur simultaneously, resulting in what some are calling a super blue blood moon eclipse. The astronomical rarity hasn’t happened for more than 150 years, according to Space.com.

A super moon, like the one visible on New Year’s Day, is the term for when a full moon “is closest to the Earth in its orbit, appearing bigger and brighter than normal.”

On January 31, the moon will be full for the second time in a month, a rare occasion—it happens once every two-and-a-half years—known as a blue moon.

To top it off, there will also be a total lunar eclipse. But unlike last year’s solar eclipse, this sky-watching event isn’t going to be as visible in the continental United States. The best views of the middle-of-the-night eclipse will be in central and eastern Asia, Indonesia, New Zealand and Australia, according to Space.com, although Alaska and Hawaii will get a glimpse, too.

For the rest of the United States, the eclipse will come too close to when the moon sets for the phenomenon to be visible.

Because of the way the light filters through the atmosphere during an eclipse; blue light is bounced away from the moon, while red light is reflected. The eclipsed moon’s reddish color earned it the nickname blood moon.

“We’re seeing all of the Earth’s sunrises and sunsets at that moment reflected from the surface of the moon,” Sarah Noble, a program scientist at NASA (National Aeronautics and Space Administration) headquarters, said in a release.

Scientifically, Simpson said, the event is pretty meaningless. The moon’s orbit is well studied and well understood by scientists. The real impact, she said is how astronomical events like this get people interested in science.

“Anything that keeps people interested in science and makes them realize science is important is a good thing,” she said.

Support Food for Peace by Supporting the SUP Political Fund
fourth arm of defense and you are critical to this nation.

Finally, in May 2015, Rear Admiral Thomas Shannon, Commander of the Maritime Security Command, reinforced the continued need for a U.S.-flag fleet and its American crews to ensure the military's ability to maintain a sea presence in conflict areas. He emphasized that “It is our U.S.-flag merchant fleet and our mariners that are the single greatest source of preference cargo and its importance will only increase in the years to come.”

Unfortunately, despite the constant reminders from members of the Department of Defense (DOD) that our Nation needs a vibrant civilian U.S. Merchant Marine in order to meet the needs of the military, the commercial sealift capacity and its pool of highly trained and experienced mariners is reaching a diminished point of no return. In March 2016, then Maritime Administrator Paul Jaenichen testified before the Subcommittee on Surface Transportation and Merchant Marine Infrastructure Safety and Security of the Senate Committee on Commerce, Science, and Transportation. In his statement he noted that the number of U.S.-flag merchant ships in the nation’s merchant fleet declined from 106 vessels in 2011 to 79 vessels today. This loss of ships has resulted in a drastic diminution in the number of mariners needed to meet DOD requirements. At Congressional hearings in 2017, General Thomas Waldhauser, commander of the United States Transportation Command, warned that there is currently a shortage of approximately 2,000 mariners. He added, “We are counting on our industry on the edge of being able to sustain immediate sealift requirements and that it would not be able to meet sustained requirements beyond that five to four months of a conflict. It should be emphasized that it is very difficult to gauge the number of civilian mariners immediately available to serve vessels needed in times of war. When merchant mariners are not at sea they have a number of personal and financial obligations and may not be able to drop everything in order to sail. Therefore, any assumption on the number of civilian mariners immediately available to serve vessels needed in times of war is a bare minimum and we should seek to enact policies and programs that will increase that pool significantly.

The shortage of U.S. mariners should be concerning to every American. While few seagoing opportunities force mariners to find employment in other fields, it is important to note that it takes many years for an individual to gain the education, experience, and sea-time necessary to qualify as a member of the United States Merchant Marine which is a bare minimum and we should seek to enact policies and programs that will increase that pool significantly.

The Maritime Unions regularly recruit young people to seek a career in the industry. One program that we are particularly proud of is the “Step into a Career at Sea” program. The private industry has worked with this Committee and the military to ensure exiting service members seamless entry into the merchant marine. Young people who are considering a career as a merchant mariner must not be discouraged to do so by a lack of government support and recent trends that promise no realistic future for employment.

In May 2011, General Duncan McNabb, then Commander of the United States Transportation Command told “The United States is home to the world’s 5th largest commercial shipping fleet and creates 1 million jobs for American citizens, but has been a major contributor to the cargo we have moved under the cargo preference law that our U.S.-flag commercial shipping fleet is responsible for. U.S. mariners move cargo throughout the world, including cargo due to the drawdown in operations in Iraq and Afghanistan. Significantly, vessels enrolled in the MSP carried 99% of these cargoes. While the assurance of sealift capability provided by the MSP, U.S. troop stations overseas could find themselves at a point where future reductions in the U.S.-flag capacity puts their ports be transported on ships manned by non-U.S.-flag crews and the global logistics systems are driven by vessel owners to refit to non-U.S.-flag out of economic necessity with the threat of recent vessel reductions, the marine base is at a point where future reductions in the U.S.-flag capacity puts out ability to fully activate, deploy, and sustain military bases overseas.”

Echoing the concern that recent developments have threatened the continued availability of U.S.-flag vessels, U.S. flags and the public and private sectors, is less a burden on the taxpayer than the other options to public and private sectors, is less a burden on the taxpayer than the other options to sustain immediate sealift requirements and that it would not be able to meet sustained requirements beyond that five to four months of a conflict. It should be emphasized that it is very difficult to gauge the number of civilian mariners immediately available to serve vessels needed in times of war. When merchant mariners are not at sea they have a number of personal and financial obligations and may not be able to drop everything in order to sail. Therefore, any assumption on the number of civilian mariners immediately available to serve vessels needed in times of war is a bare minimum and we should seek to enact policies and programs that will increase that pool significantly.

