



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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Friday, March 20, 2009

Sailors' Union's 124th Anniversary

The Sailors' Union of the Pacific this month observed the 124th anniversary of its founding, March 6, 1885, on the old Folsom Street Wharf in San Francisco. With determination to gain through democratic collective action what could not be accomplished individually, the Union began a record of achievement that set the standard for American sailors and continues to serve as an inspiration for seafarers around the world.



ANDREW FURUSETH

overcome and the Sailors' Union grew and developed with a lasting legacy of strength and integrity.

In addition to the anniversary of the organization of the Union and the birthdays of former secretaries Furuseth and Lundeborg, March is also the 94th anniversary of the Seamen's Act which was signed into law by President Woodrow Wilson on March 4, 1915 after a 20-year struggle by Furuseth to free seamen from indentured servitude.

Drawing on its sound heritage as the oldest Union of seafarers in the world in continuous existence, the Sailors' Union continues to meet the challenges ahead to protect the interests of the membership and advance the brotherhood of the sea.



HARRY LUNDEBERG

Steady As She Goes!

Coast Guard issues ruling to consolidate merchant mariner credential regulations

On March 16, the U.S. Coast Guard issued a final rule to consolidate the regulations covering the issuance of merchant mariner qualification credentials, to reduce the burden on mariners by limiting the number of times they need to appear in person to provide fingerprints and proof of identity. The rule becomes effective April 15. This final rule works in tandem with the joint final rule published by the Coast Guard and the Transportation Security Administration on January 25, 2007, entitled "Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector."

Prior to the effective date of this final rule, all four credentials (MMD, License, COR, and STCW Endorsement) were issued at one of 17 Coast Guard Regional Examination Centers (RECs). For first time applicants, the process of obtaining an MMD, License, COR, or STOW Endorsement required at least two visits to an REC. During the first visit, an applicant had to be fingerprinted by, and establish his or her identity and legal presence in the U.S. to, an REC employee.

After the successful completion of a safety and security review, verification of an

applicant's identity, and verification that the applicant had satisfied all other requirements for the particular credential sought, an REC issued the credential to the applicant. For first time applicants, this required a return trip to the REC to retrieve their credential and take an oath to faithfully perform all duties required of them by law. Individuals renewing credentials did not need to restate the oath and could receive their renewed credentials by mail. However, all applicants, those seeking new credentials as well as those seeking to renew their credentials, had to travel to an REC once in the application process to be fingerprinted by, and show proof of identification to, an REC employee.

The requirements to receive a TWIC are similar to the requirements to receive an MMD, License, COR, or STCW Endorsement. In order for an applicant to receive a TWIC, the applicant is required to travel to a designated TWIC enrollment center to submit fingerprints, proof of identity, and legal presence in the U.S. A background check is conducted to determine that the applicant is not a security risk. Once an applicant has been approved, the applicant must return to the TWIC enroll-

ment center to pick up the TWIC and prove their identity by a one-to-one match of the applicant's fingerprint against the electronic fingerprint template stored on the card.

Soon, TSA will submit to the Coast Guard the applicant's fingerprints, photograph, proof of citizenship, proof of legal presence in the U.S., and FBI number and any criminal record (if applicable) provided with the individual's TWIC application.

Since the applicant's fingerprints, photograph and proof of citizenship, and identity will have been verified by TSA and submitted to the Coast Guard, this final rule removes the requirement for a merchant mariner to travel to an REC to submit this information to an REC employee. In addition to allowing the merchant mariner to mail in their application, this rule will also allow new applicants to mail in their notarized oath, which would be a nominal cost to the applicant. This will remove the requirement for a second trip to the REC to pick up their card and take the oath. This rulemaking creates the possibility for a mariner to receive his or her MMC entirely through the mail.

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Employee Free Choice Act introduced in Congress

Legislation (H.R. 1409, S. 560) that would amend the National Labor Relations Act to make it easier for workers to form Unions through a card-check authorization process was introduced in Congress March 10.

Senator Tom Harkin (D-Iowa), member of the Senate Health, Education, Labor and Pensions Committee, and Representative George Miller (D-CA), chairman of the House Education and Labor Committee, introduced the Employee Free Choice Act (EFCA), which is certain to provide some of the

largest congressional fireworks this year.

"Just as the National Labor Relations Act, the 40 hour week and the minimum wage helped to pull us out of the Great Depression and into a period of unprecedented prosperity, so too will the Employee Free Choice Act help reinvigorate our economy," Harkin said. "Today is one of those defining moments in history as we introduce legislation that puts power back into the hands of the people who are truly the backbone of this economy."

EFCA has three key components: 1) The legislation would

amend the National Labor Relations Act to require the National Labor Relations Board to certify a Union as the representative of employees if a majority of employees signs valid Union authorization cards. The proposed legislation also would allow Unions to continue to petition for NLRB-supervised secret ballot elections, if they choose, once 30 percent of the workers have signed Union authorization cards.

2) Additionally, the measure would allow parties that are unable to reach a first contract within 90 days to refer the dis-

pute to the Federal Mediation and Conciliation Service. If the FMCS is unable to bring the parties to agreement within 30 days, the dispute then would be referred to binding arbitration.

3) Also, the legislation would provide triple back pay to employees who are unlawfully discharged or discriminated against while involved in Union activities during an organizing campaign or in the period leading up to a first contract. And civil fines of up to \$20,000 per violation could be imposed if an employer is found to have will-

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SUP Honor Roll

Voluntary contributions from the membership to the following funds:

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Gordon Abbott	100.00
John Crockett	100.00
Robert Greene	100.00
John Hamann	20.00
Isnin Idris	100.00
Klaus Lange	40.00
Gunnar Lundeberg	50.00
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Ricky Pangan in memory of Daniel Foster	100.00
Carl Turner	30.00
Eric Weintraub	50.00
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John Jewett	Book #4291
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Joseph Napier	Book #2299
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West Coast Sailors

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David Partikian	30.00
Tim Thomas	100.00



The S/S United States faces the scrap heap

Attempts are under way to prevent Norwegian Cruise Line (NCL) from sending the historic ocean liner *United States* to the scrap heap

Two foundations, SS United States Conservatory and SS United States Foundation, are fighting hard to convince someone to come up with the \$20 million said to be NCL's asking price for the ship.

Alternatively, advocates have started a letter-writing campaign to convince the U.S. government to step in, and convert the *United States* into "public works project" that would ultimately see it installed as a floating hotel in New York or elsewhere, and create jobs in the interim shipyard retrofit phase as well.

Such a project, along the lines of the *Queen Mary* in Long Beach, could run to as much as \$100 million-\$150 million, according to informal estimates.

The ship has been mothballed at South Columbus Boulevard in Philadelphia since 1996. NCL purchased it in April 2003 with an apparent intention of refurbishing it and eventually putting it into service in the company's Hawai'i operation that needed U.S.-flag ships.

However, the plans, along with much of the economics of NCL's Hawai'i operation, did not come to pass. The ship was listed for sale as NCL weathered financial setbacks and saw its Hawai'i operation shrivel from three ships to one.

The non-profit SS United States Conservancy said in a media appeal that Star Cruises, the owner of NCL, "has provided no assurances that the historic vessel will not be sold for scrap". NCL has offered Conservancy the option to buy it.

Charles Anderson, of Skuld North America and a Conservancy board member, said the ship could serve as a "civilian counterpart" to the historic *Intrepid* on the New York waterfront.

Anderson's father John was the *United States*' longest-serving master, from 1952 to 1964.

The 38,216 dwt ship was built in Newport News, Virginia, in 1952, and was retired in 1969. After a series of private owners and unsuccessful plans to convert it into a floating condominium, it ended up with NCL six years ago.

"The *United States* the high point in U.S. maritime architecture," Anderson said. "Apart from being the only U.S.-flag liner in existence, it is also a national symbol from the 1950s and 1960s, and the nation's flag ship."

Designed to be easily converted to a troop ship, the vessel was a "top-secret" Cold War weapon able to transit the Panama Canal and transport 15,000 soldiers over 10,000 miles without refueling.

The ship set a speed record for west-bound Atlantic crossings, averaging better than 35 knots. The record still stands.

Coast Guard ruling to consolidate credential regulations continued from page 1

Written examinations will still occur at RECs, and the RECs will remain accessible to mariners should they choose to seek their services in person.

