

Happy Holidays to all Hands from the Sailors' Union of the Pacific



Organized 1885

West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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SAN FRANCISCO, CALIFORNIA

Friday, December 16, 2005

Bush's Supreme Court nominee has anti-worker judicial record

The organized right wing has forced President George W. Bush to bow down before them. They successfully trashed Supreme Court Justice nominee Harriet Miers, a Bush crony and legal counsel, claiming she was not conservative enough. Then they pushed Bush to nominate Federal Appeals Court Judge Samuel Alito as Justice Sandra Day O'Connor's replacement. While the media has focused on Judge Alito's rulings on several hot-button issues such as abortion rights and gun laws, there are so many other matters that affect the quality of life of working people. Alito has a long record on issues of concern to working people that strongly suggest he sides with big business over ordinary people.

Alito spent 15 years on the Third Circuit Court of Appeals. There he ruled on many labor law cases and dissented from the majority opinion from a more conservative perspective. Throughout Alito's tenure on the court, the vast majority of

judges, currently two-thirds, have been Republican appointees. By dissenting from their already conservative opinions, Alito demonstrated just how far he is out of the mainstream.

In cases covering minimum wage, discrimination, retirement, public employee rights and interpretations of Union labor law, Alito displayed a pattern of alternatively narrowing or actively interpreting statutory language, but the outcome is almost always the same: he does whatever is best for the business interests at the expense of the employees.

Labor Union Cases

In *Caterpillar v. UAW Local 786*, the Third Circuit Court upheld a system that the company and the Union negotiated for Union stewards to process grievances over violations of the contract without lowering pay or benefits. This is a common practice in Union shops and one that had been used at this particular plant for more than 18 years. In the wake of a strike, the company suddenly challenged the legality of the system and sought to have it overturned by the courts. The Third Circuit rejected the company's argument. But in dissent, Alito sought to overturn the practice to benefit the company and disable Union grievance procedures.

In this case, Alito dissented largely on a very narrow interpretation of the wording of the Labor Management Relations Act by interpreting compensation for work as "wage income" and "by reason of" work as fringe benefits, effectively excluding whatever else the Union and the employer negotiated in good faith in their collective bargaining contract. Had Alito's position been in the majority,

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Legislators assert flag-of-convenience cruise line ripped-off U.S. government

Legislators from both houses of Congress—and political parties—are turning up the heat on the Federal Emergency Management Agency (FEMA) for its now infamous \$236 million contract with Carnival Cruise Lines to house Hurricane Katrina evacuees from New Orleans and the Gulf Coast.

Henry A. Waxman (D-CA), Ranking Minority Member of the House Government Reform Committee, in a letter to Department of Homeland Security Secretary Michael Chertoff, registered his concerns on the highly contentious hurricane evacuee housing agreement. Referring to new information his office obtained from an internal financial review prepared by Carnival in January 2002, Waxman noted. "This financial data reveals that the federal government appears to be paying Carnival significantly more under the federal contract than the ships earned on their own, while Carnival's expenses appear to be significantly less under the federal contracts than the ships normally incur. The net result is a contract that looks lucrative for Carnival but exceptionally expensive for the taxpayer."

In the aftermath of Hurricane Katrina, through a hastily arranged deal, millions of dollars from U.S. taxpayers will flow to Carnival, a tax-exempt Israeli-founded corporation registered in Panama. The deal, reached in September, will pay Carnival some \$236 million (\$192 million for base costs for the ships for six months and \$44 million for reimbursements that cover fuel, dock fees, and other expenses) for the use of 7,100 berths aboard three of the company's full-service cruise ships for six months. A closer look at the numbers reveals that each berth will cost U.S. tax-

payers \$5,540 per month, or more than \$184 per night.

The cost per bed could actually be much higher because not all berths will be occupied for the entire six-month period of the contract, according to several reports. In fact, the three ships now are more than half empty as they bob in the Mississippi River and Mobile Bay.

appointee who headed the Office of Federal Procurement Policy between 2001 and 2003, questioned the government's handling of the contract. Even under circumstances requiring great haste, she said, the government has mechanisms to obtain goods and services at a fair price. For example, she said, a contract can be concluded with

Shipowners continue to lobby for foreign riding gangs in U.S. ships

As the *West Coast Sailors* goes to press, a cabal of avaricious U.S.-flag shipowners and operators, led by Maersk Line, remains unrelenting in its efforts to pass legislation to permit foreign nationals to perform maintenance and repair work in American vessels in the international trades.

The Sailors' Union continues to vigorously and aggressively oppose this initiative that would decimate the U.S.-citizen seagoing workforce.

For an update on the situation, see SUP President Gunnar Lundeberg's report on page 10.

A national newspaper reported that "most evacuees rejected the offer" to stay on the Carnival ships—the *Ecstasy*, *Sensation* and *Holiday*—which are reportedly being used to house city employees from New Orleans and emergency workers involved in the cleanup effort.

Faced with a growing crisis as evacuees fled New Orleans and elsewhere, the deal was put together in about 36 hours, Carnival and the government have said. In the wake of Katrina, sources say a government agency approached 75 different companies or brokers of ships seeking bids on ships with at least 1,000 berths to be available within 10 days. Only Carnival and a Canadian company that provided a single ship met the terms established by FEMA.

To critics, the price is exorbitant. Angela Styles, a political

the final price to be determined during subsequent negotiations.

"In this case, they executed a contract without ensuring that they had a fair price," she said.

If the ships were at capacity, with 7,116 evacuees, for six months, the price per evacuee would total \$1,275 a week, according to calculations by aides to Senator Tom Coburn (R-OK). A seven-day western Caribbean cruise out of Galveston can be had for \$599 a person—and that would include entertainment and the cost of actually making the ship move.

"When the federal government would actually save millions of dollars by forgoing the status quo and actually sending evacuees on a luxurious six-month cruise it is time to rethink how we are conducting over-

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SAILORS' UNION OF THE PACIFIC 2005-2006 ELECTION

SUP CONSTITUTION ARTICLE VIII—VOTING ELIGIBILITY

Section 1. "Members with A and B seniority who are in good standing may vote in all Union elections. Members with C seniority who have ninety (90) days seetime within the preceding year and have been in good standing for that year shall be eligible to vote in all Union elections."

SUP CONSTITUTION ARTICLE XII—PENSIONER VOTING RIGHTS

Section 4. Pensioners are eligible to vote for Union officers and Constitution changes. Pensioners are not eligible to vote on Shipping Rule changes or "to vote on any dues raise and/or assessments."

SUP CONSTITUTION ARTICLE XII—REQUEST FOR BALLOT

Section 8. "If for any reason a member in good standing does not receive his/her ballot, he/she may make a written request for a ballot to the Impartial Balloting Agent. The request shall include a statement that the member has neither received a ballot nor voted in the election and the address to which the ballot is to be sent. The Impartial Balloting Agent shall mail a ballot to the member at the address indicated which shall be marked "duplicate" on the outer envelope."

If you have not received a ballot, send the following form to:

Robbin A. Johnson, Manager
Pacific Election Services, Inc.
1650 Stanmore Drive
Pleasant Hill, CA 95423

Sailors' Union of the Pacific Election: Request for Ballot

Fax: (925) 685-4937

Email: rjohnson7128@sbcglobal.net

Name _____ Membership No. _____

Address _____

Active

Pensioner

Signature _____

Note: Ballots cannot be mailed to a Union Hall.

Final Departures

Aaron B. Todalín, Book No. 1883. Born in Iowa in 1923. Joined SUP in 1941. Died in California, November 15, 2005. (Pensioner)

Leif Skarpnes, Book No. 6198. Born in Norway in 1923. Joined SUP in 1942. Died in California, November 12, 2005. (Pensioner)

Sven Berg, Book No. 5601. Born in Norway in 1920. Joined SUP in 1953. Died in California, November 23, 2005. (Pensioner)

Chester Mael, Book No. 5334. Born in Oregon in 1916. Joined SUP in 1944. Died in Oregon, November 22, 2005. (Pensioner)

James W. Graham, Book No. 2982. Born in California in 1925. Joined SUP in 1943. Died in California, December 5, 2005. (Pensioner)

Carl G. Woehrlé, Book No. 3487. Born in California in 1926. Joined SUP in 1948. Died in California, December 7, 2005. (Pensioner)

Former ILWU official Curtis McClain dies

Curtis McClain, former International Secretary-Treasurer of the International Longshore and Warehouse Union from 1977-1991, died on November 6.

Born in Akron, Ohio, in 1925, Brother McClain served in the Navy during World War II and joined ILWU Local 6 (Warehouse) in San Francisco after being discharged.

Working the next 14 years at Schmidt Lithography, McClain emerged as an outstanding rank and file leader, serving as shop steward, and working hard to open doors that had been closed to people of color. As a leader of a caucus of African-Americans, McClain was elected Local 6 Business Agent in 1960 and President in 1969.

Working closely with ILWU President James Herman, Brother McClain helped pilot the ILWU into the AFL-CIO, served as lead negotiator in warehouse negotiations and managed the Union's financial resources as well as speaking for the ILWU on major political and social issues. As Secretary-Treasurer, Brother McClain worked closely with the SUP on issues of mutual concern.

New CPR guidelines issued by American Heart Association

Updating the way everyday people do Cardiopulmonary Resuscitation (CPR) new recommendations urge many more chest compressions for victims of cardiac arrest.

The revised guidelines issued on November 28, by the American Heart Association on cardiopulmonary resuscitation advise giving 30 chest compressions, instead of 15, for every two rescue breaths.

"Basically, the more times someone pushes on the chest, the better off the patient is," said Dr. Michael Sayre, an Ohio State University emergency medicine professor who helped develop the new guidelines.

The guidelines also recommend cooling cardiac arrest patients for 12 to 24 hours to about 90 degrees Fahrenheit. Two significant studies have shown that that practice can improve survival and brain function for those who are comatose after initial resuscitation.

More than 300,000 Americans die each year of cardiac arrest, when the heart suddenly stops beating. The heart association estimates that more than 95 percent of cardiac arrest victims die before they get to the hospital.

Studies show that the chest compressions

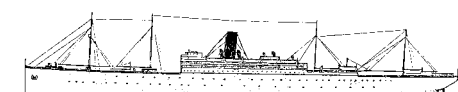
create more blood flow through the heart to the rest of the body, buying time until a defibrillator can be used or the heart can pump blood on its own. Studies have also shown that blood circulation increases with each chest compression and must be built back up after an interruption, the association says in its online journal *Circulation*.

The guidelines also urge that 911 operators be trained to provide CPR instructions by phone.

"For the bystander that witnesses a collapse, the main danger is inaction," Sayre said. "We believe there is very little downside to trying to attempt a resuscitation."

According to the heart association, 75 percent to 80 percent of all cardiac arrests outside a hospital happen at home, and effective CPR can double a victim's chance of survival.

The heart association says that currently about 9 million Americans a year are trained in CPR, but the association has a goal of more than doubling that number in the next five years to 20 million.



Change of Address

American Ship Management (ASM)
and Patriot Contract Services
1661 Tice Valley Blvd., Suite 200
Walnut Creek, CA 94595-1648

SUP members join pension ranks

The following SUP members joined the rank of pensioner, bringing the total number of SUP members to 752:

Onofrio Folcarelli, 80, Book No. 2069, joined SUP in 1945, 51 years seetime.