The shortage of U.S. mariners should be concerning to every American. While few seagoing opportunities force mariners to find employment in other fields, it is important to note that it takes many years for an individual to gain the education, experience, and sea-time necessary to qualify as a member of the United States Merchant Marine which is a bare minimum and we should seek to enact policies and programs that will increase that pool significantly.

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Maritime labor testifies continued
Chairman and Ranking Member of this Subcommittee, recently increased the funding authorization for the MSP. This increase, which provides each vessel operating in the program with $5 million through FY 2022 rather than previously authorized $3.1 million, represented an important step in ensuring the viability of the 60 ships operating in the program.

While Congress strongly affirmed support of the program by increasing the authorization, it is important to note that the MSP relies on annual appropriations. As noted by Chairman Hunter and Ranking Member Garamendi as well as a bipartisan group of 77 of their colleagues in a letter to the Appropriations Committee last year, “The Program utilizes existing U.S. maritime private sector capabilities at a fraction of the cost of what it would take if the Federal government were to replicate the vessel capacity and global intermodal systems made available to the Department of Defense by the MSP contractors who continuously develop and maintain modern logistics systems for commercial and defense purposes. The cost to the government of replicating the vessels and support would be estimated at at least $1 billion.

In January 2016, General Darren McDew, Commander of the United States Transportation Command, stated, “As a military professional and senior leader, I think about and plan for what the future may hold and I would tell you we must prepare for the real possibilities we will not enjoy the uncontested seas and international support experienced in 1991. If either of those possibilities becomes a reality, and if we remain committed to responding to security incidents around the globe, the only way of guaranteeing that we meet our national objectives is with U.S. ships operated by U.S. mariners.

In order to secure the availability of U.S.-flag ships with American mariners whenever needed to assist supply the forward deployed warfighter, we ask for your help to secure full FY’ 2019 funding for the Maritime Security Program at its Congressionally-authorized level.

The JONES ACT

The cornerstone of America’s domestic maritime policy is the Jones Act. This body of law requires that vessels engaged in commerce between U.S. ports are owned and crewed by American citizens and built in American shipyards. The oceangoing vessels engaged in domestic commerce provide important employment opportunities for licensed and unlicensed American mariners who are also ready and qualified to serve aboard vessels needed by the Department of Defense. Without the Jones Act, our country would be reliant on foreign companies and foreign mariners, with unfettered access to our inland river systems, to deliver our domestic cargo.

Congress should continue to support the Jones Act as it is a critically important part of our Nation’s maritime policy and our national security.

ENCOURAGING THE USE OF U.S.-FLAG VESSELS FOR INTERNATIONAL COMMERCIAL FREIGHT

The export of strategic American energy assets presents a tremendous opportunity to increase the size of the U.S.-flag commercial fleet and to provide much-needed employment opportunities for American mariners.

We urge the current administration, led by Secretary of Transportation Garamendi, Congressman Hunter, and Congressman Duncan and their legislation, H.R. 1240 the “Encouraging the Use of American Maritime Act” that would require up to 25% of exports of strategic energy assets to travel on U.S.-flagged vessels.

We further ask that Congress and the Administration consider any and all ways to incentivize or mandate other commercial vessels to be shipped on U.S.-flagged vessels. The U.S.-flag fleet is currently responsible for only 2% of the global U.S. trade. One way this can be accomplished is through the negotiation of bilateral shipping agreements. Congress should give the Administration whatever additional authority it needs to negotiate meaningful bilateral cargo sharing agreements with members of the G-7 group of major shipping partners to provide U.S.-flag vessels with a greater share of our foreign trade.

CONCLUSION

We want to ensure that this industry is viable for generations to come. The important role that the U.S. Merchant Navy plays to support our country’s military, economic and homeland security cannot be understated.

We are encouraged that the Administration and Congress seem poised to consider comprehensive infrastructure policy. It is important that a renewal of the U.S. Merchant Marine is considered as a part of that discussion. We stand ready to work with you to achieve these objectives.”

Full Operating Status (FOS)

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Matson Navigation Company

Wage rates for M/V Kamokuiki

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Former Fitzgerald, McCain, McCain skippers face criminal charges by U.S. Navy

The U.S. Navy is filing criminal charges against two former commanders of military ships that were involved in fatal collisions with cargo vessels in the Pacific Ocean last year.

In a statement on January 16, Acting U.S. Navy Chief of Information Capt Greg Hicks said that Admiral Frank Caldwell, the officer overseeing the USS Fitzgerald and USS John S. McCain collision incident investigations, has decided to file multiple criminal charges against high ranking officers that were serving on each vessel during the collisions.

In the Fitzgerald incident, court-martial proceedings are being convened to review evidence supporting possible criminal charges against the vessel’s then-Commanding Officer, two Lieutenants, and one Lieutenant Junior Grade. The charges include dereliction of duty, hazarding a vessel in navigable waters, and negligent homicide. In addition, a charge of dereliction of duty for a Chief Petty Officer is pending, according to Hicks.

A report released last November by the Navy’s operations chief said that both accidents were preventable and blamed both on human error.

The collision between the John S. McCain and Alnic MC resulted primarily from “complacency, over-confidence and lack of procedural compliance,” the unclassified version of the 72-page report notes. “A major contributing factor to the collision was sub-standard level of knowledge regarding the operation of the ship control console.”

In particular, the report states that the commanding officer of the John S. McCain, Commander Alfredo Sanchez, disregarded recommendations from his executive officer, navigator and senior watch officer to establish safe and anchor watch teams in a timely fashion to ensure the safe and effective operation of the ship.