This rulemaking will also remove the \$45 issuance fee for continuity licenses and MMDs. These documents are issued to applicants for renewal of licenses and MMDs that are endorsed with qualified ratings who are unwilling or otherwise unable to meet all the requirements to serve and allows the mariner to renew the license or MMD with the following restrictive endorsement placed on the license: "License renewed for continuity purposes only; service under the authority of this license is prohibited."

Under the current rule, applicants pay a \$45 issuance fee for each credential that they apply for. Under this rulemaking the applicants will only apply for a single credential (the MMC) and as a result will only be required to pay one \$45 issuance fee regardless of the number of endorsements that they carry. This change is not a reduction in any fee that a mariner must pay, but a reduction in the number of fees that the mariner must pay. Any mariner that would, under the current rates, solicit multiple mariner qualifying documents (such as both an MMD and a License), will benefit from this change in the fee structure.

If the merchant mariner has not synchronized the expiration dates of his or bar current credentials, then they may currently be traveling to an REC multiple times within a five-year span. The issuance of the MMC will require mariners to track and update only one document and will potentially eliminate the need to travel to an REC entirely. This will provide greater flexibility to the mariner. Currently, approximately 13,843 mariners have more than one credential and have not aligned their expiration dates. These mariners will not only receive a benefit from reduced application fees, but also from fewer, if any, trips to a REC.

In order to reduce the burden of traveling and having to apply for a new MMC before the mariner's current MMD, License, COR, or STCW Endorsement expires, this rulemaking will allow mariners to apply for an MMC at the time that their current credentials expire, which will essentially phase in the MMC over a five-year period. Since all currently issued credentials are valid for five-year periods, all mariners will have to renew their credentials by the close of the five-year grace period. When a mariner applies to renew his or her MMD, License, COR, or STCW Endorsement, they will instead be issued an MMC, which will reflect all of their qualifications in the form of endorsements on the MMC. This will allow mariners to apply over a longer period of time and will not create an additional burden by requiring mariners to make an extra trip to the RECs. Mariners whose credentials do not expire simultaneously may choose to wait to renew the credentials that have yet to expire, but if the applicant later chooses to renew that credential, the expiration date of the MMC on which the endorsement would be added will not change unless the mariner also renews all other endorsements on the MMC.

Currently, mariners may only renew their credentials within 12 months of their expiration date. This rulemaking will allow mariners to apply for renewal anytime before their current credentials expire and up to one year after the expiration date. As a result, this rulemaking will provide greater flexibility to mariners by allowing them to apply for an MMC at the time they choose.

Final Departures

John Easter, Book No. 1611. Born in Kansas in 1919. Joined SUP in 1942. Died in Las Vegas, Nevada, January 31, 2009. (Pensioner)

Thomas Riley, Book No. 2921. Born in Minnesota in 1927. Joined SUP in 1947. Died in Wilmington, California, March 4, 2009.

John Yee, Book No. 221. Born in Pennsylvania in 1925. Joined SUP in 1950. Died in California, February 2, 2009. (Pensioner)

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2009:

	Hdqs.	Branch
April	13	20
May	11	18
June	8	15
July	13	20
August	10	17
September	14	21
October	13(Tues)	19
November	9	16
December	14	21

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Jones Act foe calls for its abolition

Rob Quartel, the longtime nemesis of U.S.-flag shipping interests, reared his head this month to spew more of his toxic invectives by advocating that the Jones Act and the Federal Maritime Commission (FMC) should be abolished.

A Federal Maritime Commissioner between 1990 and 1992, Quartel is well known for his anti-American worker opinions and is particularly critical of the Jones Act, which restricts coastal shipping to vessels built and flagged in the United States and crewed by U.S. citizens. Those “constraints” had “utterly destroyed our domestic shipping,” asserted Quartel, who is now chief executive of FreightDesk Technologies. The Jones Act remains an anachronism as far as foreign shipping interests are concerned, he said, but has always enjoyed strong political support at home.

Addressing a Legends of Transportation session at the TransPacific Maritime Conference in Long Beach, Quartel won a round of applause from fellow reactionaries, when he called for the FMC to be shut down. He went on to urge Washington to follow the European Union and get rid of conferences and discussion agreement cartels. “We should blast them out of the water,” Quartel said. “We need open markets.” His call for a radical overhaul of the shipping industry went further, with Quartel telling container lines to stop owning ships. According to Quartel, they should sell their vessels and concentrate on buying-in freight capacity and developing intermodal services.

Sharing the same platform, former American President Lines president Tim Rhein—who was in charge when the U.S.-flag carrier was sold to Singapore’s Neptune Orient Lines—defended the industry against charges of not being innovative. Citing technological advances in particular, Rhein said APL had always prided itself on innovation and did not regard shipping as a commodity. Although containerization was pioneered in the United States, which boasted as many as 20 big flag carriers when Rhein joined the industry, he also conceded that it was doubtful whether the United States would ever have another big shipping line of its own. “I won’t say never, but it’s not doable today,” he said.

Solis confirmed as Labor Secretary

At long last Hilda Solis was confirmed by the Senate and has been sworn in as the nation’s new Secretary of Labor. The Senate confirmed her on February 24, in an 80-17 vote. The confirmation came 88 days after the 51-year-old Solis was nominated and over six weeks after her initial confirmation hearing. The nomination had been held up for weeks by certain Senators who were “uneasy” with her support of Unions and the Employee Free Choice Act.

Hitting the ground running, Secretary Solis announced on March 13, that she would suspend regulations for nine months that the Bush administration introduced in December to make it easier and cheaper for agricultural employers to use foreign workers in temporary jobs.

Last year, tens of thousands of foreign workers were brought in under the temporary agricultural program, known as H-2A, harvesting lettuce, sweet potatoes, tobacco, cucumbers, sugar cane and other crops. The new rules cut the wages that many of these workers will receive and reduced the amount that growers had to reimburse these workers for their travel. They also eased administrative burdens by letting employers simply attest that they had met various program requirements. Secretary Solis, who criticized the rules when she was in Congress, said suspending them was “the prudent and responsible action” to take “because many stakeholders have raised concerns about the H-2A regulations.”

Many farm worker and labor groups had attacked the Bush regulations, saying they would push down wages for H-2A workers and take away jobs from workers in the United States.

Erik Nicholson, a national vice president of the United Farm Workers, applauded the decision, calling the Bush rules “some of the worst setbacks for farm workers in decades.” He added, “They meant worse wages and worse housing conditions for these workers and worse discrimination against American workers.”

National unemployment tops 8%; highest in 26 years

The unemployment rate surged last month to its highest level since 1983, and the toll seems set to go higher as employers batten down for a sustained drop in consumer demand. The number of jobless Americans rose to 12.5 million in February, pushing the unemployment rate to 8.1%, up from 7.6% in January, said the Labor Department. “We’ll be at 10% unemployment by the year end,” said Joseph LaVorgna, chief U.S. economist at Deutsche Bank. “What’s going to stop it?”

The nation has lost 4.4 million jobs since the recession began in December 2007—more than half the losses coming in the last four months as the worst financial crisis in decades has intensified the economy’s steep decline.

The number of employed non-farm workers fell 651,000 in February. That followed declines of 655,000 in January and 681,000 in December.

Manufacturing and overtime slid, ap-

parently presaging more job cuts to come. A quarter-million construction and manufacturing jobs vanished; the service sector shed 375,000. Only health services and government eked out job growth.

The broadest gauge of unemployment, which includes part-timers seeking full-time jobs, hit 14.8% last month.

The labor market has historically been a lagging indicator of activity, which means that even if the economy were to recover soon, the jobless level is likely to climb for many more months. With no immediate end in sight to the downturn—output in the current quarter seems on track to fall by 5% or more after a 6.2% decline in the fourth quarter of 2008—the jobs picture is likely to get bleaker.

President Barack Obama’s \$787 billion stimulus package includes spending which he says will create or save 3.5 million jobs. “We’ve got big challenges ahead of us,” he said.

Kudos for SUP gang



Captain Gerald Anderson of Matson Naviation Company’s Integrated Tug Barge *Moku Pahu* sent a photo of SUP sailors cleaning snow off the hatches while in Vladivostok, Russia. His comments were that the SUP sailors did a “super job. We all thank you for supplying us with this great group of sailors, who worked so hard and never complained once about the job they had to do.” Crew members are Bosun Joe Moniz, and AB’s Quentin Brown, Efren Tan and Romulo Dalit. They were in Vladivostok from February 6, until February 12, and arrived in Nawiliwili on March 1.

Matson revises Hawai’i sailings

[Editor’s note: Matson Navigation Company sent this notification to its customers on March 11.]