Donald Kruse, 48, Book No. 3172, joined SUP in 1982, 13 years seetime.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2006:

	Hdq.s.	Branch
January	9	17*
February	14*	21*
March	13	20
April	10	17
May	8	15
June	13*	19
July	10	17
August	14	21
September	11	18
October	10*	16
November	14*	20
December	11	18

*Tuesday

West Coast Sailors

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

BRANCH OFFICES

Seattle, WA 98106
2414 SW Andover St. (206) 467-7944
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FAX: (904) 598-9910

WELFARE OFFICE

(415) 778-5490
(800) 796-8003

PENSION PLAN OFFICE

(415) 764-4987

MSP funding bill signed

On November 30, President Bush signed into law House Resolution 3058, and appropriations measure covering the Departments of Transportation, Treasury, Housing and Urban Development, the Federal Judiciary and the District of Columbia in fiscal year 2006. The bill included full funding of the Maritime Security Program (MSP) in the fiscal year, which began October 1, 2005.

The MSP allotment (\$156 million) will keep 60 privately owned and operated U.S.-flagged merchant ships active in commercial foreign trade for 12 months. The ships would be available to the Department of Defense as needed for sealift service in national security emergencies.

The total for the Maritime Security Program was included in \$301 million for the Maritime Administration, an agency in the Department of Transportation. MarAd also provides operating grants to state-operated maritime academies in Maine, Massachusetts, New York, Texas, California and Michigan.

The Maritime Security Program was authorized initially for 10 years and a maximum of 47 ships in the Maritime Security Act of 1996. A defense authorization bill enacted in November 2003 renewed the MSP through 2015 and expanded the program's scope to 60 ships, beginning in fiscal 2006. The latter legislation also set gradual increases in the annual operating assistance stipend to each participating vessel.

Both laws required that the Maritime Security Program be funded one year at a time, even though the program was authorized twice for 10-year terms. The Sailors' Union represents the unlicensed deck department in nine MSP vessels owned and operated by American President Lines.

Matson increases fuel surcharge

A higher fuel surcharge, increased shipping rates and bigger terminal handling fees will ring in the New Year for Matson Navigation Company.

Matson announced on December 9, its fuel surcharge on its Hawai'i, Guam and Commonwealth of Northern Mariana Islands service would increase to 15 percent from 13 percent, effective January 1. It is the same date that Matson's previously announced increases in Hawai'i service shipping rates and terminal handling fees take effect.

"We don't traditionally increase fuel surcharges with the new year," Public Relations Director Jeff Hull said.

"The fuel surcharge is a separate line item entirely tied to fuel prices. In the past quarter, transportation companies have taken fairly large increases, and we haven't had one (since October).

"This will enable Matson to recover a bit of past costs and position us for the next quarter."

Matson competitor Horizon Lines has not announced a fuel surcharge increase. The company traditionally waits until Matson's paperwork is filed with the Surface Transportation Board and evaluates the circumstances before announcing decisions, said Kuuhaku Park, Horizon's government and public affairs director. Horizon recently announced it would match Matson's 3.9 percent

rate increase about two-and-a-half weeks after Matson stated its intentions in November.

Bunker fuel prices are at or near record-high levels, according to Dave Hoppes, Matson's senior vice president for ocean services. "In the past three months, bunker fuel prices have risen over 21 percent, necessitating this new adjustment," he said. "Our review process involves analysis of quarterly bunker fuel prices and market projections, as opposed to reacting to short-term fluctuations in costs."

In March, Matson announced implementation of a quarterly review of fuel costs in which the surcharge would be adjusted up or down, accordingly. The company expects prices to continue to rise.

Matson previously has decreased the fuel surcharge. For example, it cut shippers' costs to 6.5 percent from 7.5 percent in April 2003.

Elsewhere in the industry, the Trans-Pacific Stabilization Agreement, which Matson describes as a discussion group of 12 shipping lines in the eastbound Pacific trade, will implement a \$135-per-container fuel surcharge increase. The fuel surcharge for companies using those services from Asia to the mainland will rise to \$590 per container on January 1, a record high for the trans-Pacific trade, according to Matson.

Congressman calls for an investigation into crime and safety aboard cruise ships

Five months after a Connecticut man disappeared from a cruise ship while on his honeymoon, a congressman implored federal law enforcement and Coast Guard officials to determine whether the cruise industry has been lax in reporting and investigating crime at sea.

Christopher Shays (R-CT) said on December 13, that he thought the government was not getting an accurate picture from the industry about crimes and potential criminal activity aboard cruise ships.

"Cruise passengers can be blinded to the very real perils of the sea by ship operators unwilling to interrupt the party for security warnings," Shays said at a joint hearing of the House Subcommittee on National Security, Emerging Threats and International Relations and a House panel that oversees criminal justice and drug policy. "And after an incident occurs, a thorough investigation can be profoundly difficult when the crime scene literally floats away, on

schedule, to its next port of call."

The family of George Allen Smith IV, 26, who disappeared from a Royal Caribbean ship in the Mediterranean in July, attended the hearing, and lawmakers repeatedly referred to the case.

Smith was reported missing after the ship he and his wife had been aboard arrived in Turkey from Greece. Flag-of-convenience Royal Caribbean Cruise Lines initially released a statement saying that one of its passengers appeared to have fallen overboard, a lawyer for the family said, "We believe a murder was committed."

Smith's wife, Jennifer Hagel Smith, submitted a statement before the hearing, but did not testify. She said she had been mistreated by officials from the cruise company and by Turkish police after her husband disappeared. She also said that her belongings had been left on the dock. "The ship sailed without me that evening," she wrote.

On the Political Front



Max Vekich (left), former President of ILWU Local 24 (Gray's Harbor/Aberdeen) and currently with ILWU Local 52 (Seattle/Tacoma), and Sailors' Union Seattle Branch Agent Vince O'Halloran, flank Senator Edward Kennedy (D-MA) at a recent gathering in Seattle to support the re-election of Senator Maria Cantwell (D-WA). Senator Cantwell, who is a member of the Senate's Commerce, Science and Transportation Committee, has a long pro-labor and pro-maritime record. She has joined the SUP in opposing the shipowner initiative to allow foreigners to perform maintenance and repair work aboard U.S. vessels.

FOCs are assisting criminals says international agency

The International Maritime Bureau (IMB) has hit out at flags of convenience, saying they are assisting criminal gangs by not making checks about the vessels being registered.

"The actions of some ship registries in not making checks and re-registering ships within 48-72 hours, sometimes merely over the internet, only serves to assist the criminal gangs behind the hijackings and subsequent operation or resale of the vessels involved," IMB director Potengal Mukundan said in the Commercial Crime International newsletter.

The IMB is calling for a system whereby the new registry contacts the previous registry to ensure that the vessel was really on its books. The anti-piracy watchdog agency highlighted the case of the Malaysian-owned, Panama-flagged vessel *Natris*, which was hijacked in 2002 and traded "legally" for nearly three years as the Belize-registered Paulijing before being recaptured by the Malaysian Navy this summer. The IMB noted that provisional registration had been issued by Belize on the basis of documents showing the vessel had been deleted from the registry of Belize and a bill of sale for a mere \$10,000.

"The documents, which have now been proved to be fakes, were accepted at face value and no checks were apparently

made before the ship was re-registered under the Belize flag," the IMB said. "Had checks been made, the Belize Registry could have found out that the ship was never registered in Sierra Leone."

The IMB added that the low sale price should also have aroused suspicions and hit out at Belize for failing to de-register the vessel as soon as evidence of the false registration came to light. "The Belize Registry should have immediately de-registered the ship the moment these facts became known and its current stance to wait for the Malaysian courts to decide the outcome is inappropriate given the circumstances," the Bureau said.

The original owner of the *Natris*, Malaysian shipowner BAL Shipping, has been critical of the fact that neither the Panama nor the Belize registry will confirm the Paulijing is indeed the *Natris*.

The IRS wants to see greater transparency in the registration process to prevent such incidents in future. "In many cases, the crime is perpetrated with the unwitting assistance of lax procedures in ship registries that fast-track the re-registration process without conducting proper due diligence or checking the documents they receive," Mukundan said. "The remedy is relatively simple; a little extra time spent during registry can save a huge amount of cost later."

Port of Oakland to strengthen security

With \$750,000 in state grants received earlier this year, the Port of Oakland has said it will acquire a new array of security equipment ranging from global positioning devices to hydraulic traffic barriers.

The equipment, slated for purchase next year, would allow the port to monitor the movement of trucks in and around its terminals, block all roadways leading to its berth areas, and patrol the waterways surrounding the fourth busiest container port in the nation. Already on-line for a total cost of \$196,000 are 2,000 radio frequency identification (RFI) devices that will be mounted on trucks using the port's maritime terminals. The devices would allow the port to monitor truck movement. Initially, the devices will be linked to terminal operators who could then use the information about a truck's position to plan for its arrival. In addition to the tracking devices, the port would also install biometric thumbprint readers at its terminal gates to ensure that unauthorized people do not enter.

The port also hopes to purchase portable lighting, generators, trailers and forklifts, with money from the state, to make it easier to position the barriers on roadways. The port will also spend \$25,000 to provide security training to its security officers and plans to spend \$160,000 for a new patrol boat that will be operated and maintained to the Oakland Police Department.

SUP Honor Roll

Voluntary contributions from the membership to the following funds in 2005:

Organization/General Fund

Gordon Abbott 100.00	Joe Eckert 10.00	Nick Hoogendam 20.00	Frank Portanier 20.00
Abraham Acosta 60.00	Thor Erikson 20.00	Philip Howell 100.00	Richard Reed 20.00
Karl Andersen 100.00	Ulysses Estigoy 10.00	Mark Hurley 80.00	Thomas Riley 40.00
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Pete Benavidez 100.00	Erik Finneman 100.00	Norman Kwak 150.00	Randy Runyan 20.00
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David Connolly 20.00	Marvin Glasgow 55.00	Michael McLavy 100.00	Ed Suguitan 25.00
Richard Crowell 30.00	Juan Gonzalez 40.00	Matthew Montalbo 10.00	Vince Sullivan 60.00
Donald Cushing 100.00	Jon Goodwin 20.00	Ramiro Montoya 20.00	John Svane 80.00
Jack Dalton 80.00	Robert Greene 40.00	Leo Moore 40.00	David Sylstra 80.00
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Mike Duvall 80.00	Duane Hewitt 80.00	Jim Phelps 50.00	J.B. Winterling 100.00
Earl Eastmark 25.00	Jill Holleman 20.00	Ray Pinochi 20.00	Steven Zachmann 30.00