The collision between the Fitzgerald and ACX Crystal, the U.S. Navy determined, was avoidable and resulted from an accumulation of smaller errors over time, ultimately resulting in a “lack of adherence to sound navigational practices.”

Specifically, the report states that watch teams on the Fitzgerald “disregarded established norms of basic contact management” and, that leadership “failed to adhere to well-established protocols” in place to prevent collisions.

The report notes that the ship’s top three leaders – Commander Bryce Benson, Commander Sean Babbitt and Command Master Chief Bride Baldwin – were all absent from the bridge at the time of the collision.
ExxonMobil Seminar dates for 2018

(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. Below are the dates for 2018.

<table>
<thead>
<tr>
<th>Date</th>
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<tr>
<td>February 14-15</td>
<td>Houston Campus, TX</td>
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<td>February 22-23</td>
<td>Paulsboro, USA</td>
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<td>February 27-28</td>
<td>Baytown, TX</td>
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<td>March 1-2</td>
<td>Irving, TX</td>
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<td>March 6-7</td>
<td>Fort Worth, TX</td>
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<td>March 13-14</td>
<td>Houston Campus, TX</td>
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<tr>
<td>March 14-15</td>
<td>Fort Worth, TX</td>
</tr>
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<td>March 20-21</td>
<td>Baton Rouge, LA</td>
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<tr>
<td>March 20-21</td>
<td>Fort Worth, TX</td>
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<tr>
<td>April 18-19</td>
<td>Clinton, NJ</td>
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<tr>
<td>April 18-19</td>
<td>Houston Campus, TX</td>
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</table>

2018 PPE reminder

Personal protective equipment packets with clothing order instructions and safety eyeglasses card should be mailed to fleet personnel from the SeaRiver Safety Department around the last week of January. Some employees may receive an e-mail with an attachment that includes forms and instructions on how to order the clothing through Wayne Industries.

Employees are eligible to order six (6) articles of clothing per year (6 pair of coveralls, or 6 shirts and 6 pants or a combination of the aforementioned). Steward department personnel will also receive their packets, which will 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, 2018.

The Winter (Arctic) Clothing allowance, was last paid in 2015 and is due to be paid again by 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 every three years.

The ESU was notified by the Company that the entries for the Shoe Allowance and the Arctic Clothing Allowance should be on the January 31, 2018 pay vouchers.

2017 Environmental Achievement Awards

In November the SeaRiver Fleet received 2017 Environmental Achievement Awards presented by the Chamber of Shipping of America at a dinner ceremony in the Ronald Reagan Building in Washington, D.C.

Awards were presented to the S/R American Progress, recognizing the seagoing employees of SeaRiver Maritime for their dedication to working safely and protecting the environment. This award is given to the vessel for operating 19 years with zero recordable safety incidents and zero spills. Additionally, the Liberty Bay (three years) and Eagle Bay (two years) received awards for the same accomplishments.

Operations Vice President Keith Trotter said, “These results underline the level of professionalism our officers and mariners continue to demonstrate. A strong focus on doing every task safely and looking out for one another will be critical as we navigate through the transition in 2018.”

From the ESU’s perspective this kind of recognition rings very hollow now with the pending sale of the fleet to Crowley. Especially when we consider that despite our outstanding safety and environmental achievements, those achievements were not good enough to convince ExxonMobil to stick with a proven group instead of taking a chance by out sourcing to a third party.

2018 ESU Holiday schedule

As per the CBA, Article IV, the following is the schedule of Holidays for 2018. Holidays are observed on the day designated by federal guidelines, i.e., the Federal Uniform Holiday.

- New Year’s Day
- Martin Luther King Day
- Presidents’ Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas Day

<table>
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<tr>
<td>New Year’s Day</td>
<td>Monday, January 1</td>
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<tr>
<td>Martin Luther King Day</td>
<td>Monday, January 15</td>
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<tr>
<td>Presidents’ Day</td>
<td>Monday, February 19</td>
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<td>Memorial Day</td>
<td>Monday, May 28</td>
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<td>Wednesday, July 4</td>
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<tr>
<td>Labor Day</td>
<td>Monday, September 3</td>
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<td>Columbus Day</td>
<td>Monday, October 8</td>
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<tr>
<td>Veterans Day</td>
<td>Monday, November 12</td>
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<tr>
<td>Thanksgiving Day</td>
<td>Thursday, November 22</td>
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<tr>
<td>Christmas Day</td>
<td>Tuesday, December 25</td>
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</table>

Ship reports

S/R American Progress

ESU Board officer Leo DeCastro visited the vessel at Valero Dock in Port Arthur, Texas, on January 5, where the ship was loading its first U.S. cargo since coming back from the shipyard. Ship Representative AB Larry Miles reports all is going OK. The vessel is expected to resume its previous routes loading gasoline in the Gulf Coast to Florida.

Eagle Bay

ESU Board officer Leo DeCastro visited the ship at Andeavor 121 on December 29, in Long Beach, California. The vessel continues to trade between Valdez, Alaska, and multiple discharges in the West Coast ports. Temporary ship representative AB Peter Flaherty filling in and reports all is well. The vessel spent a few days in Port Angeles, Washington, to discharge the slops they have been carrying for awhile and also to complete inspection of tanks for Crowley.

Liberty Bay

The Liberty continues loading in Valdez, Alaska, for discharges in the Puget Sound and San Francisco. Current trip south is scheduled for discharge in San Francisco, and then up to the Puget Sound where the vessel will be completing tank inspections also for Crowley. Inspections will be done at the Port Angeles City Dock, Washington.

