



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXXI No. 2



SAN FRANCISCO, CALIFORNIA

Friday, February 22, 2008

Mariners who may need waivers encouraged to apply early for TWIC

Mariners who may need waivers under the Transportation Worker Identification Credential (TWIC) program should ensure that they apply for their TWIC as soon as possible in order to begin the waiver process now, the Transportation Security Administration (TSA) is advising. The TWIC regulations provide for the possibility of a waiver for mariners who have committed a disqualifying offense and received an initial determination of threat assessment from TSA. The current projected turnaround time from enrollment to receipt of TWIC cards for individuals without disqualifying offenses is six to eight weeks, and processing a waiver request will increase that time frame. In order to avoid missing the September 25, 2008, deadline by which existing mariners subject to the TWIC regulations must obtain a card, mariners who know that they have a disqualifying offense in their background are encouraged to enroll and begin the waiver process as soon as possible.

As of February 20, TSA has issued 1,851 initial disqualification letters. In response, 55 waivers have been requested and five have been granted. In addition to the waiver process, mariners who receive an initial disqualification letter based on incorrect information have the right to appeal the disqualification. As of February 20, 808 appeals have been requested and 648 have been granted. It is important that a mariner file an appeal quickly upon receipt of the initial disqualification letter to avoid additional delays in processing of his or her TWIC.

A list of TWIC enrollment centers that were open as of February 22, is on page 8.

MarAd report calls U.S.-flag fleet critical to the nation

"The United States simply cannot respond to conflicts or emergencies overseas without sealift. It is figuratively and literally a lifeline to U.S. armed forces and their missions."

That was the conclusion

reached by the United States Maritime Administration in a report issued this month.

According to the authors of "The Maritime Administration and the U.S. Marine Transportation System: A Vision for the 21st Century," the U.S.-flag merchant marine has played and continues to play an integral part of national security.

The report states: "Those who would do great harm to the United States, its people and interests pose a real danger. Safeguarding freedom and security involves a global commitment. The U.S. merchant marine has had and will continue to take a leading role in that struggle in times of peace as well as war and national emergency."

Noting that "thousands of American mariners have died, been wounded or taken prisoner during (conflicts dating back to the founding of the U.S.), the report takes a close look at the

continued on page 11

AFL-CIO blasts Bush's FY'09 budget proposal

President Bush's budget proposal for Fiscal Year 2009, is a slap in the face to America's working families who are already struggling to get by in an economy sinking under the weight of this Administration's disastrous policies.

Far from taking into account the political and economic reality of the nation, President Bush has proposed yet another ideologically driven and ill-conceived budget, which Congress should reject.

As in past budgets, President Bush preserves expensive tax cuts for the wealthy and boosts military spending, while cutting crucial programs for the most vulnerable Americans: the elderly, the poor, the sick, youth, and displaced workers. He offers recycled versions of right-wing pet programs that lack support from Congress or the American people: Health Savings Accounts, Career Advancement Accounts, and school vouchers.

With his budget, the President has turned his back on the brave men and women who responded to the 9/11 attacks at the World Trade Center. Thousands of these workers are now sick, many are disabled and some have died. These workers desperately need medical care, but the President's budget would slash funding for the World Trade Center Medical Screening and treatment program by 77% — from \$108 million to just \$25 million.

The President's budget also puts other workers at greater risk. Funding for the occupational safety and health research agency NIOSH would be cut 10 percent. At the Department of Labor, job safety enforcement programs remain static, and there is no additional funding to issue important new mine safety standards mandated by Congress.

President Bush's budget slashes \$603 billion over 10 years from key entitlement programs — most of that from Medicare and Medicaid. He proposes cutting Medicare by \$178 bil-

lion over five years, yet his budget leaves intact the wasteful and inefficient overpayments to large insurance companies under the private Medicare Advantage plans.

This Administration often talks of preparing American workers to meet the challenges of competing in the global economy, but President Bush's proposed budget contains more than \$760 million in cuts for job training and employment programs, including training programs for dislocated workers, young people, Native Americans, and migrant and seasonal farm workers, as well as senior citizen community service employment programs. Cutting training programs during an economic downturn is both bad economics and bad social policy. It is particularly unfortunate with respect to youth programs. Black teen unemployment jumped from 28% last October to almost 36% in January.

President Bush proposes some reforms and a modest increase in funding for the Trade Adjustment Assistance program, but both his reforms and his budget request fall far short of the expanded and improved TAA bill approved by a bipartisan majority in the House of Representatives. President Bush vowed to veto the House bill.

While giving lip service to protecting workers' rights worldwide, President Bush once again proposes to decimate the budget for the agency charged with monitoring workers' rights and administering programs to help workers around the world, the International Labor Affairs Bureau (ILAB), by 78% — from \$81 million to \$15 million.

In this time of economic crisis — much of it exacerbated by his own failed policies — President Bush should focus our nation's tax dollars on jumpstarting economic growth, helping those in need, rebuilding and modernizing our nation's crumbling infrastructure, and building a better future for America's working families. His

2009 budget does none of this, and instead shoves America further in the wrong direction.

As far as programs affecting the maritime industry, the Maritime Security Program is slated to be funded with \$174 million to provide payments of \$2.9 million for 60 vessels (including nine operated by APL) in Fiscal Year 2009, an increase of \$19.6 million over last year's request.

The Ready Reserve Force proposed budget is \$277 million, reflecting an increase of \$49 million over the FY 2008 request. The Defense Department will continue to reimburse the Department of Transportation for operation and maintenance of the RRF for funds appropriated to DOD. The Maritime Administration will continue to manage the program.

No new funds were requested by the Bush Administration for the Title XI Shipbuilding Loan Guarantee Program. For administrative expenses to carry out the existing Title XI loan portfolios, \$3.5 million is requested "which shall be transferred to and merged with the appropriation for Operations and Training."

Operations and Training includes \$61 million for King's Point (of which \$8.1 million is for capital improvement projects) and \$11 million for support of the state maritime schools and \$46 million for MarAd operations.

On cargo preference, the Administration requested \$1.226 billion for the P.L. 480 Humanitarian Food Aid Program but includes language that would authorize up to 25 percent of Title II funds to purchase food commodities locally, the fourth time the Administration has made this request. This provision is opposed by the U.S. maritime industry and maritime labor, including the Sailors' Union.

The Food for Progress Program, which authorizes U.S. agricultural products to be provided to developing countries and emerging democrats, is budgeted for \$340 million—\$177 million more than last year's request.



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SUP Quarterly Finance Committee Report

**SUP QUARTERLY FINANCE COMMITTEE REPORT
FOR THE QUARTER ENDED DECEMBER 31, 2007**

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on January 14, hereby submits the following report:

SUMMARY OF CASH AND INVESTMENTS

General Fund	\$1,102,562.49
Political Fund	\$2,684.40
Strike Fund	\$1,293,730.99
Total Cash & Investments 4th Qtr. 2007	<u>\$2,398,977.88</u>

GENERAL FUND

Income:

Dues, Initiation, Assessments	\$79,480.45
Interest	28,453.29
Donations - <i>West Coast Sailors</i>	1,928.00
Tanker & Joint Committee, Hiring Hall	82,275.80
Advertising & Promotion	347.50
Miscellaneous Income, Reimbursements, Fines	819.55
Reimbursed Administrative Expenses	8,000.01
Field Expense	316.29
Contributions - General Fund	1,685.00
Total Income	<u>\$203,305.89</u>

Expenses:

Auto & Travel	\$738.75
Accounting (Audit)	2,000.00
Rent	16,500.74
Postage, Printing & Office	5,558.98
Telephone & Telegraph	3,864.12
<i>West Coast Sailors</i> Publishing Expense	7,816.65
Per Capita	11,095.50
Salaries & Payroll Taxes	181,795.73
Office Workers' Pension	7,098.00
Insurance	38,120.61
Field Expense	4,563.38
Committee & Neg., Conference & Convention	10,563.54
Investment Expense	515.80
Advertising & Promotion	1,783.59
Officials Pension	903.00
Contributions	760.00
Flowers	135.31

Legal	18,494.81
Subscription	1,417.38
Total Expense	<u>\$313,725.89</u>

BUILDING CORPORATION

Income:

Assessments	\$2,216.00
Rents	114,567.33
Lawsuit Settlement	400,000.00
Building Utilities & Service Reimbursement	2,112.46
Total Income	<u>\$518,895.79</u>

Expense:

Building Services & Utilities	\$26,572.01
Repairs & Maintenance	7,975.31
Salaries & Payroll Taxes	14,078.07
Pension	129.00
Auto	50.00
Filing Fee	20.00
General Tax	12,236.08
Legal	54,299.68
Insurance	<u>19,991.42</u>
Total Expense	<u>\$135,351.57</u>

POLITICAL FUND

Income:

Contributions	\$2,932.77
Interest34
Total Income	<u>\$2,933.11</u>

Expense:

Contributions	\$2,250.00
Total Expense	<u>\$2,250.00</u>

Net Income 4th Quarter. \$273,807.33

/s/William Berry /s/Romaine Dudley
/s/Kaj Kristensen /s/Rhudean Musgrove
/s/Arthur Thanash

ACTION BY THE MEMBERSHIP February 11, 2008. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.

Widow refuses payout in marine death

The widow of a French fishing boat skipper who died after his vessel was in a collision with a merchant ship has claimed that she has turned down a \$500,000 settlement from the Turkish owner of the ship to drop legal proceedings.

Yvette Jobard, whose husband died after his vessel, the *Sokalique*, was involved in a collision with the 1,385 gross ton freighter *Ocean Jasper* off the French coast last August, said she would continue her battle to have the master and owner brought before a French court.

French authorities say there are grounds for believing that the *Ocean Jasper*, which is owned by Ocean Jasper Shipping of the Marshall Islands and operated by Onurhan Denizcilik of Istanbul, fled the scene of the accident without assisting the seven-man *Sokalique* crew.

The Pacific island republic of Kiribati has first right of prosecution as the *Ocean Jasper's* flag state, but a French prosecutor said that the French judiciary was "paralyzed" because it had not so far been able to obtain written permission from Kiribati to hold the trial in France.

The republic of Azerbaijan, home country of the *Ocean Jasper's* master, could also hold proceedings. Mrs. Jobard said that the representatives of the vessel's owner had told her that a date had been set for a hearing in March in Azerbaijan, where the master and other crew members are reported to be. Maintaining her confidence in a promise from French president Nicolas Sarkozy to do all in his power to have the trial held in France, Mrs. Jobard said: "I will not let them have their way. My husband stayed at the wheel and saved his crew. Accepting a financial arrangement would be contrary to our moral sense. We were not brought up like that for money. I will not betray my husband." Sarkozy announced in November that Kiribati had agreed to hold the trial in France, but it now seems that this still needs to be confirmed.

The *Ocean Jasper* is still detained in Brest. However, the master and first officer and a sailor left the ship in September against an order of the French authorities.

Final Departures

John Ropati, Book No. 3149. Born in American Samoa in 1936. Joined SUP in 1958. Died in California, July 3, 2004. (Pensioner)

Curtis Stray, Book No. 6947. Born in North Dakota in 1927. Joined SUP in 1945. Died November 20, 2006. (Pensioner)

Robert Welch, Book No. 3631. Born in 1945. Joined SUP in 1976. Died in Belle Chasse, Louisiana, January 22, 2008.