As with virtually any business today, Matson is responding to the economic downturn that has impacted Hawai’i, as well as the rest of the nation. Effective March 23, Matson is revising our schedule in a way that will best utilize the company’s fleet capacity while concurrently maintaining high service levels for our customers in terms of schedule reliability, frequency and cargo availability. With the new schedule, the *Matsonia* will be removed from our Hawai’i service and the *Mokihana* will begin triangulating between Oakland, Long Beach and Honolulu. The schedule change will have no impact on our Southern California service and will result in only one additional day of transit time from Northern California.

The following is Matson’s new Hawai’i service vessel deployment, as of March 23:

Long Beach

The vessels *R.J. Pfeiffer*, *Manukai*, *Manulani*, *Maunawili* and *Maunalei* will deployed as follows: depart Long Beach Wednesdays at 1300 and arrive Honolulu Sundays at 1700.

The vessels *Mokihana* and *Mahimahi* will be deployed as follows: depart Long Beach Saturdays at 1200 and arrive Honolulu Wednesdays at 1700.

Oakland

The vessels *Maui* and *Manoa* will be deployed as follows: depart Oakland Tuesdays at 1700 and arrive Honolulu Saturdays 2000.

The vessels *Mokihana* and *Mahimahi* will be deployed as follows: depart Oakland Thursdays at 1300 and arrive Honolulu, via Long Beach, Wednesdays at 1700.

Pacific Northwest

The vessels *Maui* and *Manoa* will be deployed as follows: depart Seattle Sundays at 0100 and arrive Honolulu, via Oakland, Saturdays at 2000.

Matson also announced that the port of Xiamen was being added to its China/Long Beach Express service.

Maritime Security Program gets full funding, signed by President

President Obama signed off on an Omnibus Appropriations bill passed by Congress this month that includes full funding for the Maritime Security Program. The bill contained nine appropriations bills that were left over from the last legislative session.

Full funding of the Maritime Security Program is vital to the economic and military security of the nation. The MSP and its related Emergency Preparedness Program not only ensure that the Department of Defense will have the commercial sealift capability it needs but also that the country will continue to have the American citizen merchant mariners necessary to crew the government and private vessels that must sail into harm’s way to supply our troops overseas. The Emergency Preparedness Program also incorporates the worldwide intermodal transportation and management networks of the U.S. carriers into the Department of Defense sealift program.

\$174 million is provided for the 60-ship Maritime Security Program which is overseen by the Maritime Administration. SUP-contracted APL Marine Services, Ltd. operates nine vessels enrolled in MSP: the *Presidents Adams*, *Polk*, *Jackson*, and *Truman*, and the *APL China*, *APL Korea*, *APL Philippines*, *APL Singapore* and *APL Thailand*.

The Future of STCW

Report on the 40th session of the STCW Sub-Committee

International Maritime Organization Headquarters, Albert Embankment, London, England, United Kingdom
by Dave Connolly, SUP Vice President and U.S. Delegate

Along the banks of the river Thames, where mariners have congregated since ancient times, the International Maritime Organization's (IMO) sub-Committee on Standards of Training, Certification, and Watchkeeping for seafarers met for the 40th time as the Chairman, Admiral Brady of Jamaica, called the meeting to order with a toll of the bell. The IMO, as a subsidiary body of the United Nations, has its founding roots in the disaster of the *Titanic*, eventually producing the Safety of Life at Sea Convention or SOLAS in 1959, MARPOL in 1978, STCW Convention and Code in 1978 and 1995, and the ISPS Code in 2002. The sub-committee on STCW was attended by all the major and minor maritime nations of the world, several intergovernmental organizations such as the European Commission, and more than a dozen non-governmental organizations such as the International Shipping Federation representing many of the world's shipowners and the International Transport Workers' Federation representing all of the world's transportation unions.

In this session the United States was represented by the head of the delegation Mr. Jeff Lantz, Director of the Coast Guard's Office of Commercial Regulations and Standards, as well as Ms. Mayte Medina, and Mr. John Hanson of the same Coast Guard office. Ms. Jean McKeever and Dennis Compton represented the Maritime Administration and private sector advisors included Glen Paine of MM&P's MITAGS, Phil Shullo of AMC's STAR Center, Andrew McGovern, Chairman of MERPAC, Barry Van Vechten of MEBA's Calhoun School, Paul Kirchner of the American Pilot Association, Ken Wells of the Offshore Marine Services Association, and myself, representing the SUP's Andrew Furuseth School of Seamanship.

The Secretary-General opened the meeting with a discussion on piracy. He condemned its modern revival and recent resurgence and noted the adoption of a series of IMO resolutions in support of 1) the protection of seafarers, passengers, and fishermen transiting the Gulf of Aden, 2) the protection of the Somalia food aid in the area, and finally 3) the protection of the trade that transits the area, estimated by some to be as much as 80% of the total world trade. The secretary noted the efforts of the naval coalition to fight piracy, but that a solution to modern piracy has eluded naval efforts due to the complexity of the problem. "Because the perpetrators of these unlawful acts act with complete disrespect for civil society, unashamedly provoking the rule of law, we should rise to the challenge, redoubling our efforts and taking, Governments and industry alike, all the necessary measures to eradicate the scourge." To this end the Convention delegates considered new training amendments that would eventually add piracy prevention techniques to the Code.

On the agenda there were thirteen items, including most notably action regarding unlawful practices associated with certificates of competency, the review of the principles for establishing the safe manning levels of ships, measures to enhance maritime security, and mandatory requirements for determining safe manning. But the most important by far was Item No. 7, known as the Comprehensive Review (of the STCW Convention and Code). It is to this item in this meeting that every inconsistency and problem in the Code discovered since the advent of STCW in 1995 has been referred. Thus the workload was enormous, with controversial issues and complex problems contained some 68 papers (proposals) submitted for review and action. The purpose of the review was not only to clean up problems but, in the words of the Secretary, "provide the necessary global standards for the training and certification of seafarers to man technologically advanced ships today and for some time to come." A bold mission statement, but the phrase "some time to come" is perfectly indicative of so many things at the IMO: the lack of specificity that comes with broad language crafted to invite consensus, the uncertainty of national implementation, and of course, the ongoing necessity for future meetings.

Comprehensive Review

The scope of the review was agreed to include such issues as maritime security training, training for sailors on tankers based on new competences, sea service requirements, revalidation requirements, hours of work, training of ratings, celestial navigation, VTS training, innovative training methodologies including distance and e-learning, and that is to name only a few. Each proposal, submitted beforehand by a member state or participatory organization, must gain the majority support in the main (plenary) body to be referred to a working group for discussion and a consensus agreement on the technical detail. Then the items are referred back to the plenary body where they are either



The Seafarers' Memorial situated next to the entrance of the IMO building in London.

adopted or rejected. The adopted language then must be referred to and endorsed by the parent body called the Maritime Safety Committee or MSC. After that, because the STCW Convention is an international treaty, the amendments must be signed into law by each nation at a "diplomatic conference," the next one of which is tentatively scheduled for summer 2010 in the Philippines. Those items that are adopted for amendments to the Code should enter into force in the "early 2010's" as the Secretary estimated, but some things will take far longer. Of course, after the amendments are signed into law, the exact meaning of new text of the Code must then be interpreted by the Coast Guard for domestic regulations.

Given the wide scope of issues, and within the context of a very deliberate process, the Comprehensive Review was set up to promise far more than it could immediately deliver. There were changes and attempted changes to the Code, however, and although most do not directly affect unlicensed seamen, there are some that do and there were many changes that figure to return in some form in future sessions. Of immediate concern to the Sailors' Union of the Pacific, and all unlicensed seamen, were changes to revalidation of certifications, changes to I/9 on medical standards, changes to II/4 of the Code regarding "rating forming part of a navigational watch," alternative certification of seafarers under Chapter VII (especially how that might influence Chapter's II or III), and the proposed Electro-technical officer and/or rating. The following is a short summary of these and other issues.