The ESU News is written and edited by the Exxon Seamen’s Union.
DOT announces important changes to regulations governing drug testing

On November 13, 2017, the U.S. Department of Transportation (DOT) issued amendments to its drug testing regulations. These changes were scheduled to take effect January 1, and apply to all who ship with the Sailors’ Union of the Pacific (SUP). The changes will make the mariner medically unqualified and will not pose a safety risk. If the prescription cannot be changed or the doctor does not respond, and the MRO determines that the drug is a safety risk, the MRO will report this information to the Seafarers Medical Center. The mariner will then be medically unqualified to ship through the SUP, until the prescription is changed, or the mariner is no longer taking this drug.

If the mariner tests positive for one of the drugs listed above, the Medical Review Officer (MRO) will verify whether the mariner has a valid prescription for the medication, the test will be reported as negative. The MRO must then allow the mariner five (5) business days so that the mariner’s physician can contact the MRO, to see if a different drug can be prescribed, that does not make the mariner medically unqualified.

The following drugs have been added to the panel that mariners are tested for: hydrocodone, hydroxyamphetamine, oxymorphone, and oxycodone. (Some of the brand names for these drugs are: Norco, Vicodin, Vicoprofen, Percocet, Percodan, Zohydro ER, Hydrogin ER, Dilaudid, Exalgo, Numorphan, Oxydo- xOConty, Oxyfast, Roxicodone, Opana, Opana ER and Xtrmapza ER.) If you are not sure if you are taking one of these medications, talk to your doctor or pharmacist.

If a mariner tests positive for one of the drugs listed above, the Medical Review Officer (MRO) will verify whether the mariner has a legally valid prescription for the drug. If the mariner has a legal prescription, the test drug will be reported as negative. The MRO must then allow the mariner five (5) business days so that the mariner’s physician can contact the MRO, to see if a different drug can be prescribed that does not make the mariner medically unqualified.

Membership and Ratings Committee

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

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<tr>
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Bonum Stamp - None

Membership and Ratings Committee’s Report: M/S to concur in the Committee’s report. Carried unanimously. Membership and Ratings Committee: Allen Gonzalez #3003, Cirilo Sajona #19387 and Kenneth Thueringer #3298.

Editor’s Note: To receive the West Coast Sailors via first-class mail it’s $25 per year U.S. mail; $50 per year international.

Welfare Notes - January 2018

SIU Pacific District Pension Plan Notes

The Plan provides two types of pension – Deferred Vested Pensions and Pensions Vesting at Retirement. The latter are employer subsidized early retirement benefits. If you qualify for more than one pension, you will receive only the one that is the largest. A few highlights from the SIU Pacific District Pension Plan rules are outlined below:

Deferred Vested Pension

The Plan provides a Deferred Vested Pension benefit payable at Normal Retirement (usually age 65). The amount of the benefit depends on the pension credits accumulated.

One Year of Vesting Service

125 days of covered employment within a calendar year

Benefit Credits

125-199 days: pro rata benefit

200 days: full year vested benefit credit

Vesting Requirements

Before August 1, 1999, 10 years of vesting service for active employees

After 7/31/1999, 5 years of vesting service for active employees

If following a Plan participant’s most recent year of vesting service, a participant with less than 10 aggregate years of vesting service has one or more one-year service breaks before January 1, 1999, then the required number of aggregate years of vesting service shall continue to be ten until the participant completes one year of vesting service after December 31, 1998.

(Breaks in Service)

Until your benefit is “vested”, you may lose your accumulated pension credits if you have a Break in Service. Prior to January 1, 1985, you experience a Break in Service for purposes of the Deferred Vested pension if the number of consecutive calendar years in which you had 62 or fewer days of service. Your accumulated years of vesting service cannot include years lost because of a previous break in service.

(Pension Type Qualifying Years Requirement Minimum Age
Long Term 25 20 55
Basic Reduced 15-19 65
Disability Minimum of 10 years Any age

Year of Qualifying Time

200 days of covered employment within a calendar year equals a full year of qualifying time. Less than 200 days within a calendar year will earn a pro rata partial year of qualifying time. No credit will be earned for covered employment in excess of 200 days in any calendar year.

Loss of Qualifying Time

A Plan participant shall lose all qualifying time credit if he or she: 1) has failed to maintain seniority shipping rights under the provisions of the Collective Bargaining Agreement; or 2) has failed to work at least 1 day in covered employment or in a non-covered standby employment for a contributing employer in any 2 calendar years after having attained seniority shipping rights; or 3) did not have seniority shipping rights on June 15, 1965 under the provisions of the Collective Bargaining Agreement, provided that a Plan participant shall be deemed to have seniority shipping rights on June 15, 1965 if he or she was working in covered employment on June 15, 1965, or was eligible for registration or employment on a seniority basis on that date at one of the hiring halls of the Pacific District Unions.

Any such Plan participant who reenters covered employment after having so forfeited his qualifying time shall accumulate qualifying time only after the date he or she last forfeited Qualifying Time.

A Plan participant cannot lose previously acquired qualifying time if he or she has fulfilled all of the eligibility requirements for a Basic or Long Term Pension at any time since June 16, 1978.

Integration Agreements

The SIU Pacific District Pension Plan entered into INTEGRATION AGREEMENTS with the Chevron/SUP/Marine Pension Plan, ExxonMobil and the San Francisco Bar Pilots Marine Pension Plan.

Example Calculation for a Pro-rata Benefit(s)

Applicant is age 60;
Applicant has accumulated 32 Qualifying Years.
Applicant is entitled to receive the current maximum amount of $2,075.00

SIU-PD Pension Plan: 23.0 Qualifying Years
Other Plan: 9.9 Qualifying Years

Total Qualifying Years: 32.9
$2,075.00 x 32.9 = $64,843.75 (Per Qualifying Year)
$ 64,843.75 x 23.0 = $1,491.40625 SIU-PD Pension Plan
$ 64,843.75 x .90 = $58,359.275 Other Plan
32.9 x $2,075.00

In no event does the SIU Pacific District Pension Plan integrate with any of the other plans for vesting or Deferred Vested Benefit purposes.