Fred Warren, Book No. 3547. Born in Massachusetts in 1921. Joined SUP in 1953. Died in Torrance, California, January 27, 2008. (Pensioner)

William Timmerman, Book No. 3267. Born in India in 1930. Joined SUP in 1961. Died in Bellevue, Washington, January 16, 2008. (Pensioner)

Clarence Hartwig, Book No. 5695. Born in Missouri in 1921. Joined SUP in 1947. Died in Seattle, Washington, February 3, 2008. (Pensioner)

John "Johnny" Davis, Book No. 2646. Born in Kansas in 1924. Joined SUP in 1953. Died in Las Cruces, New Mexico, February 3, 2008.



SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2008:

	Hdqs.	Branch
March	10	17
April	14	21
May	12	19
June	9	16
July	14	21
August	11	18
September	8	15
October	14*	20
November	10	17
December	8	15

*Tuesday

Record of SUP Shipping January 2008

	Hdqs.....	Seattle.....	Wilm.....	Hono.....	Total
Bosun.....	3	2	2	3	10
Maint. Man.....	12	0	0	1	13
A.B. Dayworker.....	0	0	2	4	6
A.B.....	13	12	8	4	37
O.S.....	4	3	1	1	9
Standby.....	25	9	55	30	119
TOTALS.....	57	26	68	43	194

West Coast Sailors

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Teresa Anibale, Editor

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SUP ELECTION RESULTS

CERTIFICATE OF ELECTION

Election held December 2007-January 2008. Tabulated February 1, 2008, by Pacific Election Services, Inc., Impartial Balloting Agent. This is to certify that the following are the true and correct results of the election:

PRESIDENT/SECRETARY-TREASURER

Gunnar Lundeberg 536 ELECTED
Paul Herriott 67

VICE PRESIDENT/ASSISTANT SECRETARY-TREASURER

David Connolly 609 ELECTED

SAN FRANCISCO BUSINESS AGENT

William Berger 500 ELECTED
Arthur Kardinal 163

SEATTLE BRANCH AGENT

Vince O'Halloran 421 ELECTED
Norman Christianson 186
Michael Dirksen 53

WILMINGTON BRANCH AGENT

Paul Calais 324 ELECTED
Robert Burns 283

HONOLULU BRANCH AGENT

Mike Duvall 521 ELECTED
Patrick Weisbarth 135

SUP BUILDING CORPORATION TRUSTEE

Gunnar Lundeberg 571 ELECTED
David Connolly 516 ELECTED
William Berger 496 ELECTED
Norman Christianson 414 ELECTED
Paul Calais 351
Paul Fuentes 249 ELECTED
Arthur Kardinal 192
Paul Herriott 150

(Five to be elected: Two of whom must not hold any other Union office.)

CONSTITUTIONAL AMENDMENTS

Amendment #1. Dues Increase to \$150 per quarter:

(PASSED)	YES	194	72.7%
	NO	73	27.3%

Constitutional Amendments require two-thirds majority.

PACIFIC ELECTION SERVICES, INC.

By: Robbin A. Johnson, Manager, Non-Governmental Election Services
Election Services Inc.

BALLOTING COMMITTEE'S REPORT

SAILORS' UNION OF THE PACIFIC

February 1, 2008

We, the duly elected Balloting Committee, herewith submit our report on the Sailors' Union of the Pacific election of officers, Constitutional Amendments, and Shipping Rule changes for the 2008-2010 term.

The Balloting Committee turned to at 0800 Friday, February 1, 2008, at SUP Headquarters, to check and to verify the standing of those eligible to vote in this election. We then met with the Impartial Balloting Agent from Pacific Election Services, Inc., picked up the mailed ballots from the U.S. Post Office in San Francisco and transported them to the SUP Headquarters library where the vote took place.

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

The election count took place only after all the ballots were cross-checked with the master mailing list for verification and eligibility. After all of this was completed the official vote was run and tallied at 11:06 A.M.

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

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

SUP BALLOTING COMMITTEE

Bill Berry
Bill Berry #5719

Rafael Cooper
Rafael Cooper #4687

Romaine Dudley
Romaine Dudley #2593

Kaj E. Kristensen
Kaj E. Kristensen #3120

Arthur Thanash
Arthur Thanash #3249



The SUP Balloting Committee at the Headquarters Library on February 1. From left to right: Romaine Dudley, Bill Berry, Sonny Cooper, Arthur Thanash, and Kaj Kristensen.

Indian shipbreaking said to fund terrorism

The shipbreaking industry in Alang in the Indian state of Gujarat may pose a security threat to the country, an intelligence report leaked to the media says.

The report suggests that the D-gang, a group led by Dawood Ibrahim and said to have close ties to Osama bin Laden, is involved in most of the deals going around in the shipbreaking business, the *Times of India* says on its website, citing the leaked naval intelligence report. Furthermore, it says, crews on vessels that arrive for scrapping in Alang may get ashore without scrutiny. This can lead to clandestine collection of local information and for dropping off or picking up agents.

The shipbreaking industry works via a number of overseas intermediaries. As an example, *Blue Lady*, the 76,049gt former cruiseship *Norway*, was officially sold to a Liberian company for a mere \$10 before being bought by an Indian company for scrapping at Alang. "Cash buyers operate hand-in-glove with the end buyers and owners by under-invoicing a deal," the intelligence report is quoted as saying. "The unmentioned amount is transacted through the hawala (an informal, largely Islamic, financial system) route, making almost 40-50 percent of the metal trade illegal. Apparently a large number of cash buyers are Pakistani nationals based in London and the UAE. Due to large profit margins, the Dawood group appears to have invested heavily in cash buyers, thus having a stake in most deals," the report warns.

Certificate of Accounting of returned mailed ballots

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

Returned voted ballots	705	
Ballots not counted	3	/s/Bill Berry
Ballots counted	702	/s/Rafael Cooper
No ID	1	/s/Romaine Dudley
Dues	1	/s/Kaj E. Kristensen
Double	1	/s/Arthur Thanash

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

Asad Al Rasulullah	40.00
Christopher Bujnowski	40.00
Mike Dirksen	40.00
Romaine Dudley	20.00*
Mike Duvall	20.00
Art Garrett	40.00
David Johnson	20.00
Eli Lalich	60.00*
Trev Motlow	20.00
Remigo Noble	30.00
Randy Runyan	70.00*
Gary Rymel	20.00
Ralph Senter	20.00*
Dennis Tinsley	40.00
Tom Tynan	20.00
Louie Urbano	20.00

*In lieu of dues increase.

West Coast Sailors

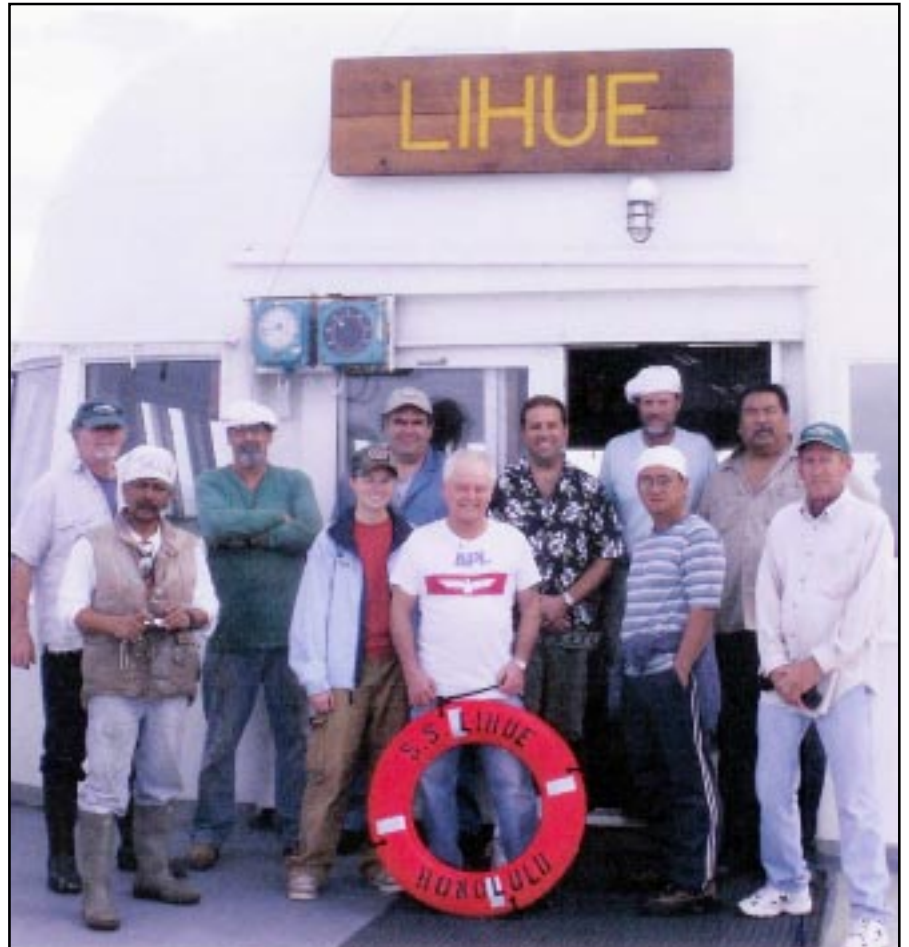
Gerald Allen	25.00
Stanley Branch	25.00
Frank Dufek	40.00
Arne Jakobsen	25.00
Eli Lalich	100.00
Albert Laurel	10.00
Reynold Minoli	25.00
Earl Phillips	25.00
Frank Smith	25.00
Richard Walsh	10.00
Carl Walters	25.00
Michael Webb	25.00
Roy Yates	25.00
John Yee	50.00

Political Fund

Asad Al Rasulullah	40.00
Christopher Bujnowski	40.00
Dave Connolly	50.00
Mike Dirksen	50.00
Dave Erikson	30.00
Barry Fisher	20.00
Daniel Foster	20.00
Art Garrett	40.00
Nabeel Hafid	50.00
Timothy Hill	100.00
David Johnson	20.00
Jan-Peter Johnsson	20.00
Gunnar Lundeborg	100.00
Raoul Macalinao	20.00
Trev Motlow	20.00
Remigo Noble	30.00
Scott Oliphant	10.00
Michael Parenteau	20.00
Paul Purugganan	25.00
Ralph Senter	100.00
Dennis Tinsley	40.00

Dues-Paying Pensioners

Robert Copeland	Book #4763
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
Stanley Lane	Book #4106
James K. Larsen	Book #4055
John McKeon	Book #6456
Keith Miller	Book #6497
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Alex Romo	Book #3193
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323
Richard Sexton	Book #6986



On the wing of the bridge of Matson's containership *Lihue* in Long Beach last December, the deck department flanks SUP stalwart Duane Nash (wearing the APL T-shirt). Unsubstantiated rumor has it that Brother Nash is planning to swallow the hook—someday. Pictured in back from the left are AB's Clinton Gregg and Gene Campedel, CM John Healey, Captain Mike Gruninger, Bosun Mark Hurley and 2nd Mate Paul Grepo. In front from left: AB Jose Angeles, Cadet Tamera Reul, AB's Nash and Alex Capistrano and 3rd Mate Glen Conant.

Welfare Notes

February 2008

PORT VISITS

Michelle Chang the SUP Welfare Plan Administrator and the Money Purchase Plan/401(k) Plan representative visited Honolulu on February 19, 2008 on the first stop for the yearly port visits. The schedule for port visits includes San Francisco March 10, 2008, Wilmington March 17, 2008, and Seattle April 20, 2008.

Please try to attend the meetings in your area to ask any questions you may have.