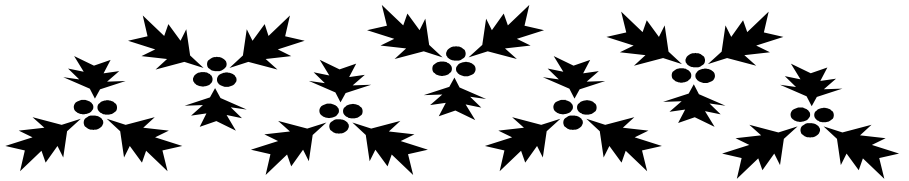
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Jose Alves 20.00	Andre Dayley 80.00	Robert Greene 50.00	Angelo Loffa 25.00
Nicholas Anesti 30.00	Jay Dillon 50.00	Clinton Gregg 200.00	Volkert Lollies 30.00
Emo Aulelava 20.00	Mike Dirksen 100.00	Dustin Grobschmit 10.00	George Lomeli 35.00
Noel Balaguer 100.00	Maria Donati 10.00	Dean Gross 20.00	Jose Lopez 70.00
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Raymond Bell 50.00	John Drolla 110.00	Vern Haik 50.00	Gunnar Lundeberg 1200.00
Ismael Belleza 20.00	Frank Dufek 20.00	John Hamann 100.00	Raoul Macalinao 20.00
Dennis Belmonte 100.00	Mike Duvall 50.00	Mark Hargus 40.00	Joe Mantanona 20.00
Pete Benavidez 100.00	Joseph Eckert 10.00	Paul Harsany 40.00	Chuck Maringer 30.00
John Benson 70.00	Mike ElMobdy 70.00	Mike Henneberry 10.00	Duke Maringer 10.00
Rogelio Berioso 30.00	Leo Endries 40.00	Paul Herriott 30.00	Melvin Mate 20.00
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Charles Butler 10.00	Edward Figuracion 60.00	Noel Itsumaru 20.00	Ian McLeod 10.00
Milton Caballero 20.00	Cesar Finones 15.00	Jan Johnsson 60.00	Rudy Menchaca 500.00
Stephen Campbell 100.00	Barry Fisher 30.00	Robert Jones 90.00	David Mercer 30.00
Alex Capistrano 10.00	Maggie Fitzgerald 20.00	Monte Kalama 140.00	Joseph Moitoso 70.00
Gene Castano 75.00	Daniel Foster 20.00	Brandon Keopuhiwa 45.00	Joseph Moniz, Jr. 20.00
Norm Christianson 30.00	Steve Foster 55.00	James Kerns 10.00	Terry Monroe 40.00
Randy Coady 200.00	Michael Freng 40.00	Richard Kingburg 25.00	Sean Moore 30.00
Robin Colonas 150.00	Paul Fuentes 20.00	Mike Koller 80.00	Dennis Murphy 100.00
Dave Connolly 375.00	Joanne Gabellini 10.00	James Kolm 70.00	Mark Myser 50.00
Kevin Conroy 130.00	John Gabourel 20.00	Kaj Kristensen 20.00	Harry Naeole 40.00
Robert Copeland 20.00	Robert Garcia 40.00	Norman Kurtz 20.00	Duane Nash 10.00
Jennifer Corner 25.00	Art Garrett 50.00	Eli Lalich 100.00	Remigio Noble 60.00
Richard Crowell 50.00	Dale Gibson 10.00	Stanley Lane 20.00	John Nunes 10.00
Douglas Crute 200.00	Joseph Ginez 10.00	Lincoln Lee 25.00	Donald O'Halloran 40.00
Steve Crute 75.00	Charles Givens 30.00	Mike Lee 50.00	

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West Coast Sailors

Gordon Abbott 100.00	Richard Gifford 25.00	Robert Nash 100.00	Ray Simpson 25.00
Abraham Acosta 40.00	Joe Gladstone 25.00	John Nelson 25.00	Bruce Smith 25.00
Archie Aki 40.00	Marvin Glasgow 75.00	Tonny Nielsen 10.00	Francis Smith 25.00
Douglas Alexander 20.00	Juan Gonzalez 10.00	William O'Connor 25.00	William Smith 50.00
Gerald Allen 25.00	George Gooden 25.00	William Ofsthus 50.00	Ted Soderberg 15.00
Karl Andersen 25.00	James Graham 25.00	Mike Orosz 30.00	Kaj Sorensen 25.00
Alfred Anderson 50.00	Robert Greene 50.00	Sven Ottersten 200.00	Eugene Souza 25.00
Nicholas Anesti 30.00	Fred Gregario 50.00	Robert Palakiko 25.00	Gerald Spafford 25.00
Melvin Armon 25.00	Clinton Gregg 100.00	Ricky Pangan 50.00	Jack Stasko 25.00
Robert Arnall 25.00	Dean Gross 20.00	Edward Pardo 25.00	Donald Steffens 50.00
Takayuki Asai 25.00	John Gugich 30.00	John Pedersen 25.00	Ernest Stimach 20.00
Emo Aulelava 40.00	Herman Hallman 50.00	John Perez 45.00	Edward Suguitan 50.00
Robert Bacon 30.00	John Hamann 20.00	Erik Pettersson 25.00	Leo Surmeian 25.00
Michael Bailey 20.00	Robert Hampshire 50.00	Jim Phelps 50.00	Val Swegel 25.00
Noel Balaguer 50.00	Melrae Hanly 10.00	Earl Phillips 25.00	Tom Tamblyn 25.00
John Ban 25.00	Carl Hansen 25.00	Frank Pinkowski 25.00	Robert Taylor 20.00
Thomas Basford 25.00	Clarence Hartwig 25.00	Ronald Pittman 25.00	Eleanor Terrell 50.00
Billy Bell 25.00	Franklin Haugen 25.00	George Pope 35.00	Michael Thomas 25.00
Clyde Bell 20.00	Antone Henriques 25.00	Robert Porteous 25.00	Timothy Thomas 25.00
Red Bell 20.00	Paul Herriott 30.00	Jack Post 25.00	Bruce Thompson 35.00
Pete Benavidez 100.00	David Hiebert 10.00	Michael Potenti 30.00	John Thompson 20.00
Ojvind Bernhagen 25.00	William Holladay 25.00	Henry Quirk 25.00	Thomas Thompson 50.00
Michael Binsky 10.00	Henry Holzberg 25.00	John Reed 25.00	William Tice 25.00
Herbert Blake 25.00	Eugene Horden 150.00	Rich Reed 35.00	Randy Tini 25.00
Donald Bohle 25.00	John Houilan 25.00	Paul Rehfuss 20.00	Aaron Todalin 25.00
Norman Bor 25.00	Phil Howell 25.00	Carl Reinhold 25.00	Joseph Valverde 25.00
George Boyeas 25.00	Annette Jackson 25.00	John Rescino 25.00	William Walker 10.00
Joseph Bracken 25.00	Arne Jakobsen 25.00	Rizal Rillo 25.00	Richard Walsh 80.00
Stanley Branch 25.00	Romero Jalomo 10.00	Armando Rodriguez 25.00	Carl Walters 25.00
Chris Bright 20.00	Evert Johansson 25.00	Teo Rojas 25.00	Jacob Wanner 50.00
Al Byoff 25.00	Egon Jorgensen 75.00	Philip Romei 25.00	Steve Ware 25.00
Ron Casasola 10.00	James Kawaski 25.00	Alexander Romo 50.00	Michael Webb 25.00
Joseph Castege 125.00	Brandon Keopuhiwa 25.00	Angelo Rossana 25.00	Charles Weber 25.00
Thomas Casynn 100.00	Melvin Kessler 75.00	Lloyd Rust 40.00	Eric Weintraub 20.00
Lee Cherry 25.00	Francis Kim 100.00	Terrance Ryan 25.00	Charles Williams 25.00
Richard Chung 25.00	Richard Kingburg 25.00	Stephen Rydberg 25.00	Chester Williams 25.00
George Cooney 10.00	Jacob Kipperberg 2741.00	James Saki 25.00	Harry Williams 25.00
Robert Copeland 20.00	James Kula 25.00	Victor Saltarelli 25.00	Earle Williamson 25.00
Jennifer Corner 25.00	Roland Kula 25.00	Edward Schaffer 25.00	Will Williamson 25.00
Donald Cossett 25.00	James Kumis 25.00	William Self 25.00	Fletcher Wingfield 25.00
Hugh Crandall 50.00	Norman Kurtz 25.00	William Sharp 25.00	Johnny Yee 25.00
Douglas Crute 25.00	Mark Lance 20.00	George Sherbula 25.00	Stephen Zombro 10.00
Steve Crute 25.00	Stanley Lane 20.00	Chester Sherry 20.00	Edward Zoobrick 50.00
Cal Cunningham 25.00	Marc Lara 25.00	Vigil Sieben 30.00	
C.L. Curl 25.00	Gunnar Larsen 50.00		
Thomas Curran 30.00	Orson Larsen 25.00		
Lee Dancer 20.00	Alberto Laurel 10.00		
Theodore Davis 25.00	Lincoln Lee 25.00		
Jay Dillon 80.00	Hans Lilledahl 25.00		
Curtis Dowling 20.00	Angelo Loffa 25.00		
Robert Doyle 25.00	Belfred Lomba 25.00		
John Drolla 10.00	George Lomeli 25.00		
Romaine Dudley 40.00	Joe Mantanona 20.00		
George Elinoff 25.00	Tom Mariner 125.00		
Mike ElMobdy 40.00	Joseph Marusak 30.00		
Leo Endries 40.00	John Masterson 25.00		
Frank Enright 35.00	Takeshi Masukawa 20.00		
David Erickson 25.00	Melvin Mate 20.00		
Thor Erickson 20.00	Joseph McShane 25.00		
Louis Evans 25.00	Arthur Mebus 25.00		
Thomas Faraola 25.00	Joseph Meehan 50.00		
Frank Fellows 25.00	Joseph Mele 40.00		
Anthony Figueroa 35.00	Rick Meleski 25.00		
Erik Finneman 50.00	Rodolfo Menchaca 25.00		
Patrick Flynn 25.00	Jack Milano 25.00		
John Folcarelli 80.00	Reynold Minoli 20.00		
Ledo Forassiepi 20.00	Joseph Moitoso 20.00		
Daniel Foster 20.00	Joseph Moniz 20.00		
George Foster 100.00	Stephen Moniz 100.00		
Michael Fox 40.00	Richard Moore 25.00		
Michael France 10.00	Robert Morgan 10.00		
Michael Freng 40.00	Joseph Muir 25.00		
Mamoru Fukano 25.00	David Munroe 25.00		
Roberto Garcia 10.00	Dennis Murphy 100.00		
Tattoo Gardiner 20.00	John Nannini 25.00		
William Geyer 25.00	Duane Nash 10.00		

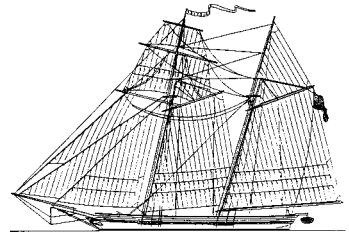


Timely Reminder
First quarter 2006 dues are due and payable now!

SUP Constitution
ARTICLE VI
DUES AND INITIATION FEE

Section 1. The initiation fee shall be Eight Hundred Dollars (\$800.00) payable in installments with the sum of One Hundred Dollars (\$100.00) being due and owing upon the members's admission into the Union and the balance of Fifty Dollars (\$50.00) per month for each month or part thereof in SUP-contracted vessels.

The initial installment of One Hundred Thirty Dollars (\$130.00) shall accompany the application of membership and the dues shall be One Hundred Thirty Dollars (\$130.00) per quarter, payable in advance.



Dues-Paying Pensioners

Rafael Cooper	Book #4687
Romaine Dudley	Book #2593
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Gunnar Larsen	Book #3516
John McKeon	Book #6456
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323
Jack Stasko	Book #7430

ESU Office Assignments

For the month of January, Kevin Conroy will be in the Seabrook office. John Straley will be in the Benicia office until January 15, then Thomas Thompson will relieve John until January 31.



DECEMBER 2005

Official Publication of the Exxon Seamen's Union

Bob Knight resigns as Secretary-Treasurer

Union officers needed to fill Executive Board positions

Due to medical reasons, Robert "Bob" Knight has reluctantly decided to resign as Secretary Treasurer of the Union. The Union regrets that Bob could not complete his term but we are thankful for Bob's support during 2005 and through Contract negotiations. Bob has been a loyal and strong supporter of the ESU for many years as a Board of Governor and also as a Ship Representative.