Space does not allow a full listing of the SIU-PD Pension Plan rules. Questions regarding Exceptions, Break-in-Service rules or Accumulated Vesting or Qualifying Time should be directed to the Plan Office.

SIU Pacific District Pension Plan: 415-764-4987

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West Coast Sailors
Friday, January 19, 2018
UN pursues new treaties to protect the high seas

The United Nations General Assembly voted last month to pursue an international treaty to protect the marine environment on the high seas.

According to the Pew Charitable Trusts, the treaty would be the first of its kind, existing outside the United Nations Convention on the Law of the Sea (UNCLOS) mentioned previously. Pew is calling for a new treaty to address the problem of plastics and microplastics in the ocean.

The Maritime Union of Australia (MUA) is calling on the federal government to look at ways to provide Australian fuel security and is recruiting concern.

The vote means that the UN will hold four meetings over the next two years at which representatives will draft a final treaty, a process that is similar in nature to the series of meetings that led to the Paris Climate Agreement. If a new high seas protection treaty is ultimately enacted, it will have to rely on the efforts of member states’ navies and maritime authorities for enforcement.

The UN is also moving towards an international treaty to “zero tolerance” for land-based discharge of plastics into the ocean. Ships have been forbidden to throw plastic over the side ever since MARPOL was enacted, but no international law exists to prevent communities on shore from polluting the seas with long-lasting, harmful plastics.

A problem is that the UN Environment Assembly adopted a resolution on marine litter and microplastics that calls on member states to take a “source-to-sea” approach to combat the shoreline trash that ends up in the water.

At the “at current rate, we will end up with more plastic in the oceans than fish by the middle of the century, and ultimately that comes back to our own food chain,” said Erik Solheim, Executive Director of UN Environment. “We don’t need food to be systematically wrapped in plastic, and we certainly don’t need plastic straws or throw-away plastic coffee cups … This is an environmental disaster caused by laziness that is easily fixed by a healthy dose of innovation and political will.”

Death in the East China Sea

Hopes of finding any surviving seafarers in the Panama-flag, Iranian-owned tanker Sanchi have ended as the vessel has finally sunk, after burning for a week.

Sanchi, built in 2008 and part of National Iranian Tanker Company’s fleet, collided with the Hong Kong-flag CF Crystal, a 2011-built Panamanian bulk carrier, on January 6, and had been burning since then.

China’s Ministry of Transport said on January 14, that another explosion occurred on the Suezmax tanker at about noon Shanghai time, causing the vessel to sink in the East China Sea.

Of the 32 crew members on Sanchi, 29 remain missing after three bodies were found during search-and-rescue operations conducted by Chinese, Japanese, and South Ko- rean personnel. The crew comprised 32 Iranians and 2 Bangladeshis. A body found on January 9 is believed to be an Iranian crew member named Mohammad Rastad, a spokesman for an Iranian team sent to assist with the search-and-rescue operations, was quoted by Reuters as saying there was no chance that any survivors could be found. He said crew members of CF Crystal had indicated to investigators that all the Sanchi’s seafarers were killed within an hour of the collision due to the explosion and the release of toxic gases.

Sanchi was carrying 136,000 tons of condensate from Assalyabille, Iran, to Dae- san, South Korea, when it collided with CF Crystal, which was carrying U.S. wheat cargoes to Machong, China.

All 21 seafarers on CF Crystal, comprising Chinese nationals, were unhurt. CF Crystal has been brought to Luhuashan for investigations.

Los Angeles city attorney sues port trucking companies, alleges driver exploitation

The office of Los Angeles City Attor- ney Mike Feuer has filed lawsuits against three Port of Los Angeles drayage trucking companies, alleging that each has en- gaged in “a scheme to misclassify truckers working in their employ as independent contractors instead of employees” so the companies can dodge obligations to provide workers benefits, pay relevant taxes, and shift operating costs.

The city attorney’s office announced the litigation against CMI, K&R Transportation California and Cal Cartage Transportation Expresson January 8. The companies, which are each named in three separate lawsuits, rely on fleets of truck drivers to provide short-distance transportation between the ports, railyards and warehouses.

The lawsuits allege that the companies purposefully classify their drivers as inde- pendent contractors rather than employ- ees to avoid obligations to pay employee benefits, including unemployment insur- ance, workers’ compensation, minimum wage protections and reimbursement for thousands of dollars of business expenses.

“Allegedly misclassifying drivers also allows each company to avoid paying applicable California taxes, instead shifting this responsibility to the drivers,” the city attorney’s office explained in a statement. “While these companies increase their profits, drivers may take home as little as $3 per hour and reserve to achieve a sustainable ocean. Protecting biodiversity on the high seas will be a key component of moving toward this goal.”

“This is the biggest opportunity to change the status quo we have ever had,” said Will McCallum, head of oceans for Greenpeace, speaking to The Guardian newspaper.

“It can change everything.”

The MUA is calling on the UN to hold four meetings over the next two years at which representatives will draft a final treaty, a process that is similar in nature to the series of meetings that led to the Paris Climate Agreement. If a new high seas protection treaty is ultimately enacted, it will have to rely on the efforts of member states’ navies and maritime authorities for enforcement.

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Maritime Union of Australia questions national fuel security

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The lawsuits allege that the companies purposefully classify their drivers as inde- pendent contractors rather than employ- ees to avoid obligations to pay employee benefits, including unemployment insur- ance, workers’ compensation, minimum wage protections–all to boost the compa- nies’ profits,” Feuer said. “It’s wrong and we’re fighting to stop it.”