MEDICARE PART B PREMIUM INCREASE

The standard Medicare Part B premium increased from \$93.50 to \$96.40 in January 2008. The Medicare Part B premium amount is reimbursed to pensioners on their pension check and deducted from their Pensioner's Annual Allowance. This amount can also be reimbursed to spouses of pensioners unless they are receiving reimbursement for this expense from another source.

ACTIVE PARTICIPANT'S COPAYMENTS

Copayments for active participants are reimbursable by the SUP Welfare Plan. Reimbursable copayments are for the member only and must be submitted to the SUP Welfare Plan within 90 days of treatment with proper documentation: name of the provider of services, patient's name, date of services, amount of the charge, and description of service such as office visit.

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SIU-PD Supplemental Benefits 415-764-4991

Union membership grew in 2007 at fastest rate since 1979

Union membership in the United States increased to 15.7 million in 2007, according to the Bureau of Labor Statistics, the largest single-year increase in Union membership since 1979. Overall, Union density increased slightly, from 12 percent to 12.1 percent last year, reversing a trend of decline in recent years. In numbers, the increase between the end of 2006 and the end of 2007 was 311,000.

"Today's numbers show working people are pushing to form and join Unions in order to improve their lives, despite record levels of resistance from employers," AFL-CIO President John Sweeney said. "They know that a Union card is the single best ticket into the middle class, especially in today's economy."

Private sector Union membership grew by 133,000 and density grew to 7.5 percent in 2007, the first time private sector density grew since 1979. In construction, more than 96,000 members were added last year, bumping Union density in that industry to 13.9 percent from 13.0 percent in 2006.

The largest increase in Union membership was in health services, where

Unions added 142,000 members, a 0.9 percent increase in density from 2006 to 7.9 percent.

Union membership among women grew again in 2007, continuing a trend in recent years. More than 201,000 women joined Unions in 2007, nearly twice the number of men. Women now account for 44 percent of all Union members, a new high.

The advantages of having a Union on the job were clear in 2007. Last year, median weekly pay for Union members was \$863, while those who were not represented by Unions had median weekly earnings of \$663.

Much of the growth in 2007 was due to the increase in the number of workers joining or forming Unions, reflecting an increased commitment by Unions to help workers organize, especially in growing industries.

"Our Unions have been working hard over the last 10 years to build their strategic capacity to help workers join Unions, even in this hostile legal environment where workers' right to organize has been all but eliminated," Sweeney said. "The fact that our Unions

have been able to grow despite a slowing economy and a decline in the public sector is a good sign. As we've built political support and held elected officials who oppose workers' rights accountable, more working people have been able to exercise their choice to join Unions."

The growth in Union membership comes at a time when workers say they want and need Unions more than ever. More than half of all workers—60 million—say they would join a Union tomorrow if given the chance, according to independent research by Peter Hart Research Associates.

Presidential candidate Hillary Clinton responds to TTD labor questionnaire

Last year, the Transportation Trades Department (TTD), AFL-CIO—which the Sailors' Union is an affiliate—sent a comprehensive questionnaire to all presidential candidates regarding various labor issues. In November 2007, (see the November 23, 2007 *West Coast Sailors*) former Senator John Edwards responded. This month Senator Hillary Clinton responded. As the *West Coast Sailors* goes to press, TTD has not received responses from former Governor Mike Huckabee, Senator Barack Obama or Senator John McCain.

The following are excerpts from Senator Clinton's response:

Collective Bargaining and Organizing Rights

Will you oppose legislation that weakens the nation's labor laws, which are designed to permit workers in the private and public sectors to freely choose union representation without employer intimidation and interference?

I believe we need a basic bargain in our country - that if you work hard, you can achieve the American dream. I believe unions are critical to that. As President, I will work to make collective bargaining fair and to enable workers to organize without undue employer interference. I will continue to push for legislation to strengthen the ability of workers to organize without interference, and I will continue to oppose any legislation that will weaken the labor laws. Unions built our great middle class, and as President, I will not forget that unions sustain it. I will partner with you in this endeavor.

What will you do to lead the effort to get the Employee Free Choice Act signed into law?

As a Senator, I have been a strong, consistent, and vocal supporter of the Employee Free Choice Act (EFCA). I was an original co-sponsor of the bill in every session of Congress in which it was introduced, including the most recent session. I was one of only seven sponsors of its predecessor bill in 2003; I wrote a Dear Colleague letter with Senator Ted Kennedy urging my colleagues to support the EFCA; I spoke on the floor of the Senate and at rallies in support of the EFCA; and I voted in favor of cloture on the bill. Unfortunately, Republicans blocked the passage of this bill. As President, I will remain committed to championing the EFCA and I will work to pass it within the first 100 days of my administration.

Workers Protections

Will you mandate that the Department of Labor administer the program in a manner that upholds longstanding worker rights?

All too often, we have seen this administration use the Department of Labor to push aside, mischaracterize and systematically undermine American workers. As President, I will restore the Department of Labor to its original role as a protector of workers' rights and safety. This will include ensuring that the Department vigorously enforce the collective bargaining protections under section 13(c).

Will you oppose proposals to repeal, weaken or avoid compliance with Davis-Bacon requirements as they apply to federal infrastructure programs and grants? And will you insist that these protections be applied to all "innovative finance" measures in transportation and other federal infrastructure spending and reauthorization proposals?

The Davis Bacon Act ensures that workers get fair pay for a hard day's work by preventing contractors from driving down the wages of local workers. I introduced legislation with Rep. Rob Andrews to improve the enforcement of the Davis Bacon Act by giving workers access to payroll records that contractors file with the federal government. I also cosponsored legislation to overturn President Bush's decision to suspend the Davis-Bacon Act in the wake of Hurricane Katrina, and I wrote a letter to President Bush calling on him to reverse that decision. And I challenged the Department of Energy's policy that Davis-Bacon did not apply to remediation work performed at DOE labs. DOE changed its policy nationally so that all remediation work would be covered under Davis-Bacon. As President, I will continue to stand firm to make sure that any infrastructure bill that goes through our Congress has full Davis-Bacon coverage, and I will fight efforts to weaken that coverage.

International Aviation

Will you oppose the repeal or weakening of U.S. airline cabotage laws? And will you oppose proposals to allow foreign interests to control U.S. airlines?

I believe that cabotage has to be maintained. When I am President, I will ensure that U.S. domestic point-to-point service is reserved by airlines owned and controlled by U.S. citizens and that any future Open Skies agreements in my administration will maintain current ownership requirements for American airline companies. Open Skies agreements have had a positive impact on our economy by providing lower fares and more frequent flights to consumers due to industry competition. I will also ensure that they contain significant labor protections. I believe that unions should have full participation during Open Skies agreements negotiations, which has not been the case under the Bush administration.

Will you support legislation that ensures the safety and security of foreign aircraft repair stations and ensure that foreign repair facilities and their employees are held to the same standards as U.S. stations and their workers?

Any facility or station that repairs U.S. aircrafts must be held to the same standards as U.S. stations and their workers. There can be no exceptions.

Transportation Security

Will you ensure that the TWIC program and other background checks imposed on transportation workers provide workers with basic due process rights, including a right to a waiver and appeal before an administrative law judge?

In protecting our homeland, we should not compromise basic due process rights. As President, I will ensure these rights are afforded to all American workers for the TWIC program and other background checks.

Will you insist that the cost of the TWIC program not be imposed on individual workers? Will you ensure that privacy protections are in place and enforced?

Under my administration, the Department of Homeland Security will not engage in the practice of imposing unfunded mandates on workers. The 9/11 Commission confirmed that port security continues to be a source of vulnerability that must be addressed. It has been more than six years since DHS was created but the Bush administration has very little to show for its efforts when it comes to ensuring port security. The Bush administration failed to meet the July 1 deadline for TWIC rollout and has attempted to shift costs to individual workers. In his budget, President Bush did not include any funding for TWIC. As President, I will not short-change our homeland security, and I will not shift what is a federal responsibility to workers.

Will you ensure that the federal TWIC program preempts any and all state and local programs?

I believe in a federal TWIC program that preempts state and local programs. An array of different state and local requirements is inconsistent with the purpose of the TWIC program and will only lead to confusion, unnecessary costs, and the disruption of commerce.

U.S.-Flag Merchant Marine

The U.S.-flag merchant marine is our nation's fourth arm of defense. Throughout American history, up to and including Operation Iraqi Freedom, U.S.-flag commercial vessels and their U.S. citizen crews have responded to our nation's call, supporting American troops overseas by transporting the equipment and supplies they need to do their job. Today, U.S.-flag commercial vessels and their American citizen crews are subject to a wide-range of government imposed rules, regulations and tax obligations that are not applicable to their foreign flag, foreign crewed competition. In addition, U.S.-flag vessels and their crews face stiff and unfair competition from foreign flag vessels and foreign mariners who operate in virtually tax-free environments. As a result, less than five percent of America's total export and import trade is carried by U.S.-flag vessels. These situations not only threaten the viability of the U.S.-flag merchant fleet and encourage the outsourcing of American maritime jobs, but threaten our country's national and economic security.

There are a number of programs and policies that promote the operation of U.S.-flag commercial vessels and the employment of American mariners. America's cargo preference laws require that a percentage of U.S.-government impelled or financed cargoes be transported on U.S.-flag ships provided that such vessels are available at fair and reasonable rates. The carriage of preference cargoes are an important incentive for vessel operators to keep their vessels under the U.S.-flag. The Maritime Security Program (MSP) authorized a fleet of 60 militarily useful U.S.-flag commercial vessels crewed by American citizens. It requires MSP vessel operators to make their ships and other transportation resources available to the Department of Defense during times of war or international emergency. This program is a vital element in our country's commercial sealift and global response capability and guarantees our nation access to the commercial U.S.-flag shipping and U.S. merchant mariners it needs. Finally, The Jones Act mandates that all vessels engaged in domestic waterborne commerce between ports in the United States be built in the United States, owned by U.S. citizens, and operated under the U.S.-flag with U.S. citizen crews.

Do you support and will you fully enforce existing cargo preference laws for defense and non-defense government cargo, including the P.L. 480 Food-for-Peace and other food aid programs?

Yes. The Food for Peace program has sent millions of metric tons of food to hundreds of countries worldwide. Billions of people at risk of hunger have benefited from this and other food aid programs.

Do you support fully funding the Maritime Security Program at its authorized level of \$174 million in each of the next three fiscal years? Would you support a further expansion of the Maritime Security Program in order to increase the fleet of militarily-useful U.S.-flag commercial vessels available to the Department of Defense in times of war or emergency?

The Maritime Security Program is very important for commercial vessels when it comes to international trade. It is also critical in the event of a national defense need. As President, I will make sure that our country has a strong maritime fleet to meet the needs of our economy and our military.

What is your position on the Jones Act?

I am strongly committed to using American products as a way of spurring the creation of new jobs in this country. When we use American products in our coastal vessels, we spur more jobs for hardworking Americans and we guarantee that the United States is self-sufficient in constructing ships that will be needed in times of war or national emergency. The Jones Act is essential to our maritime industry, and as President, I will firmly oppose any effort to weaken the legislation.

ESU Office Assignments

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

ESU NEWS

FEBRUARY 2008

Official Publication of the Exxon Seamen's Union

SeaRiver receives 3rd Sword of Honour



From left to right: Thor Floreen (Ship Rep Sierra), Will Jenkins, (S/R President), Kevin Conroy (ESU President), Don Picou (Fleet Chef). The Sword of Honour award, presented by the British Safety Council recognizes organizations that have implemented safety systems that are among the best in the world. SeaRiver has received this award for the third year in a row. Photo taken at the Safety Initiative Meeting held in Houston on February 11-12, 2008.