As a result of this vacancy and in accordance of the ESU Constitution and Bylaws, the Board will be conducting a nomination period and special election to fill this position through the American Arbitration Association. Additionally, Pat Campbell has decided to resign as Deck Trustee in order to run for the Secretary Treasurer position so the Union will hold an election for both positions simultaneously.

If you are interested in running for the Executive Board your completed nomination form(s) and campaign statement must be received in the Seabrook office no later than February 13, 2006. It is advisable to send your nomination form via certified mail to ensure it is received timely. Nomination forms received after that date are ineligible. Once the nomination period is closed, the Board will schedule an election with the American Arbitration Association as outlined under the Constitution and Bylaws.

Executive Board positions require that the nominee must be a qualified driver possessing a current, valid auto driver's license, must be a member in good standing, have two years of continuous service with the company, has been a member of the Union for one year and obtain 25 signatures from members in good standing. Trustees are members of the Executive Board and subject to the same provision. A complete list of requirements can be found in Article V of the

Constitution and Bylaws.

The job descriptions for the Secretary Treasurer and Deck Trustee position can be found under Article IV. Aside from the normal office and Union duties, the Secretary Treasurer is responsible for overseeing the Union finances and elections. The ESU is a modern operation that is equipped with the office equipment found in any office environment today. Document control is a vital part of the daily tasks that are required to be performed by the Board. This includes the filing of hard copies as well as computer filing of electronic documents. The volume of communication documents generated on a daily basis is significant. A basic level of computer skills and programs are essential in performing these necessary responsibilities.

In performing union duties, both written and verbal communication skills are essential. Officers on a daily basis use written communication. Writing skills are called on to communicate by email and through formal business letters. Further, abilities to write are necessary in the production of this *ESU News* publication that is generated on a monthly basis by the Board Officers that are on office assignment.

A significant amount of an Executive Board's day is spent in conversation with members, attorneys and management. Members considering becoming a candidate for a Board position must feel confident that they have the basic verbal skills necessary to professionally represent the ESU in all forums.

Candidates confident in their ability to adapt to the job duties will find that serving on the Executive Board provides for an enormous amount of self-satisfaction in assisting and representing their fellow members of the ESU.

Two Ship Rep positions open

Kodiak and S/R American Progress

As was mentioned in the *ESU NEWS* in November, the *Kodiak* and *S/R American Progress* Ship Representative positions are vacant. Under the ESU Constitution and Bylaws the Executive Board is charged with the responsibility of appointing a new Ship Representative to these vessels.

The Union requests that all members interested in being considered for an appointment to contact either ESU office and request consideration for either of these positions. The Executive Board tentatively anticipates making these appointments the first part of January 2006 and asks that you contact the Union either by phone or mail no later than December 31, 2005. The term for the *S/R American Progress* will run through the end of 2007 and the term for the *Kodiak* will run through the end of 2008. The Union encourages all members to consider stepping forward to fill these important positions.

2006 Holiday Schedule

New Year's Day	January 2	Labor Day	September 4
Martin Luther King	January 16	Columbus Day	October 9
President's Day	February 20	Veteran's Day	November 10
Memorial Day	May 29	Thanksgiving Day	November 23
Independence Day	July 4	Christmas Day	December 25

ESU Election results

On Friday December 9, 2005, the ESU Baytown office received the official tabulation of the 2005 election of ESU Board Officers and Ship Representatives from the American Arbitration Association (AAA) in New York. There were 139 ballots received. The voting results are as follows:

President		Recording Secretary	
Kevin Conroy	110	(Unopposed)	
Rowan Mallet	25	Thomas Thompson	
Blank	4		
Ship Representatives			
S/R Baytown		S/R Galena Bay	
Joe Bernavich	64	Rudy Benavides	24
Reid Decker	55	Chuck Bell	19
Johnny Navarro	19	Stephen Bowles	24
Blank	1	Mario Guarcello	47
Sierra		Waverly Moore	22
Thor Floreen	77	Blank	3
Tim Williams	59		
Blank	3		

On behalf of the entire membership the Union congratulates the winners of the election. A special thanks is in order as an expression of our gratitude to all the candidates who unselfishly volunteered to serve their union.

In this election, 70% of the eligible voters exercised their right to vote. The ESU mailed a total of 199 ballots to the membership and the American Arbitration Association office received 139 ballots. Although the number of members who voted improved over our previous election of Board officers last year, voter participation still far from 100%. If we graded voter participation, the membership would barely receive a passing grade. ESU members are urged to be proactive and participate in their democratic elective process. Let us strive to have 100% participation in our upcoming special election for the Secretary Treasurer and Deck Trustee positions that will begin in mid-February.

The ESU extends its thanks to those members that demonstrated their support for the Union by taking the time to cast their vote.

Subsistence and/or lodging payments for training or shore meetings

Members need to be aware that that as a result of the new Collective Bargaining Agreement, and in resolution of a grievance on the issue, delivery of subsistence and lodging payments (if applicable) has changed. Payments will now generally be made prior to attendance at training courses or other shore meetings. These payments will be made via paycheck and be disbursed as a non-taxable payment. Cash disbursements for subsistence will no longer be given on arrival at training sessions or other shore meetings.

Members are cautioned that when agreeing to attend such an event shore-side to confirm with the company that there will be adequate time to process a subsistence payment to allow for receipt of the monies prior to attending. If an occasion arises where the subsistence cannot be guaranteed before attendance is required and the member cannot afford to attend on an "out of pocket" basis until the reimbursement can be received, it is important that the member conveys that fact to the company and attempt to schedule participation at a later date.

A Letter of Thanks

Dear Fraternal Union Members,

As many of you know I have struggled the last few months with ongoing health problems. These problems prevented me from completing my last office assignment and I am presently continuing my treatment at home. This battle to regain my health is a monumental undertaking that requires my undivided attention.

After much thought I have concluded that in fairness to the Board and Membership I must relinquish my elected position of Secretary/Treasurer of the Exxon Seamen's Union. I did not arrive at this decision easily because I really wanted to continue but realize that in order for my health to improve I must divert all my energies to getting well.

After discussing the situation with my family, I notified the Board and Company that effective December 5, 2005 I reluctantly resign my position as Secretary/Treasurer of the Exxon Seamen's Union. I will assist the Union in any way that I can to minimize the impact of this decision.

I send my sincere thanks to the membership for their support and friendship over the years and especially your encouragement and input during the recently completed contract negotiations.

Fraternally, Bob Knight

ESU News

As Christmas Approaches

As Christmas approaches and temperatures fall, it's time to reflect and take stock of it all.

We started the year in an upbeat way, with a Ship's Rep. Conference on Galveston Bay.

Then came a rumor that filled us with dread, but alas, it was true we were losing the *Med*.

Our morale suffered more when SeaRiver announced that during the *Med*. transition, we would also be losing 26 positions.

The ESU tried to bargain those positions in good faith, but the company responded with an offer that was a slap in the face.

Then lo and behold to our jubilation, in quick succession we won two arbitrations.

In the first arbitration it cost SeaRiver dearly and they were forced to submit, but they ignored the second one as if they didn't give a — hoot.

Then on to the battle called contract negotiation, but when dealing with SeaRiver it's best described as consternation.

After weeks of wrangling and rejecting management's unreasonable de-

mands, we left the table with a new contract in hand.

Then more good news from Blue Cross Blue Shield, no increase in premiums and buying our pills.

The SeaRiver *Hinchinbrook* was laid up replaced by the *Kodiak*, and there is speculation if dropping the SeaRiver name will eventually be a stab in the back.

Then on to December, where the holiday spirit should be in the air, yet in our ranks there is some despair.

It seems that Fleet manning in their own misguided way, decided that that this year they weren't relieving those that were due their holiday.

There is also an ongoing issue with e-mail, where officers have unfettered access, and unlicensed are treated as pariahs with no redress.

After much thought and being reflective. We must resolve ourselves to a new perspective, from what has transpired it is crystal clear we must fight harder in the New Year.

So ESU members keep the faith and enjoy the seasonal cheer.

MERRY CHRISTMAS TO ALL AND A HAPPY NEW YEAR.

A Yuletide Donation



Mr. Marcos Clotter and his wife Maria paid a yuletide visit to the Exxon Seamen's Union office in Seabrook, Texas, on Friday December 9. Mr. and Mrs. Clotter made a significant donation to the Union. Pictured above are Maria and Marcos presenting a check made out to the Union to ESU President Jerry Patterson. Mr. Patterson accepted the check and thanked Mr. and Mrs. Clotter for their generosity on behalf of the entire membership. Mr. Clotter was a Pumpman in the fleet for many years and retired on March 11, 2005. Mr. and Mrs. Clotter divide their time between their home in Baytown, Texas, and their ranch and business in Honduras, SA. The Exxon Seamen's Union wishes the entire Clotter family continued good health, a happy retirement and best wishes for Christmas and the New Year.

SeaRiver receives another Washington State Exceptional Compliance Award

SeaRiver Maritime, Inc., has been once again recognized by the Washington State Department of Ecology for excellence in marine safety and environmental stewardship. SeaRiver achieved this through meeting the state's voluntary Exceptional Compliance Program for Tank Vessels (Ecopro) and is the only company to attain full Ecopro status for a third consecutive renewal period since the program's inception in 1999.

This honor acknowledges SeaRiver's achievement of high operating standards and environmental performance while operating in Washington state waters. In an article posted on Exxon Mobil web site, Will Jenkins, president of SeaRiver, said, "The tankers in SeaRiver's fleet operate at levels that go beyond regulatory requirements, regardless of where they trade. This standard reflects our goal to deliver performance that is consistently safe, environmentally responsible, efficient and customer-focused. Our comprehensive and disciplined management systems provide a framework to help us achieve our goal of zero accidents and zero spills." SeaRiver was the first to be certified in 1999 and has continued to be recognized for their commitment to safety and the environment.

In recent years, SeaRiver has received a number of awards for environmental excellence, and for 2004 SeaRiver received the Crystal Award, Best Ever Performance and Safety Excellence Award from Exxon Mobil.

ESU members should take pride in the contributions that they have made in enabling SeaRiver to attain recognition by these governmental agencies and Exxon Mobil. Acknowledgement of outstanding performances could not take place without each and every member performing their duties at an exceptionally high level of professionalism.

Perhaps with the increasing collection of award hardware, the Company will finally bestow some sort of reward to the unlicensed employees that truly recognizes their contributions. In lieu of the usual 30 or 50 safety cents, access to e-mail has been requested by the unlicensed employees for several years.

Email access for the unlicensed employees would be an enormous improvement to their quality of life while at work. It would enable the unlicensed employees to stay in touch with family and be there for them when day-to-day questions come up. It is commonplace with other competitors companies and throughout the maritime industry. Studies have shown that a sailor's morale is boosted significantly while at work when they can communicate with their family via e-mail.

From the Company's aspect, it should seem reasonable that management would want to invest in ways for all employees to be able to maintain their focus while at work. An investment in email will improve morale and help sharpen employee focus, which should ensure the Company will be the recipients of more awards in the years to come.