Los Angeles City Councilmember Joe Buscaino, who introduced the bill that includes the port applauded the city attorney’s actions.

“I commend the City Attorney for dedicating the resources of his office to addressing this problem, filing this law- suit and fighting on behalf of the people of California, who deserve a fair com- petitive marketplace where no company is allowed to gain an unfair advantage by exploiting human beings for the sake of corporate profits,” he said in a statement.

The three trucking companies being sued by the city have yet to publicly issue any comment on the litigation, but the Harbor Trucking Association
Ready Reserve Fleet (RRF) vessels:

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

Also, in accordance with agreements with Matson and Patriot, the Unions have the right to allocate funds from the wage increase to the various benefit funds.

Therefore, recommend, subject to membership approval, that the wage increase be allocated to increase the daily contribution rate to the Pacific District Pension Plan from $10 to $20. As the membership will recall, the contribution rate was raised to $20 in bargaining with Matson last summer and an allocation of $10 to $20 was made in October following the wage increase for the West Class LMSRs. The rates for the RRF Fleet will be published in next month’s West Coast Sailors.

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 (Gililland, Gordon, Shaggart and Tunun), there shall be a 2% increase in Total Labor Costs (wage, overtime, Supplemental Benefits, contributions to the various benefit plans) effective January 27.

Since these vessels will not be operated by Patriot after April of this year, there is no recommendation to allocate to the Pension Plan, therefore, recommend that wages and overtime be increased 2%, in addition to all the other Total Labor Costs.

New wage rates for the Surge LMSRs will be published in this month’s West Coast Sailors.

Kwajalein Range Services:

Last month Patriot informed the Union that Kwajalein Range Services had requested Patriot to submit proposed pricing for two six-month extensions of the current crewing services contract which expires at the end of February.

The SUP, MFOW and Patriot agreed, subject to membership approval, to submit pricing for the two possible contract extensions at a Total Labor Cost that is 2.75% higher than current costs. Recommend membership approval of the proposed increase.

QUARTERLY FINANCE COMMITTEE

In accordance with Article XVII, Section 2 of the SUP Constitution, a Quarterly Finance Committee shall be elected at today’s meeting to review the finances of the Union for the fourth quarter of 2017, 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 13.

HOLIDAYS

Martin Luther King, Jr.’s Birthday: All SUP halls will be closed Monday, January 15. 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 16.

Lincoln’s Birthday: Since this holiday falls on a Monday, February 12, in accordance the agreements with APL, Chevron, Matson and the San Francisco Bar Pilots, the Headquarters meeting will be held on Tuesday, February 13.

Presidents’ Day: All SUP halls will be closed Monday, February 19, in accordance with the Agreements with APL, Foss, Matson and Patriot Contract Services. Due to the holiday, Branch meetings will be held Tuesdays, February 20.

Washington’s Birthday: This holiday, which also falls on Monday, February 19, this year, is observed under the Chevron Agreement, and for all Marine Employees and Dispatchers employed by the San Francisco Bar Pilots.

ACTION TAKEN

M/S to allocate from the RRF wage package for an additional $10 contribution to Pension Plan. Carried unanimously.

M/S to allocate 2% increase in wages in Surge LMSR’s entirely to wages. Carried unanimously.

M/S to allocate 2.75% increase in KRS contact to wages. Carried unanimously.

M/S to ratify UFCW agreement. Carried unanimously.

M/S to elect Quarterly Finance Committee. Elected were: Phil Coulter, Paul Fuentes, Frank Portanier, Isaiah Stafford, and Mike Worth.

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

SUP President’s Report

January 8, 2018

Grounding in Canada: Master was multi-tasking

The Transportation Safety Board of Canada has released its report into the October 2016 grounding and abandonment of the passenger vessel Stellar Sea in Wain Bay, British Columbia, stating that insufficient passage planning and inadequate lookout for hazards contributed to the incident.

On a cloudy afternoon of October 1, 2016, the Stellar Sea, with 26 passengers and two crew members on board, departed Tofino, British Columbia, on a bear-watching excursion. The master navigated the vessel along the confined shallow waters of Fortune Channel while, at times, looking out for wildlife. The master was also communicating with the company, the deckhand and the passengers. After spotting a bear in Wain Bay, he navigated in its direction. At approximately 1744, the Stellar Sea struck a rock and went aground, causing two passengers to fall and sustain minor injuries.

The company dispatched two vessels to rescue the passengers. Nine of them boarded the first vessel to arrive. However, as the oblong bight caused the Stellar Sea’s wheel progressively to port, the remaining 17 passengers were instructed to abandon ship and move onto the rock until the second rescue vessel arrived. The Canadian Coast Guard (CCG) was informed of the occurrence four-and-a-half hours after the grounding and the passengers had been safely evacuated. The vessel was refloated and towed on October 3 for inspection and repairs.

The investigation determined that there was insufficient passage planning prior to the occurrence. Planning did not include strategies to identify and mitigate the risks posed by navigating alone in a challenging marine environment, filled with numerous hazards, such as rocks, reefs and a large tidal range. For example, the chart plotter and the echo sounder system were not used to their full potential, and available safety zone alarms were not enabled.

The investigation also found that there was inadequate lookout for hazards during the voyage. No dedicated lookout had been posted. The master, alone in the wheelhouse, was performing multiple tasks that interfered with his ability to focus on the course ahead. A significant factor was the protruding rock in time to prevent the accident.