2008 Contract negotiations begin in March

Article I, paragraph 2 of the Exxon Seamen's Union collective bargaining agreement titled "Terms Of Agreement" states that negotiations should be scheduled to begin at least ninety days prior to the termination of the contract. Consistent with this language and the impending expiration of our current collective bargaining agreement on August 31, 2008, the Exxon Seamen's Union and SeaRiver Maritime Inc. have agreed to meet at the Hilton Hotel in Clearlake, Texas, on March 10, 2008 to begin formal bargaining. The current plan is to hold two bargaining sessions during March.

The Executive Board will begin our preparatory work on March 8-9, prior to meeting with the company on March 10. An additional negotiating session is tentatively scheduled for the last week of March. Further negotiating dates, if needed and if mutually agreed upon, will be established at the end of the March sessions. Ideally, a tentative agreement should be completed some time this Spring, which will allow ample time for the membership to vote on the new contract. The ESU Constitution and

By-laws requires a sixty (60) day voting period for ratification of any proposal presented to the membership.

The ESU Board has canvassed the membership for their input, ideas and concerns as we head for the bargaining table. The response and feedback from the membership has been nothing less than tremendous. The Union bargaining committee will continue to work throughout this process to negotiate a contract that is worthy of a "yes" vote.

The ESU Bargaining Committee will consist of the four principal Executive Board Officers: Kevin Conroy, John Straley, Leo DeCastro and Tommy Thompson. Additionally, Department Trustees William Ackley, Pat Campbell and Kurt Kreick will represent the Union during these negotiations. Union attorney Sharon Groth will also once again serve as Advisory Counsel to the Union during these negotiations.

The ESU again thanks the membership for your input and continued support. It is this strong support that is the source of our strength as a union and one of our greatest assets in bargaining.

Mileage reimbursement rate

Effective January 1, 2008, the optional standard mileage rate for all miles of use for business purposes will increase from 48.5 cents to 50.5 cents per mile. Reimbursements made using this rate will satisfy IRS accounting requirements and will not be included in the employee's W-2 income or subject to tax withholding.

Mileage reimbursement is intended to cover normal vehicle operation costs including: gas, oil, repairs, tires, registration fees, licenses, depreciation, lease payments, and insurance. Road tolls and parking fees are not included in the standard mileage reimbursement but are reimbursable when incurred during business travel and submitted with receipts.

Under the current Collective Bargaining Agreement unlicensed employees are permitted to use an automobile for business travel and receive reimbursement from the company. Current Contract language states in part, "When an employee uses an automobile as transportation from his/her home to a vessel, to/from a training program, or to/from a meeting, or for other reasons approved by the COMPANY, the employee shall be paid for the actual miles driven for a reasonably direct route at the mileage rate then current for the COMPANY. Actual miles driven shall include round trip mileage when an employee is driven by another person who returns to the employee's home. The COMPANY will also reimburse any tolls actually paid for the trip. In no case will the total payment be greater than the cost of the prevailing coach class airfare as described herein plus ground transportation allowances provided when traveling by air."

Again...Record profits for ExxonMobil!

The parent company of SeaRiver Maritime, Inc., ExxonMobil Corp. on February 8, 2008, announced a record annual profit of \$40.6 billion. ExxonMobil also announced a net income of \$11.7 billion dollars in the fourth quarter of 2007. Both the 2007 annual and fourth quarter results bested previous ExxonMobil profit records for profits by a U.S. company. The new annual record total eclipsed the company's previous record in 2006 by \$1.1 billion. The 2007 fourth quarter profits bettered the previous record by ExxonMobil of \$10.7 billion by \$1 billion.

Clearly the oil giant benefited greatly from the high crude oil prices that were recorded in the latter part of 2007, when the cost per barrel shot up more than 50% higher than a year ago, hovering at \$90 per barrel. Crude prices aside, the Irving, Texas, based company has become proficient in consistently producing record earnings. Beginning in 2004 ExxonMobil has set new U.S. profit records each year by posting earnings of \$25.3B in 2005, and \$36.1B and \$39.5B for fiscal year 2006. Likewise, the largest publicly held oil company owns the three previous record-setting quarterly profit totals.

Not just ExxonMobil, but all the major integrated U.S. oil companies have enjoyed enviable increases in their cash reserves and enviable earning results in recent years. Chevron Corp., No. 2 behind ExxonMobil reported its best yearly results in 2007 as well, with a profit of \$18.7 billion. The third largest U.S. oil company, ConocoPhillips actually experienced a decline in profits from their 2006 best-ever profit results due to a write-off of three projects in Venezuela as a result of a move to nationalize that country's oil industry by its President,

Hugo Chavez. Nonetheless, the Houston, Texas based firm showed a not-so-paltry profit of \$11.9 billion for last year.

U.S. oil firms, flush with cash reserves over the last several years of exceptional profit performances have used unallocated cash to buy back shares of their own stocks in efforts to bolster the value of existing stocks by reducing the number of stocks available for purchase. Both Chevron and ConocoPhillips have profit sharing/performance bonus programs in place as well to reward its employees throughout its ranks. ExxonMobil generally does not include their "blue collar" represented employees in neither bonuses payments based on corporate financial successes nor other performance-based rewards for operations or safety.

SeaRiver Maritime, Inc.'s Maritime equivalents Chevron Shipping Company and Polar Tankers, Inc., which are the domestic maritime transportation divisions of Chevron and ConocoPhillips respectfully, do participate in their companies' bonus programs and provide bonuses to their employees. These bonuses have amounted to significant payouts (average bonus has been around 10% of W-2 wages) for at least the last seven years.

SeaRiver Maritime/ExxonMobil represented employees have become increasingly cognizant of the bonuses that mariners are being rewarded with at other companies. Additionally, the Exxon Seamen's Union is mindful of these added compensations that are being routinely paid-out by its competitors. Certainly, based on ExxonMobil's continued eye-popping financial results and its position amongst the leaders in all phases of operations, including safety performance, their employees are justified in expecting comparable compensation.

Joe Graca receives medical retirement



Joe Graca on the S/R Long Beach in January 2006.

Longtime Exxon Seamen's Union Ship Representative Joe Graca received a medical retirement on February 1, 2008, with over 26 years of service. Joe began his career as an ordinary seaman on the *Exxon Huntington* in September of 1981. Joe continued to sail and develop his skills in the Deck department and in 1987 was promoted to the rating of Able Seamen.

During his career Joe was always a staunch union supporter and served the ESU membership for more than 15 years as the ESU Ship Representative to the *S/R Philadelphia* (1992-1996), *S/R Benicia* (1998-2002) and his last vessel in the fleet, the *S/R Long Beach* (2003-2007).

Besides being an excellent Ship Rep., Joe was a top-notch mariner dedicated to the profession of going to sea. He was always a pleasure to sail with and made life aboard ship more tolerable and often times entertaining. Joe will be hard to replace as a Ship Representative but more importantly he will be missed as a good friend by all of us that sailed with him.

The Exxon Seamen's Union would like to express its most sincere thanks to Joe for his exemplary support to the ESU throughout his career. Joe was an excellent shipmate and we wish him and his wife Tracey all the best in the future.

ESU News

Bob Foster retires



The crew on the S/R Baytown takes time from their busy schedule to give OMED-Oiler Bob Foster a nice retirement party. Bob is pictured sitting second from the left in front of the cake baked in his honor.

On February 1, 2008, Robert E. Foster, elected to retire with over 34 years of service. Bob began his career with the Marine Department of Exxon Company in 1973 as a Mess/Utility on the *Exxon New Orleans*. During 1974 Bob expressed an interest to work in the Engine Department and was selected to enter the Oiler Training Program. Following the successful completion of this program, Bob began sailing Oiler on the Company's tankers and was ultimately promoted to AF Oiler and then COS Oiler. On February 1, 1985, he was promoted to the relatively new position of Maintenance Operations Assistant and began sailing in that capacity on the Company's newly delivered motor ships. The title of this position was later changed in collective bargaining to QMED-Oiler.

During his career Bob sailed on most of the ships in the Ocean fleet but in particular he enjoyed being assigned to the *Exxon Charleston* and regularly sailed in her while the vessel was in service. His last vessel assignment was to the S/R Baytown.

The Exxon Seamen's Union would like to express its most sincere thanks to Bob for his support to the ESU throughout his career. Bob was not only an excellent shipmate, but also a loyal Union supporter. The ESU Board and the entire membership wish Bob and his wife Mary nothing but the best of times in their retirement.

Ship reports

S/R American Progress

ESU Board officer visited the ship on January 21 and again February 14, at the Exxon Mobil facility in Beaumont, Texas. Ship Representative Rudy Benavides aboard and reporting things are running smoothly. The Union thanks Dave Franklin for his work as Temporary Representative. Crewmembers shared their thoughts with Executive Board on the upcoming contract negotiations. The Board appreciates their input and their issues are noted. The vessel continues trading between Beaumont and Fort Lauderdale.

S/R Baytown

A Board officer visited the vessel at the Baytown, TX ExxonMobil docks on February 14. Ship Representative Joe Bernavich has been relieved and Deck Trustee Pat Campbell, as well as Engine Trustee Will Ackley are aboard. The vessel continues on its Florida/Texas Gulf Coast clean oil trade. Both Ackley and Campbell will be looking to be relieved as they are members of the Union's Bargaining Committee for the upcoming labor agreement negotiations to be held in March.

Kodiak

Joel Mitchell has taken over the Ship Rep duties from Greg Raredon. Regular Ship Representative Timothy Williams is expected to return from paid leave in mid-March. The 4/08 shipyard period for the vessel was awarded to San Francisco Ship Repair. Vessel

currently trading between Valdez and Puget Sound with split discharges between Cherry Point and Anacortes.

S/R Long Beach

The S/R Long Beach was visited by a Board officer on January 27, at Valero in Benicia. The vessel just completed a two-week M&R yard period in Portland. The vessel resumed ANS service on February 18, with scheduled discharge ports of LA and San Francisco. Thanks to Earl Doucet for filling in as the Temp Rep. Earl communicated to the ESU office that the minor yard period went well and without problems.

Sierra

The Sierra is back to trading between Puget Sound and Valdez following trips to S.F. Bay area. Richard Eldredge took over the Ship Rep from Jeremiah Morrison. Thanks to Jeremiah for doing a good job as Rep. The Board appreciates the feedback from your recent ESU minutes.

S/R Wilmington

An Executive Board visit was conducted February 15, at the ExxonMobil dock in Baytown, TX. Ship Representative Jeff Harris was onboard, but scheduled to be relieved soon. Jeff, as always has maintained excellent communication with the Union offices. The "Willy" continues in her Gulf/East Coast clean oil trade. After departing Baytown, TX, the vessel made a rare port call to Freeport, TX. No beefs reported.

2008 training schedule released

The training schedule for the remainder of 2008 has been released. The schedule reflects courses in Basic Firefighting, Advance Firefighting, Advance Engine Operations, Advance Deck Operations, Dangerous Liquids Cargo, Confined Space Rescue, Food Nutrition and Safety and Advanced Steward's Training. The number of courses and dates are dependent on participation and are very much subject to change. Additional courses may be added if needed.

Firefighting courses are held at Texas A&M, Galveston, Texas will continue to be scheduled, with those that have not attended in the last five years or more given priority to the training dates. Members will be able to choose either the two-day Basic Firefighting course, or in most cases, the Advance Firefighting course that will run from Tuesday through Friday for the weeks that the course is offered.