Ship reports

S/R American Progress

Vessel visited by Board officer at the ExxonMobil dock in Baytown, Texas, on December the 6, and 7, after her arrival in the Gulf from the West Coast. The ship is expected to return to her normal cross-gulf clean fuels trade after discharging her West Coast cargo and a local backdrop in the Houston area. The satellite TV reportedly has been broken for some time. The Board officer addressed other issues that were brought fourth and clarified some contractual questions. The Union thanks temporary Ship Representative Don Picou for doing a good job while filling in.

S/R Baytown

Vessel trading between Valdez and Puget Sound with a scheduled trip to Cherry Point, WA. Regular Ship Representative Mark Myser on board and reports that all is running well on the vessel. December will conclude Mark's term as Ship Representative on the *Baytown*. He previously announced that he would not seek reelection. The Union would like to say thanks in a big way for the many years that Mark served and supported the membership as Ship Rep. on the *Baytown* and *Galveston*.

S/R Columbia Bay

Board officer visited the vessel at Valero in Benicia on November 29. Regular Ship Representative Thor Floreen returned from paid leave. Union received complaints from members about the lack of effort on the Company's part to facilitate a relief for those that worked the Holidays last year. The Board has forwarded these complaints to Fleet Manning. Apparently, the scrooges in Fleet Manning does not have a real interest in working holiday rotations for the unlicensed employees this year due to too a surplus of employees in some ratings.

S/R Galena Bay

The SeaRiver Galena is scheduled to divert from her normal cross-Gulf trade to make heating oil deliveries in the Northeast during the next two months. Board Officer is in contact and will visit the vessel in Baytown, Texas, on December 12.

Kodiak

Board officer visited the vessel at US Oil in Tacoma, WA on December 7. Vessel delivered its first ANS cargo to the Puget Sound under the SeaRiver flag. John Munich relieved William Hayes as Temporary Ship Representative. Ship personnel are still working a few bugs here and there but overall the crew was complimentary of the vessel's accommodations and the vessel's smooth ride. The Regular Ship Representative position is open here for Executive Board appointment. If you are interested please contact either ESU office. The appointment will start in early 2006 and run through 2008. The deadline to notify the Union office is December 31.

S/R Long Beach

ESU officer boarded the vessel at the Valero dock in Benicia, CA on December 6. Nick Wise doing an excellent job filling in as Ship Representative. No problems here.

S/R Wilmington

The "Willy" is presently discharging in the New York-New Jersey area and will then make her periodic load to Puerto Rico. Regular Ship Representative Charlie Pollard is aboard and communicates frequently with both ESU offices to resolve any issues that may arise. A Board officer will visit the vessel in Baytown, Texas near the end of December.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

1320 5th Street, Suite A
Seabrook, TX 77586
Tel (281) 474-2430
Fax (281) 474-2463
E-Mail: esusea@sbcglobal.net

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

President Jerry Patterson

Vice President John Straley

Secretary/Treasurer Robert Knight

Recording Secretary Thomas Thompson III

Deck Trustee Patrick Campbell

Engine Trustee William Ackley

Steward Trustee Gerard Nelson

SUP Political Fund continued

Vince O'Halloran	500.00	Val Swegel	25.00
Terence O'Neill	20.00	Tulilo Tautala	50.00
Jose Obsuna	30.00	Douglas Taylor	20.00
William Ofsthus	100.00	Robert Taylor	100.00
Scott Oliphant	20.00	Morris Thibodeaux	150.00
Mike Orosz	30.00	John Thompson in memory of	
Michael Orton	10.00	Harry Lundeberg	20.00
Miguel Palacios	50.00	Thomas Thompson	50.00
John Palenapa	25.00	Tim Thomas	250.00
Dave Pangan	30.00	Ivar Thorbjornsen	20.00
Ricky Pangan	120.00	Bill Timmerman	20.00
Mike Parenteau	60.00	Pat Tite	10.00
Ed Pastolero	15.00	Richard Tracy	35.00
John Perez	110.00	Remoni Tufono	100.00
Donald Persian	110.00	Louie Urbano	60.00
Erik Pettersson	25.00	Robert Vandermey	10.00
Jesper Pfeil	40.00	Troy VanLienden	20.00
Jim Phelps	50.00	Colin Walker	60.00
Ray Pinoch	20.00	Joshua Walker	50.00
Victoria Plaughter	10.00	Frances Walsh	25.00
Milburn Pond	100.00	Bruce Waygood	30.00
Michael Potenti	50.00	Grant Wegger	50.00
Mike Powell	50.00	Eric Weintraub	60.00
Arsenio Pulganar	10.00	Patrick Weisbarth	50.00
Paul Purugganan	70.00	Will Williamsen	110.00
Ray Ramirez	20.00	Elroy Wong	20.00
Knud Rasmussen	85.00	William Wood	100.00
John Rawlings	150.00	Dan Ycoy	20.00
Greg Reed	10.00	Steve Zachmann	10.00
Rich Reed	75.00	Steve Zombro	170.00
Ron Reed	40.00	Edward Zoobrick	50.00
Emmanuel Rezada	20.00		
Chris Rogers	40.00		
Teofilo Rojas	30.00		
Philip Romei	50.00		
Francisco Rosales	20.00		
John Rushing	50.00		
Oliver Ryan	90.00		
Steven Rydberg	100.00		
Steve Saganey	20.00		
John Savage	75.00		
Tim Savage	20.00		
Gregg Schauf	60.00		
Carl Schou	50.00		
Ralph Senter	290.00		
Gabriel Sipin	20.00		
Greg Smith	40.00		
Mike Soper	20.00		
James Stelpstra	10.00		
Richard Stinson	20.00		
Ed Suguitan	25.00		
William Sullivan	20.00		

Support the
SUP Political Fund

More hurricanes predicted for 2006

Another active hurricane season is in store for 2006 in the Atlantic Basin, the fourth consecutive year there will be an above-normal number of storms, according to a Bloomberg news report.

Of 17 named storms next year, nine will become hurricanes and five of those will be major storms with winds of at least 111 miles per hour. The 2006 hurricane season probably will not see as many storms make landfall as this year or in 2004, the report said. Twenty-six names storms, of which 14 became hurricanes and seven major hurricanes, made 2005 the most destructive hurricane season ever.

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

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Welfare Notes

December 2005

COBRA

The COBRA law (Consolidated Omnibus Budget Reconciliation Act of 1985) was put into effect to allow employees and/or dependents to continue their group health coverage through self-payments after their group eligibility has been terminated. Many participants are surprised at the cost of continuing coverage through self-payments. COBRA rates by law are the amount paid by the group for your coverage plus a 2% administrative fee.

COBRA letters are sent to participants who have lost their active coverage due to insufficient work time and participants who have dependent children turning 19 years old. Nineteen-year-old dependent children are no longer eligible dependents even if they are full time students. The coverage for 19-year-old dependent children terminates in the month following their nineteenth birthday. The COBRA letter contains information about the participant's rights and the cost of continuing coverage.

SUP participants may find it advantageous to inquire about less expensive individual plans or school plans for their overage dependents. Since active coverage terminates upon retirement, active participants who are considering retirement should also look for options that are available.

When researching individual plans you should compare deductibles, non-covered expenses, and limitations to your current plan coverage to see how you will be affected.

Addresses

Please be sure to keep the SUP Welfare Plan and the Union informed of your current address information. This will help insure that you get all of the mailings.

SUP Welfare Plan

730 Harrison St., Ste. 415, San Francisco CA 94105

Telephone Numbers:

- Main (415) 778-5490
- Eligibility active members/dependents (415) 778-5491
- SUP Money Purchase Plan, SUP 401(k) Plan,
- Pensioner Medical Benefits (415) 778-5493
- 401(k) Information (New) (800) 342-4128**
- Toll Free Number (800) 796-8003
- Training Representative Steve Messenger (415) 957-1816

SIU-PD Pension Plan

SIU-PD Supplemental Benefit Plan

730 Harrison St., Ste. 400, San Francisco CA 94105

Telephone Numbers:

- Main (415) 764-4990
- Accounting (415) 764-4907
- Pension (415) 764-4987
- Supplemental Benefits (415) 764-4991
- Administrative (415) 764-4993

USCG issues revised STCW endorsement

The U.S. Coast Guard has begun issuing a newly revised U.S. STCW Endorsement. Form CG-5611 (Rev. 01-05), to qualified licensed and unlicensed merchant mariners. Mariners existing endorsements will be replaced at the time of their scheduled expiration or when their qualification are upgraded. The new document contains "significant security and accountability enhancements," according to the Coast Guard.

The design is based on the U.S. Merchant Marine Officer License (Form CG-2849) and advice by senior intelligence officers at the Immigration and Customs Enforcement Forensics Document Laboratory for cost effective, fraud-resistant features; and the Production and Design Team of the U.S. Bureau of engraving and Printing (BEP). The revised U.S. STCW Endorsement "exceed Interna-

tional maritime Organization standards on anti-fraud measures and forgery prevention features for seafarers' certificates," the agency noted in a news release. Additionally, a revised U.S. STCW Endorsement information sheet was designed and printed by the BEP and has been distributed domestically to Regional Exam Centers (RECs), inspectors, unions and industry; and internationally to the IMO and foreign national maritime administrations.

A copy of the Revised U.S. STCW Endorsement Information Sheet can be obtained by registering for a free subscription of the USCG Proceedings of the Marine Safety & Security Council at <http://www.uscg.mil/proceedings/>. Mariners with additional questions may contact their nearest REC.

Record of SUP Shipping November 2005

	Hdqg	Seattle	Wilm	Hono	Total
Bosun	5	1	4	1	11
Maint. Man	7	0	0	0	8
A.B. Dayworker	0	0	4	3	7
A.B.	16	4	9	2	31
O.S.	1	1	1	2	5
Standby	23	18	101	43	185
TOTALS	52	24	119	52	247

Bush's anti-worker nominee *continued from page 1*

Unions would be unable to bargain for company-paid positions, such as grievance chairmen. It also would have severely limited Unions' power in collective bargaining. Contracts would only be allowed to cover wages and benefits and work time, not Union hall activity, dispatching or other collectively decided upon arrangements.

In *Luden's Inc. v. Bakery, Confectionery and Tobacco Workers Local 6*, the majority held that the employer's duty to arbitrate a disagreement over work conditions survived the contract termination through an implied contract agreement between the parties. But Alito ruled against the Union.

In *Federal Labor Relations Authority v. U.S. Department of Navy*, the court found that the Navy was violating federal labor law for public employees in refusing to give a Union the names and address of employees it was seeking to organize. Alito dissented, voting to disable the organizing drive by denying the Union access to the employee names.

Safety Protections for Workers

In *RNS Services v. Secretary of Labor*, the court found that a mining services company was violating safety laws under the Federal Mine Safety and Health Act. The court rejected the company claim that it was not covered by mining safety laws, seeking to narrow application of the law to mines, not coal processing plants associated with such mines. Alito dissented and voted to exempt the facility from those mining safety regulations.

Alito dissented based on several factors, including his misreading of the majority opinion. He asserted that "the majority hold that any person who performs any listed activity under any circumstances is subject to the Mine Safety and Health Act, not what the majority ruled. They had a much narrower scope than Alito implies."

Alito, who in other cases is excessively verbose when it comes to narrowing the meaning of language stated, "While this interpretation may not be the most literal reading of the statutory language, it seems to me to represent the best we can do with the unfortunately worded provision that confronts us." Here, Alito throws out the literal interpretation of the statute because it is not in the best interest of big business.

Minimum Wage Protections

In *Reich v. Gateway Press*, the court majority found that a newspaper chain had violated federal minimum wage and overtime laws, but Alito sought to interpret the law in the way that would have excluded the newspaper workers from protections under the law.