Chapter I: Standards regarding general provisions Medical standards

Much of the work associated with this Chapter was both related to work under other Chapters and not fully completed here. As a consequence, some items were referred to future meetings. There was considerable discussion and debate however on Section A-I/9 which is the presently blank section in the mandatory Part A of the Code on medical standards. The focus of the discussion was a paper written by the International Maritime Health Association (IMHA) that was remarkably similar to the U.S. Coast Guard's recently published NVIC requiring prescriptive and continuous medical standards of fitness for mariners. As was argued in the working group, prescriptive medical standards that require continuous demonstration of fitness contain a variety of unintended consequences, not the least of which is a bias against older seamen. Although there are already medical fitness standards in non-mandatory Part B of the Code, there was an attempt to include these standards in the mandatory Part A. Except for the corrected vision standards, that attempt was defeated. Eyesight standards were particularly contentious. The IMHA paper argued that "Eyes of the seafarers should be free of disease. Any permanent or progressing debilitating pathology without recovery should be cause for a determination of unfitness." Such a statement is open to a wide variety of restrictions and could potentially eliminate the employment of a large population of elderly seamen. IMHA's paper also included for the first time restrictions on "unaided" eyesight. Except for the corrected standards, they were kept in draft and guidance form and referred to future meetings. Overall, however, and despite the present mainly provisional status, it is clear that more medical regulation is coming to mariners: this time from the international arena. Because the Coast Guard's NVIC is similar, and is already in place, American seamen will be grappling with the problems stemming from the NVIC and not the IMO. Of course, any amendments to the Code need to be interpreted by the Coast Guard before they are applied to U.S. mariners, so it is difficult to understand now the exact form it will take. For example, the proposal requires a seaman to carry a detailed medical fitness certificate documenting that a medical practitioner has determined fitness according to STCW standards including eyesight and hearing. Whether or not a mariner's existing medical documentation will satisfy this requirement is unknown at this time.

Revalidation of Certificates

The complex and controversial issue on Revalidation of Certificates, also in Chapter I, was the subject of considerable debate. The discussion was limited mainly to the revalidation of officer's (and focused on engineers) certificates, especially the sea service necessary for such re-validation if either sailing in a lower rank than the certificate held, or sailing as a supernumerary. Despite the arcane nature of this debate, it is important to observe how the sub-Committee treats the issue of sea service, wherever it occurs, because many of the issues affecting all mariners, including unlicensed mariners, are tied to sea service problems. For example, the "1 year in 5" standard will for the time being continue to apply for demonstration of continuing competency in Basic Safety Training, although it appears that the fire-fighting component of BST will require refresher training in the future. An initiative to change the fire-fighting re-validation requirements for tanker sailors, where something like advanced fire-fighting will be required for all tankermen, was delayed for future meetings. There were also previous agreements to require in the future security training for those mariners with designated security duties as well as a basic shipboard security familiarization for all mariners. These duties include how to report an incident, how to recognize a

continued on next page

Report on the 40th session of the STCW sub-committee continued

security threat, and how to take part in a security related emergency. The exact requirements regarding new training for U.S. mariners will not be understood the amendments are finalized at the international level and then after the Coast Guard evaluates the amendments.

Chapter II Master and Deck Department
Section A-II/4 RFPNW

The mandatory minimum requirements for certification of ratings forming part of a navigational watch were substantially unchanged from STW 39. The group agreed to delete paragraph 4 of II/4 which was designed entirely as a transitional standard for implementation of the Convention before the tables of competency were established. Ensuring that this was the only change to an STCW chapter that immediately affects us is something of a victory. This section was worked out in STW 39 and for the deck department preserved something of the traditional domestic requirements for able seaman, especially the 12 months of seetime, which in the future will only begin to count after a entry-level mariner becomes certified in Rating Forming Part of a Navigational Watch. In other words, RFPNW will be required before the seetime clock starts for Able Seamen. As onerous as this is, it is important that we maintain maintaining existing standards by preventing either a reduction or an increase in compliance requirements, not to mention further confusion. From a defensive point of view it is a qualified victory. The same deletion applies to the Engine Department in Chapter III/4. It looks like this:

Regulation II/4

Mandatory minimum requirements for certification of ratings forming part of a navigational watch:

1 Every rating forming part of a navigational watch on a seagoing ship of 500 gross tonnage or more, other than ratings under training and ratings whose duties while on watch are of an unskilled nature, shall be duly certified to perform such duties.

2 Every candidate for certification shall:

.1 be not less than 16 years of age;

.2 have completed:

.2.1 approved seagoing service including not less than six months training and experience, or

.2.2 special training, either pre-sea or on board ship, including an approved period of seagoing service which shall not be less than two months; and

.3 meet the standard of competence specified in section A-II/4 of the STCW Code.

3 The seagoing service, training and experience required by sub-paragraphs 2.2.1 and 2.2.2 shall be associated with navigational watchkeeping functions and involve the performance of duties carried out under the direct supervision of the master, the officer in charge of the navigational watch or a qualified rating.

~~4 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity in the deck department for a period of not less than one year within the last preceding the entry into force of the Convention for that Party.~~

*These requirements are not those for certification of Able Seamen as contained in the ILO Certification of Able Seamen Convention, 1946, or any subsequent convention.

This is a “housekeeping” amendment that merely deletes an antiquated grandfathering clause. More to the point is the new section II/5 and III/5. In STW 39 there amendment to the Code was drafted for consideration in the next meeting. Here at STW 40, those changes, which do include by reference the ILO Able Seaman Conventions that were put in place in part by Andrew Furuseth, were adopted as amendments. They will eventually appear like this:

Regulation II/5

Mandatory minimum requirements for certification of ratings as able seafarer deck:

1 Every able seafarer deck serving on a seagoing ship of 500 gross tonnage or more shall be duly certificated.

2 Every candidate for certification shall:

.1 be not less than 18 years of age;

.2 meet the requirements for certification as a rating forming part of a navigational watch;

.3 while qualified to serve as a rating forming part of a navigational watch, have approved seagoing service in the deck department:

.3.1 not less than 18 months; or

.3.2 not less than 12 months and have completed approved training; and

.4 meet the standard of competence specified in section A-II/[5] of the STCW Code.

3 Every Party shall compare the standards of competence which it required of Able Seamen for certificates

issued before [date] with those specified for the certificate in section A-II/5 of the STCW Code, and shall determine the need, if any, for requiring these personnel to update their qualifications.

4 Until [date], a Party may continue to issue, recognize and endorse certificates in accordance with the provisions of the Convention* which applied immediately prior to the entry into force of this regulation.

5 Until [date], a Party may continue to renew and revalidate certificates and endorsements in accordance with the provisions of the Convention* which applied immediately prior to entry into force of this regulation.

6 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity in the deck department for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party.

*This refers to the ILO Certification of Able Seamen Convention, 1946 (No.74).

This new section is critical to the design of training and apprenticeship programs for oceangoing mariners. It mostly retains existing U.S. regulation for the certification of able seamen with the exception of paragraph 2.3. That paragraph makes Rating Forming Part of a Navigational Watch will be a pre-requisite in gaining the sea service necessary for able seaman. In other words, sea service for AB will start only after attaining the RFPNW.

The delegation of Japan submitted a proposal to eliminate the new term “able seafarer deck and engine” from the STCW Code and make such a designation at the discretion of the Party (or national maritime administration.) Elimination of the terms “able seafarer deck” and “able seafarer engine” would put the responsibility of safe manning and competent operation of the ship at each Party’s authority. Provided that there were enough competent officers, general vessel utilities or other ratings then the Japan proposal would have allowed ship operations without the carriage of AB’s or QMED’s. This proposal was defeated in the working group but such initiatives are common. It is a good example of why labor must be vigilant at the international level, capable of immediately understanding the implications broad and deceptive language, and of raising spirited opposition when such initiatives are antithetical to our interests. Another example was an attempt by the Netherlands and others to make the Alternative Certification requirements under Chapter VII far more advantageous than the requirements of Chapter II or III. The United States does not deal much in this chapter since the Coast Guard issues most its course approvals under the primary chapters of the Code. But many countries do use these provisions to establish training programs for engine and deck cadets that allow for concurrent (deck and engine) satisfaction of sea service requirements. Expansion of this idea was stopped in the working group and the basic requirements are essentially the same as under Chapter II and III.

Chapter III Engine Department

Issues involving the engine department under Chapter III were mostly the revalidation requirements for engineers, reduced from 30 months to 3 months. After that, developments for unlicensed engine room personnel follow closely upon those for the deck department. In particular, the antiquated grandfathering clause from III/4 is now removed, and the draft language from STW 39 on the new section III/5 is adopted. That language is as follows:

Section A-III/5

Mandatory minimum requirements for certification of ratings as able seafarer engineer in a manned engine-room or designated to perform duties in a periodically unmanned engine-room.

Standard of competence

1 Every able seafarer engineer serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall be required to demonstrate the competence to perform the functions at the support level, as specified in column 1 of table A-III/5.