There are three Confined Space, Entry and Rescue courses scheduled this year. Initial unlicensed participation in this course has been filled by the

Pumpman rating. The ESU anticipates phasing in the Able Seamen into the Confined Spaces training courses once Pumpmen participation declines. Following the Able Seamen's initial participation in this course, it is expected that Maintenance Seamen will then begin to filter into the training sessions.

Two Steward Department courses will be offered this year at the Star Center in Toledo, Ohio. The Food Nutrition and Safety course is targeted for promoted Cooks and those individuals that are on the Cook promotion list. The Advanced Steward's Training course is geared for Fleet Chefs and Cooks that are on the Fleet Chef promotion list. The curriculum for this course is still being finalized under the guidance of Steward Department Trustee Kurt Kreick and SeaRiver training coordinator Kharon Delaney.

As always, the Union encourages all members to participate in the courses that are available to them. For questions or to request to be included in an upcoming course, contact Kharon Delaney at SeaRiver.

Basic Firefighting

March 24-25
April 21-22
June 9-10
October 13-14
December 1-2

Advanced Engine Ops.

May 17-18
August 30-31

Advanced Deck Ops.

May 10-11
August 23-24

Dangerous Liquids

May 12-16
August 25-29

Confined Space Rescue

April 14-18
September 22-26
October 6-10

Advance Firefighting

March 18-21
April 1-4
April 29-30—May 1-2
May 20-23
June 3-6
June 24-27
August 21-24
September 30-October 1-3
October 21-24
November 11-14
November 18-21
December 9-12

Food Safety, Nutrition

April 7-11

Adv. Steward Training

August 18-22

Lump sum interest rate lowered in 2nd quarter

The interest rate for calculating the lump sum payments of ExxonMobil pensions for April - June 2008 will be lowered from the current 4.75% to 4.50%. If the first day of retirement is April 1-June 30, 2008, and commencement of benefit is not deferred, the 4.50% interest rate and the ExxonMobil 2000 mortality table will be used to calculate the lump sum payment. The first day of retirement is the day after the last day on payroll.

Effective February 1, 2008, eligible ExxonMobil Pension Plan participants may request an Intent to Retire/Commence package from the ExxonMobil Benefits Service Center (EMBSC) as early as 120 days prior to the benefit commencement date (BCD). This is an increase from the current 90-day window and will provide pension plan participants greater flexibility in the commencement process. To request a package, eligible participants may contact the EMBSC at 1-800-682-2847 or the EMBSC web site (www.exxonmobil.com/benefits). If an employee plans to retire in the second quarter, they should notify their supervisor 60 days before their retirement date to submit a Smart Form.

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 Kevin Conroy

Vice President John Straley

Secretary/Treasurer Leo DeCastro

Recording Secretary Thomas Thompson III

Deck Trustee Pat Campbell

Engine Trustee William Ackley

Steward Trustee Kurt Kreick

Transportation Worker Identification Credential (TWIC) Enrollment Centers as of February 22, 2008

To obtain a TWIC, mariners may visit the following enrollment centers or to simplify the process and save time, you can pre-enroll online at www.tsa.gov/twic or call 1-866-347-8942. The enrollment process requires applicants to visit an enrollment center to provide biographic information, sign a disclosure form, provide the necessary identity verification documents, provide a complete set of fingerprints, sit for a digital photograph and pay the enrollment fee. For a complete list of disqualifying crimes and offenses, visit www.tsa.gov/twic.

WEST COAST

Washington

8327 Summit Park Road, Suite D
Anacortes
Port of Everett Marina
Marina Conference Center
404 14th Street
Everett
Fraternal Order of Eagles, AERIE #1
205 Carson Avenue South
Seattle
5009 Pacific Highway East, Ste. 17
Fife Business Park
Tacoma

Oregon

7025 North Lombard, Suite 100
Portland

California

2000 Marina Vista Dr.
Martinez
1830 Embarcadero Ave., Suite 104
Oakland
Oakland Maritime Support Services
11 Burma Road
Oakland
13201 San Pablo Avenue, Suite 300
Richmond
1931 North Gaffey Street, Suite B
San Pedro
301 East Ocean Boulevard, Suite 500
Long Beach

Hawai'i

1347 Kapiolani Boulevard, Suite 204
Honolulu
Kahului Shopping Center
65 West Kaahumanu Ave., Unit 14
Kahului, Maui
970 Kele Street, Suite 102
Lihue, Kauai
Hilo Hawaiian Hotel
71 Banyan Drive
Hilo

EAST COAST

Delaware

1 Hausel Road
Wilmington

Florida

c/o Port Everglades Badging Office
1030 Taylor Rd.
Dania Beach
955 Tallyrand Avenue
Jacksonville
975 North America Way
Miami

707 Mullet Road
Suites 117/118

Port Canaveral
2604 E. 7th Avenue
Tampa

Georgia

Georgia Power Plant McManus
1 Crispin Island Drive
Brunswick
5214 Augusta Road
Garden City

Maine

236 Oxford Street, Suite 12
Portland

Maryland

2200 Broening Highway, Suite 220
Baltimore
213 W. Main Street, Suite 204C
Salisbury
3225 Old Washington Rd., Ste.
2106

Waldorf

Massachusetts

28 Damrell Street, Suite 104
Boston
300 Tremont Street, Unit #5
Carver

New Jersey

89 Beuning Street, Suite G
South Hackensack

New York

102 Smith Boulevard
Albany
2680 Grand Island Blvd., Ste. 1
Grand Island
Whitehall Ferry Terminal
4 South Street, Room 210
New York
Howland Hook Marine Terminal
241 Western Avenue
Staten Island

North Carolina

311 Atlantic Beach Causeway
Atlantic Beach
5704 Oleander Drive, Suite 107
Wilmington

Pennsylvania

Philadelphia Regional Port
3460 North Delaware Avenue
Philadelphia
701 North Point Drive, Suite 104
Pittsburgh

Rhode Island

17 Virginia Avenue, Suite 105
Providence

South Carolina

4600 Goer Drive, Suite 112
North Charleston

West Virginia

Tri-State Fire Academy
4200 Ohio River Road
Huntington

Virginia

814 Greenbrier Circle, Ste. F
Chesapeake

GULF COAST

Alabama

250 North Water Street
Mobile

Louisiana

Safety Council for Louisiana
Capital Area
8180 Siegen Lane
Baton Rouge
700 W. McNeese Street
Lake Charles
Port Fourchon Harbor Police
108 A.O. Rappelet Road
Port Fourchon
170 James Drive East, Suite 104
St. Rose
LaPlace Shopping Center
1933 West Airline Hwy.
LaPlace

Mississippi

c/o Ergon Refining
227 Industrial Drive
Vicksburg

Texas

Ford Convention Center, Tyler Rm.
5155 IH-10 South
Beaumont
1000 Foust Road
Brownsville
7433 Leopard Street
Corpus Christi

West Gulf Maritime Association
1717 Turning Basin
Houston

3800 Highway 365, Suite 123
Port Arthur

301 Highway 146 N.
Texas City

1750 FM 1432
Victoria

MIDWEST

Illinois

8741 South Greenwood
Dixon Building
Chicago

111 W. Washington Street, Ste. 346
East Peoria
Three Rivers Safety Council
1615 W. Jefferson Street, Ste. TWIC
Joliet

Indiana

200 Russell Street, Suite 110
Hammond
Suite 37C
3602 Northgate Court
New Albany

Michigan

511 Ashmun St.
Sault Ste. Marie
c/o Delray Mechanical
667 S. Post Street
Detroit
800 East Ellis Road, Suite 122
Norton Shores
916 River Street
Ontonagon

Minnesota

1310 Port Terminal Road
Duluth
3214 2nd Avenue East
International Falls
34 13th Ave, NE
Minneapolis
2161 University Avenue
St. Paul

Ohio

8044 Montgomery Rd., Ste. 754,755
Cincinnati
3100 E 45th Street, Suite 226
Cleveland
Suite D, Office B
401 Broadway Ave.
Lorain
Star Center, One Maritime Plaza
720 Water Street
Toledo

Oklahoma

5350 Cimarron Road
Catoosa

Tennessee

3865 Viscount Avenue, Suite 2
Memphis
Suite 510
3200 West End Ave.
Nashville

Wisconsin

425 South Military Avenue
Green Bay
3073 South Chase Avenue
Suite 620 Building 28 Floor 1
Milwaukee

Court rules mariner can sue for retaliatory firing

In a decision filled with unusual prose (referring to towboat and barge combinations as "motorized hippopotamuses") and frequent reference to internet sites, the U.S. Court of Appeals for the Seventh Circuit ruled that a crew member fired by a barge line may, under the circumstances, bring an action for retaliatory firing under state law. In this case, crewmembers alleges that

he complained to management on three occasions that other crewmembers were using illegal drugs while on duty. He was fired following the third report.

The allegations in this case do not come within the terms of the federal Seaman's Protection Act because there was no evidence that the plaintiff in-

tended to report the drug use to the U.S. Coast Guard. The court devoted much consideration to the tension between uniformity of admiralty law and the importance of safety. In explanation of using state law to fill a void in admiralty law, the court stated: "We have no wish to encourage mutinies on Mississippi [River] barges, but we think that accidents due to

drunken and cocaine-snorting seamen pose rather a greater risk to maritime safety in U.S. waters in the twenty-first century; and it is a risk that tort liability for firing a seaman who reports such carryings-on to his captain or to the management of the barge company is likely to reduce." *Robinson v. Alter Barge Line, Inc.*, No. 07-1647 (7th Circuit, January 16, 2008).



SUP President's Report

February 11, 2008

FOSS MARITIME COMPANY

After several caucuses with SUP members employed in the San Francisco Bay bunkering operation of Foss, negotiations began at Headquarters on February 5, and resumed on February 7. Progress was made in bargaining, but there is still a long way to go before the parties reach agreement. The next bargaining session is scheduled for February 20.

The SUP Negotiating Committee is comprised of Sean Gaddis, Mike Higa, Mel Jackson, Carl Turner, Tom Tynan, Mike Worth and Don Nickles (alternate), as well as Vice President Dave Connolly and your secretary. Foss is represented by Kristie Chorny, Director of Labor Relations; Dan Massey, Regional Operations Manager; Laura Rosenberg, Operations Administrator; and Walt Partika, Tank Barge Manager.

The current agreement with Foss expires on February 29.

PATRIOT CONTRACT SERVICES

USNS Hayes and Waters

As reported last month, the Military Sealift Command (MSC) awarded Patriot Contract Services a contract to operate and maintain the special mission ships *USNS Hayes* and *USNS Waters*.

On January 15, the SUP was notified by Patriot that the *Hayes* is scheduled to be turned over to the company between February 21, and 28, in Port Canaveral, Florida, while the *Waters* will be transferred between April 22, and 30, in Port Hueneme, California.

Training for these vessels has been ongoing since the award was announced and more training sessions will be scheduled. Members interested in training for work in these ships should fill out an Andrew Furuseth School of Seamanship application and mail it to Berit Eriksson, SUP Training Representative, 450 Harrison Street, San Francisco, CA 94105. Sister Eriksson can be contacted with questions at 415 957-1816 or by email at berittrainrep@sbcglobal.net.

Watson-class LMSRs

As previously reported, the SUP, MFOW and SIU-Marine Cooks have met with Patriot as well as Matson Navigation Company to examine the details of the MSC Request for Proposal N00033-7-R-3200 for the operation and maintenance of eight *Watson*-class Large Medium Speed Roll-On/Roll-Off (LMSR) vessels.