Employment Discrimination

In a race discrimination case, *Bray v. Marriot Hotels*, Marriot sought to deny the plaintiff, an African-American woman who alleged racial discrimination, the right to even present her case to a jury. The Third Circuit argued that, given facts in the case, it was up to a jury, not judges, to decide if discrimination had occurred. In dissent, Alito argued for a panel of judges to decide.

In *Glass v. Philadelphia Electric Company*, a race and age discrimination case, Alito would have upheld a lower court's refusal to allow the plaintiff to cross-examine his employers about the hostile environment he experienced. The majority of the court found that evidence was "relevant to a key aspect of the case," and decided the exclusion illegally undermined the plaintiff's right to a fair trial.

Public Employee Rights

In an assault on the civil rights of government employees, Alito voted in the minority in *Home v. Gilbert*, arguing that governments do not violate the due process rights of employees when they are suspended without a hearing and without pay. Alito rejected the majority's view that some minimal hearing was required beyond the initial accusation—in this case a drug charge never proven in court—to justify loss of a job. Alito declared that a mere accusation justified loss of pay and employment.

Retirement and Pension Cases

In a case of great importance to retiring workers, *DiGiacomo v. Teamsters Pension Trust Fund*, the Third Circuit found that Teamster driver, who had worked in a Union position from 1960 to 1971 and then from 1978 onwards, had to be credited for the time working before 1971 for calculating his pension. This was based on an interpretation of the federal Employee Retirement Income Security Act (ERISA) which prohibits forfeiture of benefits due to a break in service.

Alito, in a lone dissent, argued for destroying the worker's retirement and for denying the worker credit for early years of work. In his dissent, Alito argued that promises made to a worker may not apply if that worker was not continuously employed. Alito used ERISA as an excuse to wipe away years of service, the opposite of the intent of the act. For workers approaching retirement who had pre-ERISA employment, Alito's reasoning would be very detrimental.

Family and Medical Leave Act

The Family and Medical Leave Act guarantees most workers up to 12 weeks of unpaid leave to care for a loved one. In 2003 the Supreme Court upheld this law reversing a 2000 Court ruling by Alito, who found that Congress exceeded its authority in passing the law to allow workers to care for a sick family member or a newborn baby. Lawmakers who penned the bill wanted to rectify what they considered "inadequate job security" for working mothers, who often bear the brunt of child-rearing responsibilities. In the 2000 opinion, *Chittister v. Department of Community and Economic Development*, Alito upheld a lower court ruling backing the state of Pennsylvania, taking Congress to task for enacting the Family and Medical Leave Act.

Business Week ran a story in its November 1, 2005, issue entitled "Why Big Business Likes Alito." The article states that Bush's new Supreme Court nominee has been a staunch proponent of limits on legal liability, employee rights and federal regulation. Of the dozen or so names on Bush's rumored short list of high court candidates, Alito ranked near the top for the boardroom set.

Bloomberg, a business news service, said in a November 3, 2005 story that Alito

was seen as an "ally by businesses." The article further states that "Alito's 15-year record on the Philadelphia-based Third Circuit Court of Appeals indicates he would be equally friendly toward companies, perhaps even more so. Although lawyers are still poring over the hundreds of cases Alito has considered in his judicial career, business advocates say so far they are pleased with his approach on questions of securities law, arbitration, discrimination and worker benefits."

Labor, not surprisingly, is less than pleased.

"It is ironic that on the day we remember civil rights hero Rosa Parks in Washington, President Bush rejected an opportunity to unite our country with a nominee to the Supreme Court who could help bridge the difficult divides of race and class and politics in America today," John Sweeney, President of the AFL-CIO, said. "Instead, he catered to the demands of the far wing of the party decision guaranteed to spark a fight over the protection of fundamental rights and freedom."

ILWU International President James Spinosa said of Alito, "This nominee's record indicates that he is hostile to the empowerment of working people in this country. The ILWU should oppose his nomination and ask our Senators to strongly reject him."

Editor's Note: This article was written by Lindsay McLaughlin, Legislative Director of the International Longshore and Warehouse Union. It first appeared in the November issue of the ILWU *Dispatcher* and is reprinted with permission.

Pirate attacks in Malacca Strait declines

The number of attacks on ships in the Malacca Strait fell sharply in the first nine months of this year due to Indonesia's efforts to boost naval and air patrols, according to an AFX News report.

The International Maritime Bureau credits the reduction to an increase in patrols by Indonesia on its side of the strait. The country launched large-scale sea and air patrols in July to enforce maritime security in the Malacca Strait in an op-

eration code-named Gurita 2005, according to the report. As a result, there was a sharp drop in attacks to 10 in the first nine months of 2005 from 25 a year earlier to the narrow strait.

The figures for the first few months of 2005 were also affected by last year's December 26 Indian Ocean tsunami, which devastated parts of Indonesia and also curtailed pirates' activities. The Malacca Strait is used by around 50,000 ships a year.

WTO members question U.S. cabotage

The Jones Act came under fire early this month from maritime nations that want the World Trade Organization (WTO) to take action against the United States because of this nation's paramount cabotage law.

The European Union, Australia, Hong Kong, South Korea, Norway and Japan were among the WTO members that said the United States hasn't done enough to address the impact of the Jones Act.

Japan's delegate demanded an explanation from the U.S. of its rationale in using "national security" to excuse the "restrictive rules" that mandate that cargoes carried between U.S. port must be U.S.-built, U.S.-flagged and U.S. crewed.

The Norwegian delegate complained that the Act makes it impossible for Norway to sell ships to U.S. domestic companies.

Carnival rip-off *continued from page 1*

sight. A short-term temporary solution has turned into a long-term, grossly overpriced sweetheart deal for a cruise line," said Coburn and Senator Barack Obama (D-IL) in a joint statement which called for a chief financial officer to oversee Katrina spending.

Meanwhile, congressional calls for an investigation of the contract have increased, with Republicans as well as Democrats seeking action.

Three Republicans, Representatives Marilyn Musgrave (R-CO), Jeff Flake (R-AZ), and Todd Tiahart (R-KS), sent a letter to House speaker Dennis Hastert (R-IL), calling for "an immediate investigation into all matters related to the contract."

"We have concerns about a broad range of issues," the letter said, citing the total price tag, the economics of housing evacuees under the contract terms and the speed with which the deal

was negotiated.

Not only are questions being raised over the Carnival contract's cost, but congressional investigators also are examining the company's tax status. Carnival which is headquartered in Miami but incorporated for tax purposes in Panama, paid just \$3 million in income tax benefits on \$1.9 billion in pre-tax income last year, according to company documents. "That's not even a tip," said Robert S. McIntyre of Citizens for Tax Justice. U.S. companies in general pay an effective income tax rate of about 25 percent, analysts say. That would have left Carnival with a \$475 million tax bill.

Carnival's public records boast "that substantially all of our income in fiscal 2004, 2003 and 2002...is exempt from U.S. federal income taxes," largely because it maintains that its operations are not in the United States but on the high seas.

Source: *Seafarers' Log*

**SUP Members:
Vote! It's your Union.**



SUP President's Report

December 12, 2005

FOREIGN MARINER PROVISION IN COAST GUARD BILL

The fight to scuttle language in the Coast Guard and Maritime Transportation Act of 2005 (H.R. 889) that would allow foreign "riding gangs" to perform maintenance and repair work in U.S.-flag vessels in the international trades, has been ongoing since September 15, when the House of Representatives passed the bill.

Maersk Lines, the prime mover of this insidious initiative to undermine the U.S. merchant marine and its mariners, continues to aggressively press for the inclusion of the onerous provision of the bill—Section 425. In fact, Maersk has submitted five different proposals to the Coast Guard for review since that agency voiced strong opposition to the provision on the grounds that it compromises the security of the nation and that it would violate existing U.S. and international maritime law. All the Maersk proposals are essentially the same and are based on half-truths and outright lies in order for this Danish-owned company to achieve its goal of creating a permanent secondary crew of exploitable third world workers in U.S.-flag ships.

Maersk contends that the use of foreign riding gangs are a thirty-year past practice and should be legalized. As the membership knows, foreign riding gangs have never been a practice in SUP-contracted ships. If riding gangs have been employed, they have been SUP members dispatched out of SUP hiring halls. The practice of other companies with other Unions has not been completely verified but anecdotal evidence suggests that the practice—which is illegal—exists in various degrees. In order to accurately determine if U.S.-flag shipping companies have been employing foreign nationals, the SUP and the Marine Engineers Beneficial Association (MEBA) in separate letters dated November 15, requested the Coast Guard under the Freedom of Information Act (FOIA) to provide information on this issue, including all citations and fines that have been issued from January 1, 2002 to the present. The Coast Guard promptly responded on November 30, stating that it was compiling the information requested.

In addition, Maersk hypocritically asserts that prohibiting riding gangs places U.S.-flag operators at a competitive disadvantage. This company and its avaricious cohorts seem to conveniently forget that under the Maritime Security Program (MSP) they are beneficiaries of U.S. taxpayer dollars to partially offset the difference between American and foreign mariner wages. Clearly, it was not the intent of Congress to subsidize foreign nationals in U.S.-flag vessels. But that does not bother Maersk nor do the national security concerns of the Coast Guard.

Maersk, which led the effort to eliminate the Section 2 U.S.-citizenship requirement as defined by the Shipping Act of 1916 for vessel operators in the new MSP program, eagerly accepts the subsidy but wants to eliminate U.S. mariners to fatten its already bloated profits. (As the membership will recall, the SUP and MFOW were the only Unions that opposed the elimination of the Section 2 requirement.) The company denies this, but if the foreign riding gang provision is enacted, U.S.-flag companies will, in the judgment of your secretary, request the Coast Guard to change the Certificate of Inspection aboard ship to eliminate most non-watchstanding personnel. The arrogance of Maersk knows no bounds as it is the darling of the Defense Department. What Maersk is attempting to accomplish is very simple: internationalize the crew in American vessels—a strategy that it has successfully employed in its vast foreign-flag fleet.

However, Maersk et. al. has met stiff resistance to its initiative not only from most seagoing and shoreside maritime Unions, but from all Democrats in the House and Senate and key Republicans such as Senator Trent Lott (R-Mississippi), who is a member of the Commerce, Science and Transportation Committee.

As the membership will recall (see the October *West Coast Sailors*), Representative Don Young (R-Alaska),

Chairman of the House Transportation and Infrastructure Committee, amended the Coast Guard bill to include the foreign riding gang provision.

On December 8, your secretary and MEBA President Ron Davis met with Chairman Young in Washington to discuss the issue. Also in attendance were John Rayfield, Republican Staff Director of the House Subcommittee on Coast Guard and Maritime Transportation; Justin Sprinzen, Special Assistant to Chairman Young; MEBA Deputy General Counsel Bill Doyle, MEBA Director of Government Affairs Brian Schoeneman; MEBA Alaska Counsel Joe Geldhof; and MEBA Assistant Counsel David Tubman.

After a lengthy and lively discussion which enumerated and expanded upon the points made in this report, Chairman Young stated that, "We need more U.S. mariners, not less." Although he did not agree to withdraw Section 425, he did agree to draft substitute language to reflect the status-quo on the use of foreign workers in U.S.-flag ships. That status-quo as defined by Admiral Thomas Collins, Commandant of the Coast Guard, is "limited to technical repairs, vessel inspections and some limited technical work prior to or just after a yard period." It was also the position of the SUP and MEBA that the use of foreign nationals be limited to foreign ports and that these people be limited to those performing technical guarantee work, not maintenance and repair.