2 The minimum knowledge, understanding and proficiency required of an able seafarer engineer serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more is listed in column 2 of table A-III/5.

3 Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods for demonstrating competence and the criteria for evaluating competence specified in columns 3 and 4 of table A-III/5.

The next most important item affecting Chapter III

was the discussion centering around the proposal of many countries to create an Electro-Technical Officer or Rating within the Code complete with a table of competences. The debate was early in its IMO life, centering on whether or not to include it in the Code and if so whether or not the position would be an officer or a rating, known in IMO-speak as either the operational or support level. Although there was nothing definite decided, and the entire issue was referred to the intercessional working group and STW 41, there was considerable support for the German proposal to include both operational and support level in the new section.

The Comprehensive Review included additional changes for ARPA and radar training, marine environment awareness, celestial navigation, drug and alcohol additions, among others that space does not permit full discussion here but may be included in future editions.

Principles for Establishing the Safe Manning of Ships

Because it has now become impossible for flag states to continue to ignore that the severe under-manning of ships causes casualties, STW 39 agreed that it was necessary to develop a framework for determining minimum safe manning. With the work of an intercessional correspondence group as a starting point, STW 40 managed to produce some forward progress on the issue. After more and considerable procedural review, manning requirements in the future will be based first of all on the submission from the company. That proposal on the manning of its ships will take into account a series of ship-specific considerations such as the operational functions of the ship and the duration, frequency, and competence levels of the tasks involved in those operations. Other factors that must be taken into consideration are the capabilities required by the tasks within the context of sleep and circadian rhythm cycles, the mental and physical workload associated with each task, and the exposure limits to shipboard environmental conditions such as noise, temperature and toxins. Once these steps are taken, then the company will be required to include a workload assessment to determine whether or not a particular crewmember’s workload will not exceed the minimum hours of rest and/or work as provided in relevant national and international regulations. After all this is compiled and assessed, the proposal will be evaluated by the national maritime Administration against the relevant international and national regulations. If approved, the Administration will then issue a minimum safe manning document which is subject to periodic review and compliance monitoring.

The development of these manning standards took years of wrangling between two opposing schools of thought which can be loosely known as the prescriptive and goal-based schools. The proponents of prescriptive manning standards, most prominently voiced by maritime unions and the ITF, argued that only prescriptive manning levels could be effective. They said that the number and qualifications of positions on all ships to determined by regulation and enforceable port state control. Without such clear requirements, irresponsible operators and lax flag-of-convenience flag states would simply refuse to comply. The “goal-based” standards camp, on the other hand, argued that the complexity and variety of ships and their cargoes made prescriptive standards insensitive to the operational considerations and impractical. In STW 40, the goal based camp prevailed. Despite a watered-down standard, it is at least a standard, and the exact effect of its implementation is not yet known. The minimum safe manning document is at least theoretically enforceable. Those of the prescriptive school hope it provides a basis for future improvement.

The requirements of STCW will continue to influence the careers of mariners. An increasing effect on mariners new to the offshore trades, either in entry-level or migrating from an inland sector, can be expected. These mariners, as opposed to the many who grandfathered in before 2002, will struggle to meet both the sea service and competence requirements of RFPNW and RFPEW. Apprenticeship programs that include instruction, assessment and sea service will have to be developed to assist them in the qualification. For mariners who already meet the requirements of STCW there will be a lesser but still continuous, even inexorable, influence. Particularly as medical regulations are included into Part A of the Code, STCW and its interpretation will continue to creep into our professional lives.

ESU Office Assignments

For the month of April, Leo DeCastro will be in the Seabrook office.



MARCH 2008

Official Publication of the Exxon Seamen's Union

AMEU, Polar agree on tentative deal

The Atlantic Maritime Employees Union and Polar Tankers, Inc. (ConocoPhillips) have reached a deal on a new labor contract pending membership approval. This agreement follows difficult negotiations between the AMEU and Polar over the past few months. In January, the AMEU called for a strike vote from its membership that was approved by a vote of 98 for and six against.

The agreement is a four (4) year contract that takes effect on March 1, 2009, through February 29, 2012. The first year of the agreement is an extension of the existing agreement date to May 30, 2009, along with a five-hundred dollar (\$500.00) ratification payment, if ratified by April 3, 2009. Second year: One-and-one-half (1.5%) percent increase on all wage related items effective March 1, 2010. Third year: Two (2%) percent increase on all wage related items effective March 1, 2011. Fourth year: Three (3%) percent increase on all wage related items effective March 1, 2012.

Other non-wage related items highlighted in the agreement are as follows:

- Paid Leave penalty of one-quarter day (.25) to be retroactive to seventy-sixth (76th) day, if not relieved in contiguous U.S. or Hawaii after seventy-five (75) days.
- Minimum two (2) hour callout for Deck Department.
- Successorship clause amended to expire after 12 months after activation, or at the expiration of the contract, whichever time period is shorter.

In addition to the bonus paid in the first year of the agreement, Polar Tankers employees will receive an additional bonus of 5.625% of annual wages (2008 W-2 wages minus the 2007 bonus of 9%) for ConocoPhillips' corporate VCIP bonus award program. Polar fared less well than they have in previous years due to unfavorable results with the formula that is used to determine their annual bonus payment.

These annual bonus payments amount to significant payouts and have been paid consistently in addition to their contractual pay increases. Likewise, Chevron Shipping Company employees (SUP members) receive a significant annual corporate bonus, which is also paid on W-2 wages minus the bonus that was paid the previous year. Incidentally, the world's largest integrated oil company, ExxonMobil, does not provide a bonus program to its blue-collar workers.

The Spill: Personal stories from the Exxon Valdez Disaster

A new book, *The Spill: Personal Stories from the Exxon Valdez Disaster* (Sharon Bushell and Stan Jones), will be published on the 20th anniversary of the Exxon Valdez oil spill, which occurred on March 24, 1989.

The 288 page book, features interviews and personal stories with over 60 people involved with the spill, including people aboard the tanker, politicians, U.S. Coast Guard, reporters who covered the story, and cleanup workers.

It was reported in the *Anchorage Daily News*, that in the book, Joe Hazelwood, the captain of the Exxon Valdez offers, "a very heartfelt apology" to Alaskans for the disastrous oil spill in Prince William Sound. The article quotes further from the book that Hazelwood says, "I would like to offer an apology, a very heartfelt apology, to the people of Alaska for the damage caused by the grounding of a ship that I was in command of." Hazelwood now works as an investigator and technical consultant with a maritime law firm in New York.

The Exxon Valdez renamed the S/R Mediterranean in 1993 was transferred to ExxonMobil's foreign fleet a few years ago before being sold to a Chinese owner in 2007 for a reported \$32 million. The vessel was converted to a bulk carrier and may have many years of useful trading left, despite turning 23 years old this year.

The book was commissioned by The Prince William Sound Regional Citizens' Advisory Council, a congressionally mandated industry watchdog group formed after the spill. It will sell for \$17.95 through publisher Epicenter Press. The interviews were conducted by Homer-based writer Sharon Bushell, a longtime Alaskan known for her work in the "We Alaskans" series.

Final Departure: Nick Wise, Jr.



The ESU is deeply saddened to report that former ESU member Nicholas "Nick" Wise, Jr., 66, passed away on February 26, 2009, at the Rogue Valley Medical Center in Medford, Oregon. Although feisty until the end, Nick lost his battle against a very aggressive form of cancer.

Nick, an Able Seaman in the fleet, was employed with Exxon Shipping/SeaRiver Maritime from July 1990 until his retirement on September 30, 2006. He will always be remembered as hard working and a great shipmate to all that were lucky enough to have sailed with him.

The ESU and membership extends our heartfelt sympathy and prayers to Nick's daughter Skoshi, family and friends during this time of sorrow.

John McCarthy elected as Board Member at Large

On Friday February 27, 2009, the Seabrook office received from the American Arbitration Association (AAA) in New York the official tabulation of votes in the special election for the position of Executive Board Member at Large. This election was necessary due to a vacancy following the fall 2008 election of Union officers.