The MSC has made several changes to the original RFP and set a deadline of February 28, for companies to submit bids. Both the unlicensed and licensed Unions have been working with Patriot and Matson to formulate a competitive bid.

When the contract award is finally made, it is anticipated that the *USNS Pomeroy* will be pre-positioned in Saipan in Full Operating Status (FOS). For the SUP, manning would be one Bosun, five ABs, and three OSs.

The *USNS Dahl*, *Sisler* and *Soderman* are scheduled to be berthed in continental United States ports, as yet to be determined, in Reduced Operating Status-5 (ROS-5) or Reduced Operating Status-10 (ROS-10). Deck department manning calls for one Bosun and one AB on each vessel.

The *USNS Charlton*, *Red Cloud*, *Watkins* and *Watson* are scheduled to be berthed at the CSX piers in Newport News in Reduced Operating Status-30 (ROS-30). Under this scenario, the manning as set by MSC, would be one Bosun and one AB to cover all four vessels.

Woods Hole Research Vessels

As reported in May of 2007, Patriot and the SUP and MFOW, signed a Memorandum of Understanding to provide relief personnel for research vessels operated by Massachusetts-based Woods Hole Oceanographic Institution. Although the MFOW has received some work under this arrangement, the SUP has not. The Memorandum between the Unions and Patriot expired on September 30, and since that time, the SUP and MFOW have worked with Patriot to formulate a

new agreement, specifically to improve wages.

On January 18, a new Memorandum, subject to membership approval, was signed by the parties.

The wage rates and wage-related items are as follows:

	Daily Wage	Overtime	Vacation*	Money Purchase (daily)
AB	\$102.28	\$25.84	\$51.14	\$10.61
OS	\$70.11	\$15.45	\$35.05	\$10.61
General	\$70.11	\$15.45	\$35.05	\$10.61
Vessel Utility (GVU)			*15 days per month	

Recommend membership approval of the Memorandum. Hopefully, Woods Hole will call Patriot for relief sailors.

SUP MONEY PURCHASE PENSION PLAN and 401(k) PLAN

Notice of Qualified Default Investment Fund Alternative The SUP Money Purchase Pension & SUP 401(k) Plans

In order to comply with new government regulations [29 Code of Federal Regulations 2550.404(c)] regarding default investment alternatives under participant directed individual account plans such as the SUP Money Purchase Pension Plan ("Money Purchase Pension Plan") and the SUP 401(k) Plan ("401(k) Plan"), and to provide risk appropriate investments as required by these new regulations, the Trustees of the Money Purchase Pension Plan and the 401(k) Plan will soon begin the implementation of a new set of rules regarding the default fund. **A default fund is the fund into which your contributions will automatically be directed if you do not make nor have not made an investment selection.**

The new government regulations propose that a plan provide risk appropriate default investments for all participants. These regulations state that Stable Value Funds or very similar conservative investments are not necessarily appropriate for all participants. Target retirement funds are the type of investment the new regulations consider an appropriate default investment. Target retirement funds invest in a varying mix of Stocks, Bonds and Cash based on the expected retirement date of the investor. As the investor nears age 65, the target retirement funds automatically reduce the exposure to the stock market and thus become more conservative.

Under the terms of the Plans, you may elect to invest your Plan account among several investment funds. Currently, any contributions into the Money Purchase Pension Plan for which you have not provided investment direction have been invested in the Bank of America Stable Value Fund or the Columbia Cash Reserves for the 401(k) Plan. Effective April 1, 2008, if you do not make an election as to how your future contributions are to be invested, your contributions will be invested in one of the following T. Rowe Price Target Retirement Funds based upon your year of birth:

Fund Name	Birth Year
B of A Stable Value Fund	1938 and Before
T. Rowe Price Target Retirement Income Fund Adv-PARIX	1939 - 1944
T. Rowe Price Target Retirement 2010 Fund Adv-PARAX	1945-1954
T. Rowe Price Target Retirement 2020 Fund Adv-PARBX	1955-1964
T. Rowe Price Target Retirement 2030 Fund Adv-PARCX	1965-1974
T. Rowe Price Target Retirement 2040 Fund Adv-PARDX	1975-1984
T. Rowe Price Target Retirement 2050 Fund Adv-PARFX	1985 and After

Unless you specifically selected the Bank of America Stable Value Fund for your existing balances in the Money Purchase Pension Plan (or the Columbia Cash Reserves for the 401(k) Plan), these funds will also be

moved to the appropriate default fund over the next 12 months, beginning April 1, 2008. This notification also serves as notice of the opportunity for you to direct your existing balances to other investment alternatives.

This notice, which is being mailed to all Plan participants today, includes a description of the default funds, as well as the fee information related to each fund.

Plan participants have the right to direct the investment of their Plan account in any other investment alternative in the Plans at any time without financial penalty. A participant may change their investment elections by turning in the election form that is being mailed to all participants, visiting the MasterPlan website, using the MasterPlan voice response system (VRS) or by speaking to a MasterPlan Representative. A participant's MasterPlan account information is available 24 hours a day, seven days a week. To access account information online, visit: www.masterplanretirement.com. A participant's User ID will be their Social Security Number and the password will be the last 4 digits of a participant's Social Security Number if this is your first time to log in. You will be prompted to change your password if logging in for the first time.

Participants may also access their account by telephone by calling 1-888-547-8716 and following the instructions through the Voice Response System (VRS). You will first be prompted to enter your Social Security Number, then your personal identification number (your PIN). The first time you call, your PIN will be the last four digits of your Social Security Number. The participant may also speak to a MasterPlan Representative by calling 1800-547-4334. MasterPlan representatives are available to assist you Monday through Friday from 8:30 AM to 4:30 PM Pacific Time.

SUP WELFARE PLAN

To keep participants in the various benefit plans informed, SUP Welfare Plan Administrator Michelle Chang, SUP Training Representative Berit Eriksson and Todd Smithpeter of The Standard/MasterPlan, which manages the SUP Money Purchase Pension Plan and 401(k) Plan will be present and answer questions prior to the membership meetings on the following dates: Honolulu, February 19; Headquarters, March 10; Wilmington, March 17; and Seattle, April 21.

CHEVRON SHIPPING COMPANY

Members employed by Chevron Shipping Company—and who are participants in the company 401(k) Plan—which is called the Chevron Employee Savings Investment Plan) will experience changes to the mutual fund lineup effective February 29, 2008. Investments in the Neuberger Berman Genesis Fund will be transferred to a new share class called the Neuberger Berman Genesis Fund Institutional Class which has a lower expense ratio (0.87% vs 1.12%). Additionally, the BlackRock Small Cap Growth Equity Portfolio Fund Institutional Class will replace the Managers Special Equity Fund. The BlackRock fund has better performance and lower expenses. To transfer money between funds or to learn more about the funds, members can log on to www.vanguard.com or contact the HR Service Center at 1-888-TALK2HR (1-888-825-5247).

TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL

In response to proposals—primarily by inland waterway operators—to exempt certain workers from the requirement of obtaining a TWIC, the SUP, MFOW, ILWU, MM&P, MEBA, ILA, SIU and AMO wrote to Senators Maria Cantwell (D-Washington) and Olympia Snowe (R-Maine)—Chairman and Ranking Member of the Senate Commerce, Science and Transportation Committee's Subcommittee on Oceans, Atmo-

continued on next page

President's Report continued

sphere, Fisheries and Coast Guard— on January 31, to express opposition.

Dear Chairman Cantwell and Ranking Member Snowe:

On behalf of the undersigned American maritime labor unions, we are writing to express our strong opposition to proposals to exempt certain seafaring and shoreside maritime workers from the requirement that they apply for a Transportation Worker Identification Credential (TWIC) before working aboard a commercial vessel or in port facilities in the United States.

Congress enacted the TWIC program and its associated background check system to serve as a key element in our nation's efforts to guard against maritime-related terrorist acts and incidents by preventing the employment in our ports and on merchant vessels of all types—including those which operate on our nation's inland waters system—of individuals who plan to act against the interests of the United States. Although licensed and unlicensed merchant mariners have been subject to U.S. government-imposed background checks as a condition of their employment long before the enactment of the TWIC program, these mariners and other maritime workers, including longshoremen, have to comply with the TWIC program's background check requirements. Our organizations understand that the tragic events of September 11, 2001 dramatically changed the ways in which our government and American workers and businesses must operate – that it is naïve and wrong for any segment of our society and our industry to claim “business as usual” and to try to avoid the rules and regulations put in place by the Congress and the Administration to better protect the American people from a maritime-related terrorist act.

Significantly, those advocating the adoption of the so-called interim work authority proposal are already excluded from the same background check requirements that apply to American mariners working aboard other American vessels. In other words, those who have not been subject to background check requirements prior to the enactment of the TWIC program are seeking a further exemption, this time from the TWIC program itself.

We strongly believe that adopting the interim work authority proposal for workers aboard vessels on the inland waterways and/or exempting part-time casual port labor from the requirements of the TWIC program would undermine the effectiveness of the TWIC program. The individuals seeking the right to work without having to apply for a TWIC may be working in our ports or working aboard vessels carrying dangerous and hazardous commodities and navigating these vessels in and out of American ports. A terrorist act involving one or more of these vessels can cause significant loss of life, disrupt our domestic economy and adversely affect the free flow of commerce along our rivers and through our ports system. This is why Congress chose to include all maritime workers under the scope of the TWIC program, and why the Administration did not include any such exemptions in its rule implementing the program. We again urge that you and the members of your Subcommittee join us in opposition to this proposal.

We thank you for your support of America's maritime workforce and we look forward to working with you in the future.

Thomas Bethel, President, American Maritime Officers; Timothy Brown, President, International Organization of Masters, Mates & Pilots; Richard Hughes, President, International Longshoremen's Association; Donald Keefe, President, Marine Engineers' Beneficial Association; Gunnar Lundeberg, President, Sailors' Union of the Pacific; Robert McEllrath, President, International Longshore and Warehouse Union; Anthony Poplawski, President, Marine Firemen's Union; Michael Sacco, President, Seafarers International Union

USCG: ADMINISTRATIVE LAW JUDGES

The actions of some Coast Guard Administrative Law Judges (ALJ), as documented by various reports around the country, have worked to the detriment of U.S.

merchant mariners. Accordingly the SUP, MFOW, MM&P, MEBA, SIU and AMO wrote to Congressmen Elijah Cummings (D-Maryland) and Steve LaTourette (R-Ohio) —Chairman and Ranking Member of the Transportation and Infrastructure Committee's Subcommittee on Coast Guard and Maritime Transportation— on January 31, in support of a proposal to transfer the ALJ function to the National Transportation Safety Board (NTSB).

Dear Chairman Cummings and Ranking Member LaTourette:

On behalf of the undersigned American maritime labor organizations we are writing to reaffirm our strong support for a proposal to transfer the United States Coast Guard's Administrative Law Judge (ALJ) program to the National Transportation Safety Board (NTSB). We are convinced that the transfer of the Coast Guard's ALJ functions will better guarantee the independence and impartiality of the ALJs and provide American mariners with a greater assurance that they will receive a fair and unbiased hearing.

As discussed in detail during your Subcommittee's hearing on the Coast Guard's Administrative Law System in July, 2007, the licenses and documents held by American merchant mariners represent their ability to pursue their chosen livelihood. Without a valid license or document issued by the Coast Guard, an individual cannot pursue a career at sea. Consequently, any proceeding in which a mariners' license or document is at stake is taken extremely seriously by the mariner and he, like all other Americans facing a judicial proceeding, has the right to fair and unbiased treatment.