While the meeting with Chairman Young could be characterized as a qualified success, there are still many serious hurdles to overcome before victory can be declared—at least in this Congress. The substitute language, when drafted, will be reviewed by the Unions and most certainly Maersk. Given the recent actions by Maersk in promoting its anti-American initiative, it is unlikely to be accepted and the political struggle in Congress to safeguard U.S.-mariner jobs will continue. Another concern is whether the Coast Guard will hang tough in its position or buckle under pressure from Copenhagen and its allies in the Defense Department.

Currently, the Coast Guard bill is in conference to reconcile the Senate version (S. 1280), which does not contain a foreign riding gang provision, and the House version which does. The names of the conferees were reported last month. Informed sources indicate the measure is not expected to come to a vote until some time in January.

Due to the critical importance of defeating the foreign riding gang provision, all members are urged to reproduce, sign and mail the letter that follows and fax a copy to SUP Headquarters (415 777-5088) as soon as possible:

**The Honorable Ted Stevens and Conferees
Chairman Commerce, Science and Transportation
United States Senate
522 Senate Hart Office Building
Washington D.C. 20515**

**The Honorable Don Young and Conferees
Chairman House Transportation and Infrastructure
Committee
House of Representatives
2111 Rayburn House Office Building
Washington, D.C. 20515**

Dear Chairman Stevens and Chairman Young:

I am writing to express my opposition to Section 425 "Citizenship and Naval Reserve Requirements" of the 2006 Coast Guard Authorization Bill, HR 889 and any other legislative proposal that similarly weakens the U.S. citizen mariner requirements for U.S.-flag documented vessels. I am a member of the Sailors' Union of the Pacific (SUP) and a U.S. Merchant Mariner.

The so called "riding gang" amendments that the Danish shipping giant Maersk Lines is proposing would enable the industry to use foreigners to perform virtually any and all maintenance and repair work. The work covered by these amendments is not what riding gangs do. It is what American mer-

chant mariners do.

Our nation needs a strong and viable U.S. Merchant Marine. U.S. merchant mariners support our troops by delivering their equipment, machinery and provisions; U.S. merchant mariners are extensively vetted by the U.S. government agencies; and U.S. merchant mariners are reliable patriots.

Please do not change U.S. law by supporting proposals which would weaken U.S. citizenship requirement for U.S.-flag vessels.

Sincerely,

It should be noted that this is a battle the Sailors' Union has fought before. One hundred years ago in 1905 all the unlicensed personnel (deck, engine and steward) in U.S.-flag steamships in the Trans-Pacific trade were crewed by foreigners. It was not until Andrew Furuseth led the fight that culminated in the passage of the Seamen's Act in 1915 did this practice change. Let us not let Maersk and the other pirates turn back the clock!

Will continue to keep all hands fully informed.

MATSON NAVIGATION COMPANY

As reported in September (see the October *West Coast Sailors*) Matson told the SUP and MFOW that the company was prepared to solicit other, unnamed companies, to purchase the *m/v Maunalei* currently under construction at Aker Philadelphia Shipyard and then time-charter it back to Matson if it could not reach agreement with the Masters, Mates & Pilots and the American Radio Association.

The Union was informed by the MM&P that it had reached agreement in late November with the company regarding the *Maunalei*, subject to membership ratification. The status of bargaining between Matson and the ARA is unknown as of today's meeting.

As the membership will recall, in 2003, Matson used this same duplicitous tactic when it threatened not to purchase the *Manukai* and *Manulani* and to charter them back from a new owner with lower crew costs. The SUP, MFOW and Matson's other seagoing Unions after contentious negotiations ultimately signed and ratified agreements covering *Manukai*, *Manulani* and *Maunawili*. In June of this year, the SUP, MFOW and SIU-Marine Cooks agreed to language that covers the new *Maunalei* and all other vessels of comparable characteristics the company may purchase or operate through June 30, 2013. The *Maunalei* is projected to go into service in June, 2006.

Will keep a weather eye on the ARA situation.

SAN FRANCISCO BAR PILOTS

In accordance with the 2002-2006 collective bargaining agreement between the SUP and the San Francisco Bar Pilots, wages and overtime rates for all marine personnel and the dispatchers, except the unlicensed AB/Deckhands, will be increased by 4% effective January 1, 2006. Unlicensed AB/Deckhands shall receive a 3% increase.

PENDING LAWSUITS

BANE & TULENKEN v. SUP

As first reported in September, SUP members Sefuluono F. Bane and Ruta A. Tulenken filed suit against the Union with the U.S. District Court for the District of Hawai'i, alleging race and gender discrimination against them in the dispatching process by the Honolulu Branch. The Union denies the charges.

On November 10, SUP Attorney Charles K. Y. Khim filed a motion to clarify the suit before Magistrate Judge Barry Kurren. Magistrate Judge Kurren granted the motion in part. An order from the court is still pending. Further legal action is anticipated.

KILGROE v. SUP, MFOW

In October, SUP member John Kilgroe filed suit

President's Report continued

against the SUP, MFOW, APL Maritime Services, Ltd., American Ship Management and Patriot Contract Services with the U.S. District Court for the Central District of California in Los Angeles, alleging, for the SUP specifically, that the Union breached its duty of fair representation which the Union denies.

MFOW and SUP attorney Peter W. Saltzman reports that in conjunction with ASM's attorney, Kilgroe's complaint will be answered this month.

SUP ELECTION

All members eligible to vote in the 2005-2006 biennial election of SUP officers for the 2006-2008 term and referendum on proposed constitutional amendments should have received their secret mail ballot by today's meeting.

In accordance with Article XII, Section 8, of the SUP Constitution, "If for any reason a member in good standing does not receive his/her ballot, he/she may make a written request for a ballot to the Impartial Balloting Agent. The request shall include a statement that the member has neither received a ballot nor voted in the election and the address to which the ballot is to be sent. The Impartial Balloting Agent shall mail a ballot to the member at the address indicated which shall be marked "duplicate" on the outer envelope."

If an eligible member has not received a ballot, there are three ways to obtain one:

1) By letter: Robbin A. Johnson, Manager, Pacific Election Services, Inc., 1650 Stanmore Drive, Pleasant

Hill, CA 95423

2) By fax: 925-685-4937

3) By email:

rjohnson7128@sbcglobal.net

When requesting a ballot, members must include their name, mailing address and membership number. It must be noted that no ballots will be mailed to any SUP hiring hall.

Balloting will continue through December and January and will be tallied on Wednesday, February 1, 2006.

Full participation in the balloting process is key to Union democracy. Urge all hands to vote.

HOLIDAYS

Since Christmas Day and New Year's Day fall on a Sunday this year, these contractual holidays will be observed on Monday, December 26, and Monday, January 2, 2006. All SUP halls will be closed for the two holidays on those dates.

Next month SUP halls will be closed on Monday, January 16, in observance of Martin Luther King Jr.'s birthday, a holiday under all contracts except those with Chevron and Foss. Due to the holiday the Branch meeting will be held on Tuesday, January 17, 2006.

Wish all hands, and their families, the best for the holidays and the New Year.

ACTION TAKEN

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

Gunnar Lundeberg

American mercenaries to hunt pirates off Africa

Pirates operating off the Horn of Africa, who released a hijacked Ukrainian ship and crew on the weekend of November 26, will be hunted down by a crack force of American mercenaries on the payroll of the Somalian government.

Topcat Marine Security of New York has signed a two-year contract worth more than \$50 million to provide maritime security for shipping off the war-torn East African country's treacherous coastline. The private security force also has the mission to seek out and destroy a pirate ship understood to have launched dozens of attacks by smaller craft this year on international merchant shipping.

The announcement came at the same time news came of the release of the 22,046 gross ton bulker the *Panagia* and its 22 Ukrainian crew members after 39 days in captivity. London ship manager Ocean Agencies on November 29, stated that the full ship's complement, including the master, eight officers and 13 crew, had been released unharmed.

The speed boats carrying 14 pirates armed with automatic weapons hijacked the bulker on October 18 as it sailed some 90 miles each of the Somali coast. The 1982-built *Panagia* had been enroute to Iskenderun in Turkey from Maputo in Mozambique, which it left on October 10 with a cargo of 32,500 tons of coal.

"None of the Ukrainian crew were injured in the attack and the ship suffered no apparent damage," said ocean agencies in a statement.

Topcat's head of research and development, Peter Casini in Nairobi, said its former U.S. Elite special forces operatives would target the pirates' mother ship. "There is a ship that is launching small ships 75 to 100 miles from the shore—our goal is to take the mother ship," Mr. Casini told Reuters. "We will end the piracy very quickly, there is no question about that."

Topcat employs former Navy Seals and Army Special Forces personnel as instructors, and a flotilla of high-speed patrol vessels that work closely with U.S. Customs, Coast Guard, DEA and Border Patrol. The New York company will offer armed escorts to shipping entering Somali waters, as well as advise on building up its maritime security capabilities.

Somalia's Prime Minister, Mohamed Ali Gedi, said the hire of Topcat was recognition of the need to stamp out the menace along its coast. "The agreement will defend Somalia's territorial waters and defeat the pirates," Mr. Gedi said. "The government wishes to express its dismay at these abhorrent actions."

Piracy incidents around the Horn of Africa have escalated since March, with 32 known incidents after two years of relative calm. The Carnival cruiseship *Seaborn Spirit* came under attack last month from rocket-propelled grenades and assault rifles off Somalia.

Vice President's Report

December 2005

Home is the sailor

This time of year it is common to think of home. But for sailors, such thoughts are often without comfort. Nothing in the many centuries of seafaring has changed the way a sailor is distanced from the world. Sailors are itinerant, migratory, and forced by occupation to separate themselves from all that is personal: their possessions, their community, friends and family. While away they are subject to abnormal conditions such as the continuous threat of shipwreck, hazardous operations that frequently result in serious injury, exposure to harmful chemicals, sleep abnormality and deprivation, to name only a few. Neither does the eventual return of the sailor to his family necessarily bring comfort as both struggle to adjust to a sudden presence where there was a long absence. The strange brew of isolation and danger has a long-term psychological effect. For some that separate sense stays with them, long after they quit the sea. Accordingly, sailors must count among their occupational hazards failed relationships, broken marriages, alcoholism, and loneliness.

The Sailors' Union of the Pacific has always served as a sailor's safe haven and touchstone of values. "I have a family," said Harry Lundeberg before the Bonner Committee in 1955. As part his effort to save the hiring hall and the collective bargaining process he proudly declared, as evidence of the worth of those things, to possess what seamen for centuries could not: an actual family. But as a seaman he also knew and was expressing that family is not limited to blood ties. How can a man who was away from home for 30 years confidently declare before a Congressional investigation to be a family man? To the always absent seaman, the answer is obvious: his shipmates were his brothers and the Union became his extended family. The same democratic principles that served sailors then exist for your use today, and using them can become a reliable protection against some of the occupational hazards described above. Participation in your Union, even if only by reading this paper, can help your navigation through life. Then those famous lines of A.E. Housman take on still other symbolic meanings:

Home is the sailor, home from sea:

Her far-borne canvas furled

The ship pours shining on the quay

The plunder of the world.

Ships Checked

Mokihana: Miguel Villegas, delegate. Investigating time back issue.