Out of a possible 159 ballots, the AAA received a total of 92 ballots, of which one (1) was neither opened nor counted. Two ballots were mailed by the same individual but only the latest postmarked ballot was counted. A copy of the voting results as provided by the AAA to the Union office was mailed to each vessel for the membership to review. The voting results were certified as follows (alphabetical order):

Doug Enslinger	6
David Franklin	5
Gordon Gibau	13
John McCarthy	67
Blank/Voids	0

The term for this position begins immediately and will run through the end of 2011. On behalf of the entire membership we congratulate John and welcome his participation and contributions as a part of the Executive Board. Also a special thanks is owed to all the candidates who were willing to step up and serve the membership. The ESU extends its thanks to all the members who demonstrated their support by taking the time to cast their vote in this important election.

The next regularly scheduled election of Union officers will not occur until October 2010. The election schedule for all Union officers is listed below:

ESU Executive Board	
President/Secretary	October 2011
Vice President/Treasurer	October 2010
Board Member at Large	October 2011
Board Member at Large	October 2011
Engine Trustee	October 2010
Deck Trustee	October 2010
Steward Trustee	October 2010
ESU Ship Representatives	
S/R American Progress	October 2010
S/R Baytown	October 2011
Kodiak	October 2011
S/R Long Beach (vessel retires year end)	
Sierra	October 2011
S/R Wilmington	October 2011

ExxonMobil Vision Plan

Due to the fact that this plan is relatively new to our group, ESU members need to be aware of a potential pitfall when you use the features under this plan. Most of the benefits are available to the participants on a frequency basis of once every 12 months (i.e. exam, spectacle lenses and contact lenses). Frames are covered on a frequency basis of once every 24 months. This 12-month frequency means you have to wait 12 months before you are eligible for new benefits. In the case of frames you have to wait 24 months since the last time you ordered a new pair of frames. Example: If you purchase contacts on April 1, you would then be eligible again to use the benefits under the plan on or after April 1, of the following year.

Incidentally, the vision plan is no longer called Spectera and is now called OptumHealth Vision. The administrator of the vision plan provides information about network providers, makes claims payments and benefit pre-determinations, and decides appeals of denied claims.

Also, for added convenience, OptumHealth will automatically submit eligible out-of-pocket expenses for reimbursement for you if you are enrolled in the Health Care Flexible Spending Account through the ExxonMobil Pre-Tax Spending Plan.

SeaRiver management issues warning slip for minor injury

Recently, one of our members received a warning slip for a minor injury that occurred while assigned to a SeaRiver vessel. The warning notice alleges that the individual did not follow specific job instructions from his supervisor.

The ESU is extremely disappointed and disagrees with management taking a punitive approach against unlicensed employees with regard to injuries in the workplace. This type of action can start to tear down the goodwill and support of safety programs that have been embraced by the employees and the ESU. Workplace injuries should be looked at as an opportunity to learn what happened and how we can prevent those types of injuries from happening again in the future. Employees that are directly injured normally suffer enough, with the injury itself and the potential loss of pay should the individual be placed on extended disability leave.

In any event, all members need to be careful and guard against a situation whereby you could be issued a warning slip should you deviate from work instructions from your supervisor. If your supervisor instructs you in specific terms on how he/she wants a particular job done and if during the job process you think there may be a better way of doing the job, you should go back to your supervisor for approval even if you have to make more than one trip. Apparently, the Company now prefers to micro-manage all aspects of your work instead of fostering a work environment that embraces resourcefulness and ingenuity.

TWIC reminder

All members are reminded that April 15, 2009, is the date for full implementation of the Transportation Worker Identification Credential (TWIC) program. Over the past few months TWIC has been gradually phased in at ports around the U.S. starting with the New England area last October. On April 14, 2009, the last Captain of the Port (COTP) zone will be in compliance (Guam, Houston/Galveston, Los Angeles/Long Beach, San Juan and Port Arthur).

The ESU is pleased to report that all unlicensed personnel employed by SeaRiver Maritime have been issued a TWIC card. If you haven't started already, everyone needs to remember to carry their TWIC card on his or her person when going ashore from the vessel. In ports where compliance is already in effect, terminals are not allowing crewmembers to return to a vessel after going ashore if they do not have their TWIC card with them.

In general, while TWIC holders should treat their cards with care, they were created to be durable in the maritime operational environment. The durability of the TWIC card has been tested to withstand card flexure, U/V exposure, humidity, surface abrasion, fading and an occasional trip in the washing machine. It's not recommended to hole punch your TWIC card since this will likely break

the antenna that resides at the edge of the card (the antenna is used for the contact-less mode of the card when using with access control systems). Punching a hole in a TWIC card should be strongly discouraged since it would affect the usefulness of the card.

At this time, if your TWIC card has been lost or stolen, you must go to an enrollment center to request a replacement, which costs \$60.00. While at the center, please ensure that you are given a receipt for payment as well as a ticket number, which is a record of your case. Please note that your replacement card will be shipped to the enrollment center where you initially enrolled. If you need your card to go to another location, please call the TWIC Help Desk at, 1-866-DHS-TWIC (1-866-347-8942) and request a card transfer. Once you have reported your card as lost or stolen, you may have seven days of unescorted access to a facility, at the facility's discretion, if you meet all of the below requirements:

1. The facility's security staff knows that you had a valid TWIC;
2. You have previously been given unescorted access.
3. You have reported your card as lost or stolen to TSA (which occurs when you receive your ticket number when ordering your replacement card).

Rigoberto Bonilla Retires

On February 28, 2009 Rigoberto Bonilla received a medical retirement on with 18 years of company service. Rigo began his employment with Exxon Shipping Co. as a maintenance seaman aboard the *Exxon North Slope* on November 1, 1991. In June of 1996 Rigo was promoted to Able Seaman and then in April of 2000 he transferred to the Engine department and was promoted again, this time to QMED-Oiler. His last assignment in the fleet was on the *Kodiak*.

Rigo will be remembered as a good shipmate, versatile on the job and a loyal supporter of the ESU. The Union extends its best wishes to Rigo for a long, healthy and enjoyable retirement.

Long Beach headed around Cape Horn



The *S/R Long Beach* prepares to depart Valdez in late February, with what is nearly a full load of Alaska North Slope crude. The vessel is currently headed south around Cape Horn to the U.S. Gulf for cargo discharge.

In last month's edition of the *ESU NEWS*, the *S/R Long Beach* was moored at Portland's Swan Island in short-term lay up status. The vessel was reactivated around the 3rd week of February and headed to Valdez for a full load of ANS crude for delivery in the U.S Gulf. Given that the ship is much too wide for the Panama Canal, she will need to take the long way, around Cape Horn and the entire continent of South America.

On March 4 and 5, the vessel stopped in Long Beach, California, for stores, additional fuel and crew reliefs before departing on a voyage that no SeaRiver vessel has taken for a long time. The last time a Company owned vessel made the trip was the *Exxon San Francisco* and *Exxon Baton Rouge* in the late 1980s. The trip will cover a distance that is more than half way around the world and a sea passage that will be approximately six weeks in length, depending upon vessel speed and weather.

The vessel is scheduled to discharge at the Louisiana Offshore Oil Port (LOOP). This port facility is located in the Gulf of Mexico, 18 miles south of Grand Isle, Louisiana in 110 feet of water. LOOP is the only port in the U.S. capable of offloading deep draft tankers known as Ultra Large Crude Carriers (ULCC) and Very large Crude Carriers (VLCC). Current Company plans for the *Long Beach* after offloading her cargo are uncertain at the present time.

Ship reports

S/R American Progress

An ESU Board officer visited the vessel on March 4, at the ExxonMobil Refinery in Beaumont, Texas. Ship Rep. Rudy Benavides aboard. Everything is running smoothly between Ft. Lauderdale and Beaumont.

S/R Baytown

Vessel continues to rotate discharge ports between Anacortes, WA and Benicia, CA. Ship Rep. Joe Bernavich communicates frequently with the Union office via e-mail and by phone. Questions about how the 10-day contractual leave of absence impacts company service. Leave of absences of 30 days or less does not adversely affect an employee's company time.

Kodiak

The *Kodiak* deviated from what has been her normal Valdez to Puget Sound trade by making a stop in the S.F. Bay area. Vessel discharged at Chevron Richmond on March 8-9. Regular Ship Rep. Tim Williams departed for paid leave and Shannon Wegner is filling in as Temporary Ship Rep. No problems reported.

S/R Long Beach

The vessel was visited by a Board officer on March 4. The vessel departed Long Beach, CA, on March 5, after

taking on stores and additional bunkers for the trip around the Horn. Ship Rep. Wayne Dymont returned from paid leave before the vessel left Portland for Valdez to load. Vessel slated to arrive in U.S. Gulf Coast around the third week of April.