Our main concern with the present system is that the Coast Guard ALJs are appointed by the Coast Guard and the Chief Administrative Law Judge reports directly to the Coast Guard Commandant. Therefore, suspension and revocation actions are initiated by Coast Guard officers, prosecuted by Coast Guard officers and adjudicated by a Coast Guard-appointed ALJ. Following the decision by the ALJ, the mariner is allowed to appeal to the Commandant of the Coast Guard who is unlikely to look critically at appeals, regardless of the merits, because all aspects of the suspension and revocation process have taken place within his own chain of command.

While we do not in any way intend to disparage the integrity of the vast majority of capable and dedicated Coast Guard investigators, supervisors and judges, we are aware that the important ethic of loyalty, operating within the context of a military organization, may very naturally cause some participants to place obedience to or compliance with the Coast Guard's prosecutorial interests above the rights of mariners. Sound public policy should seek the removal of such a temptation from the suspension and revocation system. In addition to strengthening the protections to the legal and constitutional rights of our mariners, it will advance the integrity of both the Coast Guard and the ALJs by removing the cloud which now unfortunately tarnishes the reputations of those honorable institutions.

We are aware of the concerns raised by the Coast Guard with respect to the impact transferring the ALJs to the NTSB would have on the individual mariner. Mr. Chairman, we can assure you and the members of your Subcommittee that we are prepared to accept some additional burdens in order to guarantee a suspension and revocation system that is truly independent and protects mariners' due process rights.

As we stated earlier, a suspension and revocation proceeding can permanently affect a mariner's career and the well being of mariners' families. We believe our country owes it to the mariner, as it owes it to every American, to ensure that his case will be heard by an independent judiciary acting in a fair, unbiased manner and operating at an appropriate arms-length distance from the involved Federal agency, the Coast Guard.

We greatly appreciate the support you have shown for the American merchant mariners we represent and we look forward to working with you on this and other matters of mutual concern.

Sincerely,

Thomas Bethel, President, American Maritime Officers; Timothy Brown, President, International Organization of Masters, Mates & Pilots; Donald Keefe,

President, Marine Engineers' Beneficial Association; Gunnar Lundeberg, President, Sailors' Union of the Pacific; Anthony Poplawski, President, Marine Firemen's Union; Michael Sacco, President, Seafarers International Union

CALIFORNIA LABOR FEDERATION

As a Vice President of the California Labor Federation, AFL-CIO, attended a meeting of Federation's Executive Council on January 22, in Sacramento.

At the top of the agenda was Governor Schwarzenegger's proposal to cut all state-funded programs by 10% to close a projected \$14.5 billion budget deficit for the 2008-2009 fiscal year. Rejecting calls to raise taxes on the wealthy to plug the deficit, the Governor did propose some limited fee increases to fund specific programs.

Cuts that will affect labor directly is a proposed \$2.1 million slash to the Department of Industrial Relations, which includes reductions in staff for the Division of Labor Statistics and Research, reduced personnel in the Occupational Safety and Health Appeals Board and the Occupational Safety and Health Standards Board. Also proposed is a \$119 million cut in Health and Human Services (Medi-Cal) and \$42 million from the Healthy Families program.

Other major proposed cuts include closing 48 state parks, early release for 50,000 state prisoners and a suspension of cost of living increases for state disability recipients.

The Federation is committed to work with labor-friendly legislators to stop this attack on California's working families.

Labor's 2008 legislative agenda also includes tax audits for scofflaw employers, abatement of workplace hazards, fair meal period rules, a database of labor law violators, and a proposal to ban state contracts to companies “offshoring” jobs.

Since 2008 is also an election year, the Federation is gearing up to mobilize Union members to vote in the important national and state races.

It should be noted that the Executive Council unanimously passed a resolution submitted by the SUP in support of Woodside Natural Gas Company's OceanWay project. The full resolution is as follows:

WHEREAS, California and Los Angeles County need new sources of clean and affordable energy and the Federation has supported their development, and;

WHEREAS, the reliability of the nation's energy supply is routinely threatened by events in the Middle East and other oil-producing regions making alternative sources a matter of national security, and;

WHEREAS, Woodside Natural Gas, headquartered in Santa Monica, has proposed an offshore deepwater port that will offload Liquefied Natural Gas (LNG) 28 miles from Los Angeles International Airport, and using state-of-the-art re-gasification technology will re-gasify it without using seawater, and pump it directly into the Los Angeles natural gas pipeline system, thereby providing Southern California with the affordable and clean fuel via one of the most environmentally-friendly energy projects ever, and;

WHEREAS, the demand for natural gas is expected to grow by nearly 40 percent by the year 2025 and in order to meet that demand the first projects should set the labor and environmental standards and precedents at levels that will benefit the local community not only now but for many years to come, and;

WHEREAS, new incentives added to the Deepwater Port Act of 1974 provide for accelerated licensing by the U.S. Maritime Administration if energy companies enter into agreements to utilize U.S.-flagged vessels and crews, and;

WHEREAS, Woodside Natural Gas has entered into such agreements that will employ U.S. and California-based mariners and other workers in high-quality Union jobs and will include two U.S.-flag and U.S.-crewed LNG re-gasification vessels, and;

WHEREAS, the Woodside project in construction, operation, and maintenance will be 100% Union and has the support of the Los Angeles County Federa-

continued on next page

President's Report continued

tion of Labor, the Los Angeles and Orange Counties Building and Construction Trades Council and all the seagoing maritime Unions affiliated with the California Labor Federation, now;

THEREFORE, be it resolved that California Labor Federation supports and endorses the Woodside OceanWay project and calls upon the Mayor of the City of Los Angeles, the Los Angeles City Council, the California State Coastal Commission, the United States Coast Guard, and the Maritime Administration to seek swift approval of the project.

SUP ELECTION

The two-month, secret mail biennial balloting for Union officers for the 2008-2010 term and a referendum on a proposed amendment to the SUP Constitution concluded on February 1, with the tallying of the votes and the certification of the election by the Impartial Balloting Agent selected by the membership, Pacific Election Services, Inc. In accordance with the Constitution, the results were sent to all SUP halls and posted. Full election results will be published in this month's *West Coast Sailors*.

The membership is to be congratulated for finally passing a much needed dues increase, a difficult thing to accomplish given the two-thirds majority requirement. This is the first dues increase since 1998 and will to some degree help to offset the rising costs of operating the Union. SUP dues, compared to the dues and fees paid to other maritime organizations, are still the lowest in the industry. While your secretary with the cooperation of all other SUP officers will continue to run a tight fiscal operation, the membership should again be prepared to support their organization so that the income the Union generates meets the necessary services and expenses the membership demands.

SUP dues are now \$150 per quarter and became effective February 1. For those members who paid first quarter dues at the old rate, an additional \$20 payment is required to be in good standing as per the Constitution.

It should be noted that in the balloting for SUP Building Corporation Trustees, rank-and-file member Paul Fuentes was re-elected in accordance with the provision of Article X, Section 1 of the Constitution which states that at least two of the Trustees do not hold any other Union office.

BANKING COMMITTEE

In accordance with XVII of the SUP Constitution, a

Banking Committee shall be elected at today's Headquarters meeting.

The duty of the Banking Committee "...shall be to receive and receipt for any money ordered withdrawn from any savings account of the Union... for the payment of authorized current bills."

As the President/Secretary-Treasurer is a member of the Banking Committee in accordance with the Constitution, recommend that the balance of the Committee be comprised of Dave Connolly, Bill Berger, Knud Andersen, Berit Eriksson and Terry Lane.

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

CENTRAL LABOR COUNCIL OF ALAMEDA COUNTY

The Alameda Labor Council has requested an update on SUP delegates to the Council. In addition to Vice President Connolly and your secretary recommend that Berit Eriksson, Diane Ferrari and Terry O'Neil be designated representatives of the Union.

HOLIDAY

On Monday, February 18, all SUP halls will be closed for Washington's Birthday (President's Day) which is a holiday under the collective bargaining agreements with American President Lines (offshore and shoreside), Foss Maritime Company, Matson Navigation Company (offshore, shoreside and RRF vessels), and Patriot Contract Services.

Due to the holiday, the Branch meetings will be on Tuesday, February 19.

Under the agreements with Chevron Shipping Company and the San Francisco Bar Pilots, Washington's Birthday is observed on Friday, February 22.

ACTION TAKEN

M/S to accept Woods Hole MOU. Carried unanimously.

M/S to accept nominations of the President on Banking Committee. Carried unanimously.

M/S to accept nominations of the President of delegates to the Alameda Labor Council. Carried unanimously.

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

Gunnar Lundeberg

UPDATE: BANE & TULENKUN v. SUP

As reported last month, SUP member Sefuluono F. Bane voluntarily withdrew two of the allegations contained in a lawsuit filed against the Union: 1) That the SUP breached its duty of fair representation by allegedly discriminating against her because she is Samoan and female; and 2) That the alleged discrimination by the Union was a violation of Title VII of the Civil Rights Act of 1964, as amended. Bane, however, did not withdraw her \$300,000 "intentional infliction of mental distress" claim against the Union. SUP member Ruta A. Tulenkun, who is also a party to the lawsuit, did not withdraw any of her allegations, which are the same as Bane's.

On February 15, your secretary and Union attorney Charles Khim attended a hearing in the courtroom of Judge J. Michael Seabright of the U.S. District Court for the District of Hawai'i in Honolulu on the Sailors' Union's motion to dismiss the complaints of Bane and Tulenkun, or in the alternative to grant Summary Judgment in favor of the Union.

After a comprehensive presentation by Mr. Khim, Judge Seabright dismissed Bane's "intentional infliction of mental distress" claim against the SUP—which ends her federal lawsuit.

Despite the fact that the Union prevailed in this matter, Bane—as previously reported—was given the right on December 31, by the U.S. Equal Employment Opportunity Commission to sue the SUP for race and gender discrimination as well as alleged "retaliation." Bane also has the right to pursue her claim of "mental distress" on Hawai'i state court. Perhaps, she will take under advisement these courses of action given Judge Seabright's ruling.

As far as Tulenkun is concerned, Judge Seabright dismissed her claim that the Union breached its duty of fair representation by allegedly discriminating against her because she is Samoan and female.

Incomprehensibly—given the voluntary withdrawal of two charges by Bane and the dismissal of the third—Judge Seabright denied the SUP's motion to dismiss Tulenkun's charges under the Civil Rights Act of 1964 and her claim of "intentional infliction of mental distress."

What this ruling means is that unless Tulenkun and the Union "settle" this matter—which the SUP has no intention of doing—the Union will have to go to a jury trial before Judge Seabright on March 18 to defend its' interests. Hopefully, Tulenkun will realize, like Bane, the costly folly of pursuing her groundless lawsuit.

Vice President's Report

February 2008

In addition to negotiating with Foss, crewing up the Hayes, working on the LMSR bid, and the routine duties of the Front Office, checked the following ships:

Ships Checked

USNS Hayes: enormous effort to ship this first crew by February 26. Strict physical standards and unavailability of members who have been trained compounded the degree of difficulty. Everyone that takes the training should be ready to turn to when the jobs are called. Second training class completed February 15. Third class begins March 5. All interested members must fill out an application and deliver, mail or fax to the Andrew Furuseth School of Seamanship at 415-371-1593. USNS Waters expected to crew up in April.

Cape Girardeau: Curt Dowling, Bosun. Received word of an expected lay up in the boneyard in six weeks. The obvious value of this versatile ship, one of only three Modular Cargo Delivery System ships in the U.S. fleet (the other two are the *Cape Jacob* and the *Cape Gibson*), was apparently not enough to prevent its demise. Presumably another balance sheet casualty of the war.