APL Thailand: Dave Hiebert, delegate. Early morning call; no reported problems. **R.J. Pfeiffer:** Josh Niles, delegate. In at Oakland Inner Harbor. No problems.

Colorado Voyager: Casey Russell, delegate. In at Richmond Long Wharf. No problems. Discussion of negotiation process and subjects.

APL China: Herb James, delegate. Clarification on arrival, watchstanding, and daywork. Payroll problem resolved.

Cape Fear: Joe Richwagen, delegate. Payroll problems resolved. Working on Matson RRF payroll trouble.

Foss Maritime Company: delegates Tom Tynan and Mike Worth. Grievance on travel time continuing. Company developing new proposals on mate's position.

San Francisco Bar Pilots: delegate Terry O'Neill. Met with the Co. on welfare issues, overtime accounting. Watch schedule change on hold until bargaining.

Dave Connolly

Somali pirates release hijacked oil tanker

Somali pirates have released an oil tanker that they hijacked a month ago on its way from the United Arab Emirates to South Africa, a maritime official said. The *MT San Carlo* is now on its way to South Africa, said Andrew Mwangura, head of the Kenyan chapter of the Seafarers Assistance Program. It was not immediately clear whether a ransom was paid for the release of the Malta-registered vessel and its crew of 24, Mwangura said.

Several pirate groups operate along Somalia's 1,880-mile coastline, Africa's longest. The Horn of Africa nation has had no effective government since opposition leaders ousted a dictatorship in 1991 and then turned on each other, leaving the nation of 7 million a patchwork of warlord fiefdoms. On November 5, two boats of pirates attacked a luxury cruise liner carrying mostly American as well as Australian and European passengers. The *Seabourn Spirit* sped away and no passengers were injured, but one of the 161-person crew was wounded by shrapnel in the raid, which occurred about 100 miles off Somalia's coast. The International Maritime Bureau, citing a sharp rise in piracy this year, has been warning ships to stay at least 150 miles away from Somalia's coastline.

**Buy Union
for the Holidays!**

SUP Branch Reports

Seattle

November 21, 2005

Shipping for the period: 1 boatswain and 3 able seaman jobs taken by 4 A members; 22 standby jobs filled by 10 A's; 11 B's and 1 D registrant.

Registered during the period: 8 A cards for a total of 14; 7 B cards for a total of 13; 0 C cards for a total of 10.

Ships Checked

Maui, Kauai and *R.J. Pfeiffer* all called in Seattle with little or no trouble. The *Kauai* returned from China after a somewhat difficult voyage with the crew giving a vote of confidence to Captain Peter Webster for exhibiting excellent seamanship during the passage home and a steady hand in quelling personality conflicts.

Together with Mike Carr, Marine Fireman's Union agent, used all the political tools in our arsenal to speak with Washington State members of Congress and oppose a congressional amendment to allow foreign nationals to ride on U.S. flag ships as maintenance workers. It doesn't take a rocket scientist to figure out that all U.S. merchant mariners would be critically damaged if this amendment goes through.

I attended the King County Labor Council meetings; the Puget Sound Harbor Safety Committee meeting; the area Maritime Security Committee meeting; a meeting at the Propeller Club where the speaker was Washington State Department of Transportation Secretary Doug McDonald who spoke of the various freight mobility projects that will enhance the Puget Sound's competitiveness in bringing in more ship traffic to this region. Secretary McDonald attributed the recent passage of the state gas tax initiative as being critical to these projects.

The Seattle Branch wishes a happy holiday season to all members and their families, both active and retired. We recognize that those of us working today would not be doing so if it were not for the selfless actions of those who walked up the gangways before us.

Please vote for the dues increase!

Vince O'Halloran
Branch Agent

Wilmington

November 21, 2005

Shipping for the period: 2 bosuns, 7 ABs, 6 AB maints., 2 OS and 110 standbys for a total of 127 jobs shipped.

Registration: 58 A cards, 63 B cards, 9 C cards, and 7 D cards.

Ships Checked

Maunawili: Dave Kaupiko; *President Grant*: Mick McHenry, delegate; *Matsonia*: all OK. *Kauai*: Jim Clay delegate. Restriction to ship was solved previously by Headquarters and Tom Percival and paid, along with lodging claim. The delegate solved all other beefs at sea with Captain Webster. *APL China*: Herb James, delegate. OK. *Mokihana*: Julio Nunez, delegate. Food beef went over with the two captains, acting MFOW agent Steve Callahan and our delegates and squared away. *Manulani*: George Simpier, delegate; *Manukai*: Paul Barbour, delegate; *President Truman*: Larry Gatel, delegate; *APL Philippines*: John Drolla, delegate; *Manoa*: Harry Naeole, delegate; *President Jackson*: Mike Dirksen, delegate; *APL Thailand*: Dave Hiebert, delegate; All OK. *Mahimahi*: Roland Gerbacio, delegate. Delayed sail not due to cargo, and not payable. *APL Singapore*: Bob Copeland, delegate; *President Wilson*: Robert Strabbing, delegate; *President Adams*: Gary McDevitt, delegate; *APL Korea*: Rick Goen, delegate. All OK.

It was a pleasure to have the SUP Vice President attend our meeting and be our reader. He talked about Section 425 (HR 889) which allows for foreign nationals to work routine maintenance in American ships. He explained what the SUP and the maritime unions and associations, ILWU and ILA are doing about it. (Please see President's report). We talked about APL and Matson and where ships will run and not run. There is always a very good quorum down here and good discussions with dozens of questions asked, discussed, and answered. Thanks to the Vice President for coming down!

Jack Dalton and John Makaiwi have a top shelf standby gang going, and there are lots of standby jobs.

Took care of the duties and responsibilities of the port for the membership during the period.

Keith Miller, Branch Agent

Honolulu

November 21, 2005

During the month of October, dispatched the following: 2 ABD, 3 ABW, filled by 2 A members and 3 B members. Also shipped 41 standby jobs, filled by 3 A members, 22 B members, 15 C members and 1 D registrant for a total of 46 jobs shipped.

During the month of October, registered 5 A members, 6 B members and 1 C member. To date registered are 16 A members, 14 B members, 5 C members and 1 D registrant for a total of 36 registered.

Ships Checked

Maui, Lurline, Lihue, Matsonia, Manulani, R.J. Pfeiffer, Maunawili, Kauai, Matsonia and *Manukai*. All with few or no beefs. Paint and Rigging gang running smoothly with Monte Kalama as bosun.

On November 3, attended the Hawai'i State AFL-CIO convention. If you think we can stand on our laurels this year you ought to hear what the airline industry Unions are up against. Would like to thank Brother Phil Howell for covering the hall for me that day.

On November 6, held the Honolulu Harbor Festival at Aloha tower. After a two-year lapse (post 9-11 security) this program was reinstated by Hawai'i maritime industry to educate the people of Hawai'i to the importance of seaborne commerce to this state. Manned the Hawai'i Ports Council booth passing our Jones Act literature.

On November 14, the SUP Vice President was in town for a benefits conference. Together we made the Paint and Rigging gang and the *Manulani* and he was very informative in answering the gangs questions.

On November 23, attended the Hawai'i Ports Council meeting. Had new USCG Port Captain Manson Brown in attendance. Heard his view on Section 425 (foreign riders). Also heard Lt. Commander Ann De Young, Honolulu REC director, who stated her sector is trying to instigate a two-week turnaround on MMD renewals.

The Honolulu membership wishes all our Union brothers and sisters a Mele Kalikimaka (Merry Christmas) and an Hauoli Makihika Hou (Happy New Year.)

Honolulu Branch Agent

in ROS in the Beaumont Reserve Fleet.

The clean up and survey of barges for the *Cape Farewell, Flattery* and *Florida* was completed on November 17, and the gang aboard the *Cape Florida* was discharged and the vessel placed in Reduced Operational Status. As previously reported these sailors did a fantastic job of recovering and servicing the three hundred barges scattered throughout the Orange/Beaumont channels during Hurricanes Katrina and Rita. This record breaking hurricane season has finally ended and shipping interests are slowly returning to normal.

Ballots for this SUP election have been mailed to your home of record. It is very important to participate in the democratic process in this election. If for any reason those members who ship out of Jacksonville do not receive a ballot, they should contact the Impartial Balloting Agent immediately. You are strongly encouraged to vote yes on all the Constitutional amendments. While no one wants to see their expenses increase, a dues increase is a necessity. The SUP has the lowest dues structure of any Union, and in the current anti-labor climate it will take money to fight for our livelihoods and families' well being. Let us not hesitate to join the fight and counter this corporate oriented administration by voting yes to \$20 more per quarter.

Congratulations to our Union leadership for their efforts and success on the results of the November 8 elections. Labor's message was resounding we will not tolerate any further Republican encroachment on the hard-earned and hard-fought-for rights of the working class.

Bud Yost

SUP East/Gulf Coast Representative



Dispatcher's Report

Headquarters—Nov. 2005

Deck	
Bosun	5
Carpenter	0
MM	7
AB	16
OS	1
Standby	23
Total Deck Jobs Shipped	52
Total Deck B, C, D Shipped	11
Engine/Steward	
QMED	0
Pumpman	0
Oiler	0
Wiper	0
Steward	0
Cook	0
Messman	0
Total E&S Jobs Shipped	0
Total E&S B, C, D Shipped	0
Total Jobs Shipped - All Depts. ...	52
Total B, C, D Shipped-All Depts. .	11
Total Registered "A"	65
Total Registered "B"	54
Total Registered "C"	11
Total Registered "D"	11

San Francisco Business Agent

December 13, 2005

Visited and paid off the following ships:

Kauai— Jim Clay, delegate: In from Seattle after shipyard in China. For a Matson ship it's in bad shape and dirty on deck, which is a surprise. Made twice.

Lihue— Bill Berry, delegate: No disputes, good gang.

Lurline— Art Kardinal, delegate: Car and van carrier. No disputes. Question on loading stores.

Manoa— Harry Naeole, delegate: Voyage pay off. No disputes. All beefs squared away in Wilmington.

R.J. Pfeiffer— Josh Niles, delegate: In from Seattle, no disputes. Clean your room when leaving the ship. It is your responsibility to leave it clean for your shipmate.

APL Korea— Richard Goen, delegate: Voyage pay off. It's always a pleasure to pay off a ship with no disputes. Very good gang and bosun.

APL Singapore— Bob Copeland, delegate: Voyage pay off. Clean with no disputes.

APL Steam Rack— No disputes.

President Grant— Angelito Lopez, delegate, John Fernandez, bosun: Voyage pay off.

President Wilson— Jim Bailey, delegate, Joe Wolff, bosun: No disputes, food is not up to par.

It's important that the membership vote for the dues increase this time around. Worked in the front office.

Best wishes to all members and pensioners for a Happy Holidays.

Bill Berger

Jacksonville

November 2005

Checked the *Chevron Arizona Voyager*, on November 17 in Pascagoula, Mississippi. Rocky Ziemba is the delegate and Mike Fox, the boatswain. There were no beefs reported. The Pascagoula refinery is once again fully operational and the ship is on its normally scheduled Pascagoula/Port Everglades run. It is anticipated that the *Arizona Voyager* will go into a yard on the Gulf Coast in early January.

Also have had numerous telephone conversations with members aboard the *Cape Jacob* and all is well there. The ship is currently discharging cargo and going into the yard in Hiroshima, Japan, for its annual period. Additionally, have communicated on a daily basis with members aboard the *Cape Florida*, which remains