Sierra

Vessel has been rotating discharge ports between Puget Sound and the S.F. Bay area. Recently the vessel had a couple of days at anchor in Port Angeles for repairs before discharging at Shell Anacortes. Ship Rep. Thor Floreen returned to the vessel in Anacortes. Thanks to Deck Trustee Pat Campbell for doing a great job in Thor's absence.

S/R Wilmington

A Board officer visited the *Wilmington* on March 7, at the ExxonMobil Refinery in Baytown, Texas. Ship Rep. Jeff Harris is still aboard. Shipyard bids are due back soon with a location decision before the end of the month. Vessel should start cleaning up for the shipyard after discharging in New York. It may be a long time before a SeaRiver vessel returns to the New York area since the *Wilmington* is slated to enter Mogas service in the U.S. Gulf following her shipyard period.



Crewmembers from the *S/R Long Beach* heading back to the vessel after stocking up on supplies in Long Beach, CA, in early March. The vessel stopped in L.A. for a day for crew reliefs, stores and bunkers. L.A. is the last stop until the vessel reaches the U.S. Gulf Coast in mid-April. Pictured from left: Robin Robinson, former ESU member and now 3rd Assistant Engineer, Zdzislaw Bak, John Moses and ESU Ship Representative Wayne Dymont.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Vice President/Treasurer Leo DeCastro

Board Member at Large Frank O'Malia

Board Member at Large John McCarthy

Deck Trustee Pat Campbell

Engine Trustee William Ackley

Steward Trustee Kurt Kreick

Aloha from the Maui gang



Maui pause for a photo op. From left: John Hamann, Mike ElMobdy, Knut Rasmussen, Art Thanash, Pio Aujero and Tom Gatmaitan. A happy ship!

Employee Free Choice Act continued from page 1

fully or repeatedly violated employees’ rights during an organizing campaign or while bargaining for a first contract. Under the measure, NLRB could seek an injunction in federal court when there is reasonable cause to believe that the employer has discharged or discriminated against employees, made threats to discharge or discriminate, or interfered with employee rights to organize or negotiate a first contract.

“Americans’ wages have been stagnating or falling for the past decade. For far too long, we have seen corporate CEOs take care of themselves and shareholders at the expense of workers,” Miller said. “If we want a fair and sustainable recovery from this economic crisis, we must give workers the ability to stand up for themselves and once again share in the prosperity they help to create.”

Supporters argue that the legislation would allow for the creation of more Unions, which would lead to greater protections for workers. Opponents argue that the bill would cost millions for businesses and lead to increased costs for products and services.

On one side of the debate are labor Unions and others, including American Rights at Work, the Sierra Club, the National Organization for Women, People for the American Way, the National Partnership for Women and Families, the National Resources Defense Council, the National Baptist Convention of America, the National Consumers League, and the National Association of Consumer Advocates.

On the opposing side are organizations led by the U.S. Chamber of Commerce and including the National Association of Manufacturers, the Center for Union Facts, the National Right to Work Committee, the Heritage Foundation, and the HR Policy Association.

Senator Mitch McConnell (R-KY) and other top Republican lawmakers issued statements of opposition immediately after Harkin’s press conference to unveil the bill. McConnell said the bill will “invite harassment and intimidation into the work place.”

Republicans have argued that the card check process opens workers up to intimidation and coercion and the threat of retribution based on whether or not they choose to publicly sign a card.

Congressional supporters of the legislation in June 2007 fell nine votes short of the 60 needed to limit Senate debate and proceed to final consideration of the bill. Prior to the Senate vote, the bill passed the House in March 2007 on a 241-185 vote. The bill to be considered this year contains the same legislative language.

It is considered a foregone conclusion that the House will approve the legislation again this year. However, the bill’s fate in the Senate may come down to the as-yet-unsettled Senate race in Minnesota between former Senator Norm Coleman (R) and Al Franken (D). “We’re waiting for Mr. Franken to arrive,” Harkin said.

The 51-48 Senate vote in June 2007 was almost completely along party lines, with 48 Democrats, two Independents, Senators Joseph Lieberman (CT) and Bernard Sanders (Vt.), and one Republican, Senator Arlen Specter (PA), voting for the cloture motion and 48 Republicans voting against it.

This time, Senate Democrats would likely have at least 58 votes for the bill, but would still need 60 votes to overcome an expected procedural obstacle from Senate opponents. Miller told reporters that he expects the Senate to take up the bill before the House. Harkin said the Senate would take up the bill “shortly after Easter recess.” President Obama supports the legislation, having campaigned on the issue last fall.

AFL-CIO President John J. Sweeney said the labor federation is confident the bill will become law. “The introduction of this bill so early is a strong message that Congress is ready to move forward to help working families build an economy that works for everyone,” Sweeney said. “It is common sense legislation that makes good on a simple promise: If a majority of employees in a workplace want a Union, they should be able to have a Union and bargain for a better life.”

During its annual winter meeting, the AFL-CIO Executive Council March 3 outlined the federations plans to secure passage of EFCA, including the ramping up of a nationwide grassroots campaign.

continued on page 12

Welfare Notes

March 2009

INITIAL ACTIVE ELIGIBILITY & COVERAGE

Active members become eligible for coverage in the month after they complete 120 eligibility mandays within a 12-month period. Once a member becomes eligible, the member must enroll in a plan for coverage. The medical and dental plan choices are dependent upon your residence or the port from which you ship.

CONTINUING ELIGIBILITY & COVERAGE FOR ACTIVE PARTICIPANTS

After the initial eligibility requirements have been met, continuing eligibility requires the participant to work at least 60 eligible mandays within the eligibility period. The time worked for continuing eligibility may change the beginning and ending months for the new eligibility period because continuing eligibility is a rolling eligibility period. The new eligibility period starts in the month following the 60th day worked.

As an example, if a member with a Group One Eligibility period January 1, 2009 through December 31, 2009 ships 60 Group One Days in June and July 2009, the new Group One Eligibility period will be August 1, 2009 through July 31, 2010. A new rolling eligibility period begins in the month following the 60th Group One Day worked. The time worked does not add 12-months onto his previous eligibility.

If a member with a Group Two Eligibility period January 1, 2009 through June 30, 2009 works 60 Group Two Days in March and April 2009, the new Group Two Eligibility period will be May 1, 2009 through October 31, 2009. A new rolling eligibility period begins in the month following the 60th Group Two Day worked. The time worked does not add 6-months onto his previous eligibility.

Group One Mandays can count for Group One, Group Two, or Group Three eligibility. Group Two Mandays can count for Group Two, or Group Three eligibility.

Group Three Mandays can count only for Group Three eligibility.

Group One eligibility is good for 12-months of member and dependent coverage. Group Two eligibility is good for 6-months of member and dependent coverage. Group Three eligibility is good for 6-months of member only coverage.

Please contact the SUP Welfare Plan office for any eligibility or coverage questions.

Michelle Chang, Administrator mcsupsiupd@sbcglobal.net

Patty Martin martinpatty59@sbcglobal.net

Virginia Briggs Claims vbriggs80@sbcglobal.net

Michael Jacyna Eligibility mjacyna67@sbcglobal.net

Training Representative Berit Eriksson 415-957-1816

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

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

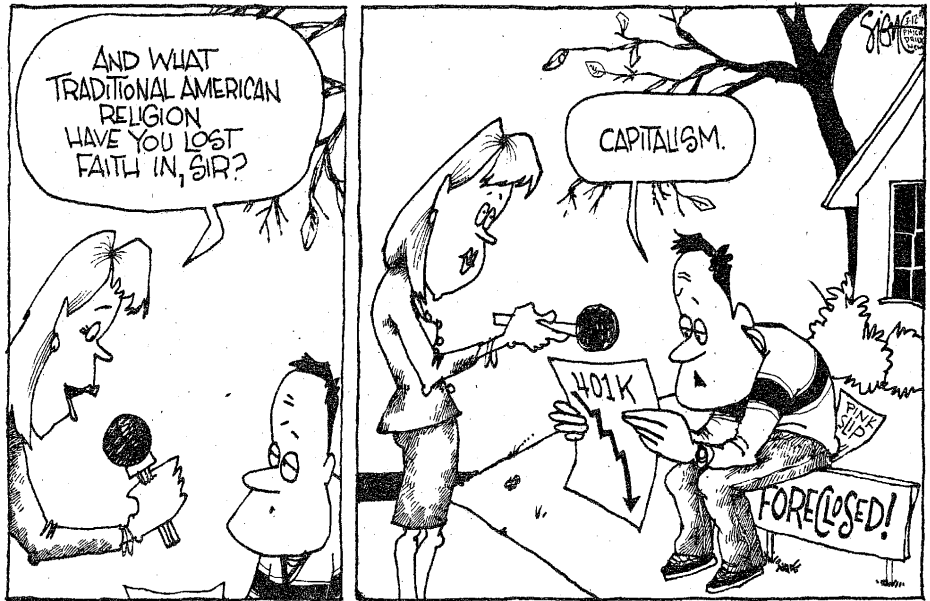
Hawai'i Superferry is dead

The Hawaii Superferry has ceased operations in the wake of a state Supreme Court ruling that said it was operating improperly ahead of an environmental impact report (EIR).