In June 2017, in response to the 2015 capstoring of the whale-watching vessel Leviathan II, the Safety Board recommended to Transport Canada that it require commercial passenger vessel operators to adopt explicit risk management processes and that it develop comprehensive guidelines to assist with the implementation and oversight of those processes.

In March 2017, Stellar Sea’s owner company updated the emergency and operational procedures manual to emphasize the requirement to contact the CCG in an emergency. The frequency of safety drills was also increased.
Hawai’i study says inter-island ferry isn’t realistic

Results are in from a new Hawai’i state study: The ferry isn’t going to happen. There’s more hype than actual interest. There’s no pier space. And it’s just too expensive.

The situation probably won’t change until “substantially” cheaper or “drastically” faster ferry technologies are created, according to the Hawai’i Department of Transportation, even though “no other state depends on ocean or water transport to the degree that Hawai’i does.”

Inter-island, intra-island and intra-county routes were all written off as infeasible. High costs and a lack of pier space are the top reasons a ferry wouldn’t work, according to the report. Generally, support is high, but few people would actually use it. A state subsidy would be needed to sustain the system.

A July state audit found Hawai’i still owed $33 million on the Superferry, which ran from 2007 to 2009 until it was shut down for failing to complete an environmental review prior to commencing operation. Taxpayers would continue to pay off the Superferry charges until 2028. The state also paid $38 million for Superferry barges and vehicle ramp systems. They were later sold to Vogel Equipment at just one percent of the original value, or $380,000, according to a state audit.

But if history is any indication, this isn’t the last Hawai’i will hear of a ferry. More than 70 studies, reports and publications on a Hawai’i ferry service have been published since 1956 – before Hawai’i became a state. Half of those are feasibility studies, much like the report made public this month. Many of those studies also came to the conclusion that the ferry wouldn’t work, according to the report, which was paid for with a state appropriation from the Legislature.

The latest DOT study looked at four types of vessels and multiple routes, such as one that once ran from West Oahu to downtown. Based on public feedback, the state determined the impact of a ferry on that commuter route “would possibly go unnoticed.”

“... The estimated cost of a round-trip daily ticket for West Oahu commuters would be $20.”

Infrastructure costs exceed $100 million

Of the 12 harbors analyzed, some would need infrastructural improvements such as an expanded parking lot, or ramps to load cars and cargo onto ferries. Infrastructure improvements could cost more than $100 million.

Maui’s Kahului Harbor, deemed “the most popular inter-island ferry destination from Honolulu” in the report, already has such high traffic that it couldn’t handle a ferry service.

Environmental factors were also a consideration in the study. Invasive species such as fire ants, coqui frogs and the gorse plant found on Hawai’i Island could be accidentally transported to other islands through soil, litter or personal items stowed on board a ferry, according to the report. The Superferry developed a list of protocols to combat the transport of invasive species, but there would still be a risk.

Further complicating the situation, the federal government would need to sign off on the project. Necessary infrastructural changes “in or over water” would trigger a federal review under the National Environmental Policy Act, the report said.

Vessels would cost from $10 million to $104 million, according to the study, as they would have to be built in the United States.

Supporting the concept

Public interviews of almost 1,500 randomly selected Hawai’i residents suggest people support an inter-island ferry, the report said, because it would provide an alternative mode of travel. People also tended to believe costs would be lower than other travel options, and environmental concerns would be considered.

More than half of the residents said they “strongly support” an inter-island ferry, while 20% “somewhat support” the idea. Kauai had the least support of all islands, though more than half of respondents there “somewhat” or “strongly” support the ferry. Overall, more people said they were likely to use a ferry that transported vehicles than a passenger-only ferry.

On average, the report found a reasonable round-trip ticket cost was around $90, while $135 was pricey and $190 was too expensive. Interviewed people indicated would be comfortable spending an additional $90 to bring their car. The state determined an “optional” ticket price would be $140, based on that feedback. Just more than 60% of interested respondents said they would be willing to pay that much.

“... The production of commercial success for a prospective ferry system in Hawai’i is heavily dependent on a small portion of residents who are interested inter-island and intra-island travel by ocean,” according to the report. “... Through a different lens, the concept of inter-island travel by ferry appears to make sense for many Maui residents, but the numbers don’t support this.”

Few respondents said they would take a ferry route that lasted six hours or overnight. Given Hawai’i’s ocean conditions and the current speed capacity of vessels, surveys indicate many respondents had unrealistic expectations of travel time. Almost half of public participants wanted ferries to make trips two or three times per day, while 30% wanted to see a daily ferry schedule.

Almost 80% of participants said a ferry should be supported with state dollars. Most respondents supported the idea of a public-private partnership, like the now-defunct Superferry, to operate the ferry, while “very few” said it should be state-run.

Interviews with public sector groups that might have a role in a ferry system showed they wanted higher government subsidy levels than business sector groups. The exception to these findings was the intra-county route from Maui to Molokai. Feedback from the public and other parties “accentuate a very real need for this service to be restored,” according to the report, even though the route wouldn’t be financially sustainable on its own.

A good delegate has open access to the vast institutional knowledge of the SUP that is embedded in the printed word of our collective bargaining agreements. Remember that these documents are the accumulated memorialization of decades of bargaining, gathered by accretion and spanning many different eras. They are the distillation of the striving and concerns, the employment aspirations and realities of sailors more or less like yourself. Understanding the basic principles of fairness that they address and using them on deck in day-to-day application – solves small problems before they become big problems, standardizes good conditions, and builds Union strength toward a shared goal: a decent life in a dangerous place.

To individually assert that collective purpose, all delegates are authorized to stand up for their shipmates, and they can do so in part by maintaining a permanent delegate’s file. This collection of relevant understandings can be a store and transfer of knowledge and care when it is passed on to the next delegate, or if a delegate has yet to be elected, to the bosun for safekeeping.