Cape Jacob: Mike Henderson, Delegate. Crew completed another record ammo offload. Ship will soon depart Asia for the U.S. West Coast for two ports and a shipyard.

President Truman: Jesper Pfeil, Delegate. Made her in New York. No problems.

Mokihana: Chris Cotterman, Delegate. Dispute over jurisdiction on "gas tight" doors in the new garage continues. Company contends that it is not a hatch. More debate ahead.

Manukai: Robert Morgan, Delegate. Clarification on steak frequency and gangway watches. Steak on Thursday and Sunday is traditional West Coast seagoing cuisine and contained by reference to tradition in the June 1996 MOU attached to Appendix C. Same question recently on the Lihue. Gangway watch is SUP jurisdiction.

APL Singapore: Eric Hands, Delegate. Clarification on bosun's stamp requirements.

APL Korea: Diane Ferrara, Delegate. Email clarification on time back for gangway watches in China. Rumors regarding re-flagging being checked out.

President Polk: Patrick Tite, Delegate. Checked in at Howland Hook in New York with few problems.

Mississippi Voyager: Ryan Bowron, Delegate. In a Pier 80 in San Francisco. No beefs. Good discussion on the state of the Union.

Washington Voyager: Ron Gill, Delegate. Telephone clarification on jurisdiction of the deck department.

San Francisco Bar Pilots: Delegates Louie Urbano and Steve Ross. 401(k) improvements on the horizon. Chief Steward Klaus Lange deserves recognition for his talented and tireless support of the SUP Welfare Plan and the families of the membership.

Foss Maritime Company: Delegates Mel Jackson, Mike Worth, and Tom Tynan. Lengthy negotiations with management continue. Significant progress being made.

Dave Connolly

U.S. flag fleet critical to nation

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military and economic benefits that the U.S.-flag merchant marine generates. In the defense sphere, these include components of a viable sealift capability—"using ships as naval auxiliaries, vessels to transport personnel and supplies and trained seafarers for naval service."

The report takes a comprehensive look at the U.S. maritime industry including the following: Maritime and Economy; the nation's port system and marine highways; public-private partnerships in the industry; workforce development; environmental issues; the Ready Reserve Force; cargo preference; the Jones Act; the Maritime Security Program; and the Voluntary Intermodal Sealift Agreement.

The 48-page document can be viewed online at www.marad.dot.gov.

SUP Branch Reports

Seattle

January 22, 2008

Shipped during the period: 5 Boat-swains: 3 A members to steady jobs, 1 A to a relief and 1 B to a MSC ship. 13 Able Seamen berths filled by 5 A's, 5 B's and 3 C members. 2 Ordinary Seaman jobs filled by C members. 12 standby jobs were shipped to 3 A's, 5 B's, 1 C, 2 MFOW and 1 D-registrant.

Registered during the period: 5 A cards for a total of 19; 10 B cards for a total of 29; 3 C cards for a total of 7.

Ships Checked

The Matson ships *Mahimahi*, *Maui* and *Kauai* all called in Seattle with little or no problems. Received a call from the delegate in the *President Polk* about posting the helmsman on the bridge wing during "pirate watch". The Union called the company and vigorously protested this alleged action and asked them to investigate the claim in violation of Section 18—Steering by Automatic Equipment.

I attended the King County Labor Council meetings and the Puget Sound Area Maritime Security Committee meeting.

The new year came in with a bang and we had a slew of jobs where sailors came up to compete and were turned away for having expired documents. Please check the dates on your paperwork. To ship in any vessel your MMD, STCW and passport must all have at least a year before renewal in case the ship you ship-in stays off-shore for an extended period. Your drug card is good for six months and must be valid the day you sign on.

This new year also brings us into the realm of politics in a big way. Just because a man or woman is a Democrat, a Republican, a Libertarian or an Independent, it is how they vote on "labor legis-

lation" that matters to us. Do they vote in support of workers rights or against workers rights. Our Union must retain the ability to meet with those that are elected and put our positions forward. All of us have to play a part in this and we do so by contributing to our political fund. If each member contributed \$100.00 dollars a year this would go a long way in helping the Union to lobby for a better standard of living for all of us. Please contribute to the SUP Political Action Fund.

Vince O'Halloran
Branch Agent

Wilmington

January 22, 2008

Shipped 2 bosuns, 12 ABs, 3 ABDs, 1 STOS, 1 OS, and 62 standbys for a total of 81.

Registration: Class A 43, Class B 15, Class C 2.

Ships Checked

Thailand, Singapore, Manukai, Manulani, Philippines, Maunawili, China, Maunalei, Korea.

Brothers, it is well known that when we gave up the carpenter on our ships that we did not give up our jurisdiction over carpenters work. As to what carpenters work is we need only to look at the past practice for the answer. For example fixing door hinges or door closer would have been done under way by the carpenter. Oh yes something else came up any sailor that wants to drink with the captain or mate and act like a clown for them. I can make things easy for to peddle yourself to them. Courtesy of the late Bill Cody. On your written request I will issue you a meat swingers stamp. This will save you a lot of time and will help

you establish your relationship with the captain during sign on. Do not thank me say thanks to Brother Cody.

Brothers, you might not have known that brother Bill Henneberry retired. Monterey Bill will be remembered for his work on our constitution and by laws plus some graffiti.

There were complaints from brothers that did not get their ballot.

We had a great Christmas down here with West Coast barbecue champ Grant Wegger on the job. Old sailors told stories, young sailors told stories and laughed. Kids ran around and made noise and all were happy. Yours in struggle

Paul Calais
Branch Agent

Honolulu

January 22, 2008

During the month of December, dispatched the following: 1 bosun relief, 3 ABDs, 2 ABD reliefs, 3 ABWs, and 2 AB maints. These jobs were filled by: 1 A member, 8 B members, and 2 C members. Also shipped 34 standby jobs filled by 4 A members, 7 B members, 14 C members, and 9 D registrants, for a total of 45 jobs dispatched.

During the month of December, registered the following: 8 A members, 5 B members, and 1 C member. To date registered are: 16 A members, 14 B members, 6 C members, and 3 D registrants for a total of 39 registered.

Ships Checked

Manoa, Manukai, Matsonia, Lurline, Kauai, Maunalei, Manulani, Lihue, Mokihana, Mahimahi, and Maunawili. All with few or no beefs. Paint & Rigging gang running smooth with Monte Kalama as bosun.

On January 19, attended the Hawai'i Ports Maritime Council meeting. This was also the opening day of the Hawai'i state legislative session.

On January 23, received notice from ILWU Local 142 that the Communication Workers of America (CWA District 9), who were in Honolulu for their annual meeting, wanted to stage a rally in support of Pacific Beach Hotel workers. Would like to thank SUP members John Benson, Remoni Tufono and Patrick and Manukai Weisbarth plus that three bus loads of CWA delegates who showed up for this spontaneous job action. Impressive solidarity showing! Would like to remind members to boycott the Pacific Beach Hotel and also the co-owned Pagoda Hotel, a one-time popular seamen's flop.

Mike Duvall
Branch Agent

San Francisco Business Agent

February 11, 2008

Kauai— Mike ElMobdy, delegate: In from Seattle, lay up for repairs from storm. Back on its same run. No disputes.

Mahimahi— Manuel Roxas, delegate: Going to change run to Los Angeles/Honolulu/San Francisco. No disputes.

Maui— Tom Gatmaitan, delegate: First trip after lay up. No disputes.

Mokihana— Chris Cotterman, delegate: Car carrier. Opening and closing hydraulic hatch cargo door is sailors' work.

Moku Pahu— Gary Thompson, delegate; Teo Rojas. Visited at Crockett. Going to Korea with load of scrap from there, possibly China, from there heaven only knows. Question on knock off. No disputes.

APL Philippines— Mike Arceo, delegate; Mel Silva, bosun: Clean pay off. No disputes.

APL Singapore— Steve Swinton, delegate: Voyage overtime dispute for bosun, which is no good.

APL Thailand— Ted Soderberg, delegate; Chris Bujnowski, bosun: Voyage pay off. No disputes, good gang.

APL Steam Rack— Running smoothly with Norman Kwak at the helm.

Worked in the front office.

William Berger

SUP members join pension ranks

The following SUP members joined the rank of pensioner, bringing the total number of SUP retired members to 635:

William Henneberry, 64, Book No. 5815, joined SUP in 1961, 20 years seetime.

Michael Einman, 66, Book No. 1889, joined SUP in 1980, 25 years seetime.

David Berger, 65, Book No. 5723, joined SUP in 1981, 8 years seetime.

James Kawasaki, 79, Book No. 3115, joined SUP in 1953, 50 years seetime.

Jon Rushing, 69, Book No. 3176, joined SUP in 1968, 20 years seetime.

Dispatcher's Report

Headquarters—Jan. 2008

Deck	
Bosun	3
Carpenter	0
MM	12
AB	13
OS	4
Standby	25
Total Deck Jobs Shipped	57
Total Deck B, C, D Shipped	14
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. ...	57
Total B, C, D Shipped-All Depts. .	14
Total Registered "A"	63
Total Registered "B"	49
Total Registered "C"	7
Total Registered "D"	4

USCG to assess Northwest Passage

Prospects for commercial shipping use of the Northwest Passage took a new course when the Coast Guard said it will begin assessments of the Pacific-Atlantic shortcut in the spring.

Following his annual State of the Coast Guard address on February 14, where he reiterated his "Honor the past, don't operate in it" message, Admiral Thad Allen, Commandant of the Coast Guard, said that he plans to send vessels and aircraft to the North Slope area following the seasonal thaw to assess the waterway's use for commercial transits. He said the taskforce will be led by a 210-foot cutter and will be joined by a team from the National Oceanic and Atmospheric Administration (NOAA), the federal agency charged with marine charting.

The commandant said the "prototype deployment" of the USCG vessels and aircraft will test their viability in the icy climes, while the primary mission is to access the navigability of the passage. "We have to look at bottom contours, aids to navigation and the overall usability of the passage," he said. He noted that with the melting ice, the channel appears an attractive alternative for vessels passing between oceans. "We have to make sure it's safe," he cautioned.

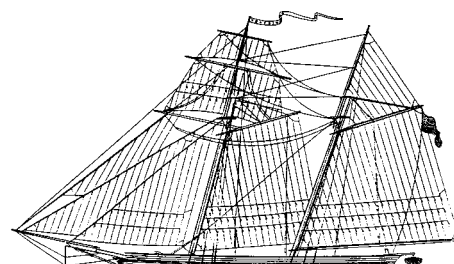
Human smugglers to face Spanish law

Spain is to crack down on migrant-smugglers, with a new court ruling allowing Spanish law courts jurisdiction over alleged crimes against foreign nationals on the high seas.

The ground-breaking legal ruling allows Spain to try suspected migrant-smugglers if there is evidence that a migrant vessel is aiming for Spanish territory. It results from the Supreme Court's granting an appeal against an earlier decision that Spain did not have jurisdiction to try an alleged migrant-smuggling case. That earlier decision had allowed 18 suspects, alleged to have transported 153 starving migrants in the tanks of the tanker *Conakry* in 2004, to walk free. Spanish authorities detained the *Conakry* in international waters between West Africa and the Canary Islands on January 31, 2004.

The Supreme Court ruling means that the suspects' alleged criminal act was extended into Spanish territory because it prompted a salvage operation that led to the migrants to enter Spanish territory.

The *Conakry* was scrapped in the Canary Islands in late 2005.



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