If there is no file, then the delegate should set about building it with whatever information is available. It should contain the latest Agreement and its appendices, the SUP Constitution, recent ship meeting minutes, important and agreed on clarifications consistently applied, spare OT sheets and forms, recent wage scales and recurring issues from the West Coast Sailors, contact information for Union Headquarters and Branches and benefit plans.

Figuratively it may hold the unwritten but time-tested SUP methods of resilience, sound judgment, and critical thinking. New delegates take note: the file comes to you with heart and fight and balance and pride.

USNS Sister: Eduardo Zepeda relieved Adam Tassin as Delegate. In good shape in distant tropical outpost. Many returning members providing a solid and recurring base of ship- and site-specific operational expertise. Clearance and travel delays are a routine part of the job.

USNS Daht: Jonnell Hodges, Bosun. In Boston shipyard in the freezing cold and snow making proper coatings application unpredictable and unreliable. January activation probably delayed. Most of the laid-up crew registered to return and standing by.

USNS Gilliland: Chris Cupan, Bosun. Supposed to shift into dry dock in New Jersey in January and then come out to turnover to new operation in late March.

USNS Watson: Jesus Hermosillo, Bosun. In the Philly shipyard where the wind off the Delaware River keeps the deck below zero all day long. Bosun reports good progress in the yard. Expecting activation for sea trials and Newport News layberth and ROS in February.

Manukai: Chris Bujnowski, Delegate. Engine stores issue still under research and investigation. Penalv meal claim for in port security watchstanders on 4 x 8 watch no good. One person watch all the time lays out the 4 x 8 meal relief rules in Section 56 of both Matson and APIL Agreements.

Machinits: Jim Stelstra, Delegate. Bosun Mike Worth relieved by Dennis Su- mall. Clarification on overtime, discussion on schedule changes and site-specific operational expertise. Clearance and travel delays are a routine part of the job.

United Food and Commercial Workers Local 5 representatives: Efrain Aguilara, Marla Donati, Mike Frenna, Alfredo Delgado, Carl Nakano, Delegates. Represented members on payroll issues related to the new progression step eligibility rules as well lump sum payment options post-rotational of the Agreement. See President’s Report.

Foss Maritime Company: JD Rymel, Delegate. Drafted a proposed Supplemental Agreement consistent with Section 16 “Conditions Not Specifically Covered” to handle contingencies related to temporary barge swap between northern and southern California. Rejected by management, Union invoked existing language in Section 34. Separately, due to business conditions and the imbalance of IBU/SUP work in their traditional jurisdictions, management informed the Union on January 10, that they intended to de-crew a steady boat (was 2 SUP and 2 IBU) leaving a single steady boat in each jurisdiction and supplemented with a third rotating boat crewed in part by the 100-hour engineer guarantee under section 25.08.

After careful review, determined that the qualifications required to determine pro-
ficiency under Section 25.08 are relevant and appropriate in third boat assignments, e.g. normal engineer qualifications related to internal and external fuel transfers. Seniority rules given a base level of minimum qualifications but is not controlling in the case of higher seniority members without minimum qualifications.

Dave Connolly

ATTEND YOUR MONTHLY SUP UNION MEETINGS!
December 18, 2017
Shipped 7 ABs, 1 Matson reliever to an A-card, 5 to Navy bottoms going to 1 A, 2 B's, and 2 C-cards, and 1 Steady AB to APL taken by a D card; 3 Patriot Ordin- nary Seaman billets taken by 2 B's and 1 C; 1 Patriot cook to D card. Also shipped 15 standby AB's to 6 A's, 7 B's, and 1 C card.

Registration: 5 A cards for a total of 10, 6 B cards for a total of 21, 8 C cards for a total of 14 and 4 D cards for a total of 10.

Manou called for a gang to rig the portside lifeboat falls, and the Chief Mate reports a job well done. The job was di- vided between contractors and the SUP gang, with the sailors on the forward falls. The report is that the SUP was rigged and ready in half the time, and left the decks grease free and ready to sail before knockoff.

Vice President Dave Connolly attended the holiday party and monthly meeting. During the meeting Brother Connolly discussed the upcoming Constitution Res- olution Committee and the importance of participation in the process. He also reinforced the importance of our political fund, and the need for us to engage the public whenever we can to educate the non-seafarers about our role in defense and the economy. Most people only notice us when we are fast to a pier. When our ship sails we are forgotten and become a good view to the wealthy neighborhoods that surround our harbors. When you are on “the beach” take some of your time to talk with people, and engage contractors and port employees and directed port business to his father’s firm. “First and foremost, as the port is one of Seattle-Tacoma International Airport and the city’s seaport. Metruck takes over in the wake of former port CEO Ted Fick’s resignation, which had considerable influence on the port’s deliberations. In selecting a lifelong public servant, the commissioners are looking to shift away from allegations that Fick –an executive with a private-sector background– created an illegal bonus package for port employees and directed port business to his father’s firm. “First and foremost, we sought a great public servant to lead our outstanding organization with trans- parency and strong values. Admiral Metruck brings an exemplary record of service and achievement to the Port of Seattle,” said Commission Vice President Courtney Gilmartin in a statement.

“We wanted to hire somebody who knew who he really worked for, and that’s the citizens of the region,” said Commissioner Fred Felleman, speaking to the Seattle Times. The commissioners even changed the top executive’s title from “CEO” to “Executive Director” to reemphasize the port’s public service mission.

Admiral Metruck is already familiar with the region and the seaport: he served as the Coast Guard’s Chief Financial Officer, overseeing the service’s $10 billion budget.