The high court ruled on March 16, that the state legislature overstepped its authority in passing a law that allows the ferry to operate pending completion of an EIR. This is the second time the high court has sided with the Sierra Club, Maui Tomorrow and the Kahului Harbor Coalition in their contention that the EIR should be completed before operations commence.

The state legislature quickly crafted a bill following the 2007 court decision that allowed the ferry to operate pending the EIR and it was that move that was ruled unconstitutional. Superferry officials said in a statement that they were “hugely disappointed” in the decision.

To proceed prudently, the company said it had “decided to cease operations for the present.” The ferry operates between Honolulu on Oahu and Kahului on Maui and carries 836 passengers and 200 vehicles.



Signe Wilkinson Philadelphia Daily News

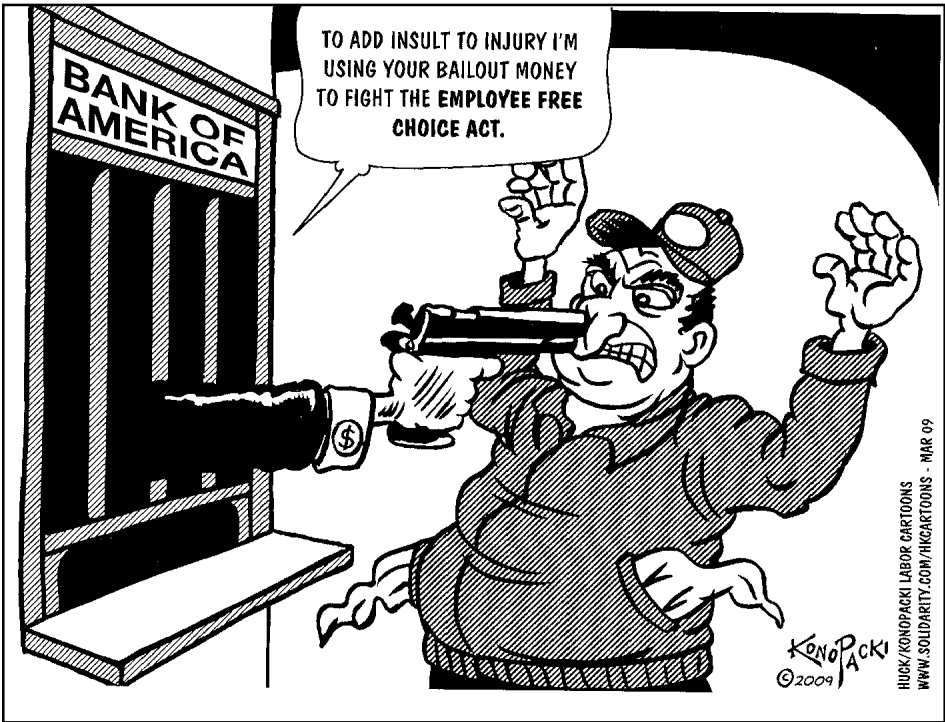
Transportation Worker Identification Credential (TWIC)

Enrollment Centers as of March 2009

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 neces-

sary 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.

Alabama Tennessee Valley Training Center 115 Woodall Rd., Ste. 105 Decatur 250 North Water St. Mobile Alaska 619 E Ship Creek Ave. Anchorage 3200 Hospital Dr. #202 Juneau 50097 Kenai Spur Nikiski 501 E. Bremner St. Valdez American Samoa Clarion Tradewinds Hotel Main Road, Ottoville Pago Pago Arkansas 2005 E 17th St. Little Rock California 2050 Park Road Benicia 301 E. Ocean Blvd. Ste. 500 Long Beach 1830 Embarcadero Ave. #104 Oakland Oakland Maritime Support Svcs. 11 Burma Rd. Oakland 1251 N. Rice Ave. Oxnard 13201 San Pablo Ave. #300 Richmond 1025 W. Laurel St. Ste. 103 San Diego 1900 Bendixsen St. Bldg. 12 Samoa 500 Sansome St. Ste. 202 San Francisco 1001 New Dock St. San Pedro 17 Fyffe St. Stockton 3633 Seaport Blvd. Ste. A West Sacramento Connecticut 175 N. Main St. Branford 75 Crystal Ave. New London Delaware 603 Christiana Ave. Wilmington Florida Port Everglades Badging Ofc. 1030 Taylor Rd. Dania Beach 955 Tallyrand Ave. Jacksonville Habana Plaza (rear) 3125 Riviera Dr. Key West	975 North America Way Miami Manatee County, Port Auth. 13604 Reeder Rd. Palmetto 707 Mullet Road, Stes. 117/118 Port Canaveral 5323 W. Hwy 98 Suites 119,120 Panama City 2051 Dr. Martin King, Jr. Blvd. Ste. 303 Riviera Beach 2604 E. 7th Ave. Tampa Georgia 777 Gloucester St. Brunswick 5214 Augusta Rd. Garden City Guam Jose D. Leon Guerrero Commercial Port 1026 Cabras Hwy. Boardroom Piti Hawai’i 2970 Kele St., Ste. 102 Lihue, Kauai 630 Kilauea Ave. Ste. 104 Hilo 1347 Kapiolani Blvd. Ste. 204 Honolulu 291 Hookahi St. Wailuku Illinois 8741 South Greenwood Dixon Building Ste. 153 Chicago 2914 W. Willow Knolls Dr. Peoria 1635 W. First St., Ste. 153 Granite City Three Rivers Safety Council 1615 W. Jefferson St. Ste. TWIC Joliet Indiana 4849 University Dr. Evansville 200 Russell St. Ste. 110 Hammond 3602 Northgate Ct. Ste. 37C New Albany Kansas Commerce Plaza 1, 7th Flr. 7300 West 110th St. Overland Park Kentucky 322 Harrison Ave. Paducah Louisiana Safety Council Building 7645 South Hwy 1 Addis Safety Council for Louisiana Capital Area, 8180 Siegen Ln. Baton Rouge	408 Jeanne St. Lafayette 1340 W. Tunnel Blvd. Ste. 550 Houma 3204A Gerstner Memorial Dr. Lake Charles LaPlace Shopping Center 1933 West Airline Hwy. LaPlace 800 Youngs Road Morgan City Port Fourchon Harbor Police 108 A.O. Rappelet Road Port Fourchon 170 James Dr. E. Ste. 104 St. Rose Maine 163 Hildreth St. North Bangor 236 Oxford St. Ste. 12 Portland Maryland 2200 Broening Hwy., Ste. 220 Baltimore 212 W. Main St. Ste. 204C Salisbury 3225 Old Washington Rd. Ste. 2106 Waldorf Massachusetts 300 Tremont St., Unit #5 Carver Boston Autoport 100 Terminal St. Charlestown Best Western Providence Seekonk Inn 45 Mink Street Seekonk Michigan Days Inn 1496 M 32 West Alpena 906 Ludington St., Ste. 1 Escanaba 863 North Pine Rd. Essexville 430 S. Water St. Marine City Holiday Inn 1851 US 41 West Marquette 800 E. Ellis Rd., Ste. 122 Norton Shores 200 W. Erie St., Ste. 1 Rogers City Best Western Inn 4335 I-75 Business Spur Sault Ste. Marie 396 N. State St. St. Ignace 1020 Hastings St. Ste. 105 Traverse City Best Western 21700 West Road Woodhaven	Minnesota 1310 Port Terminal Rd. Duluth-Superior 34 13th Ave., NE Minneapolis Mississippi 800 Highway 1 So. #B19 Greenville 1223 30th Ave. Gulfport Ergon Refining 227 Industrial Dr. Vicksburg New Hampshsire 30 Mirona Rd. Extension Ste. 2 Portsmouth New Jersey 2500 S. Broadway, Ste P-6 Camden 580 Division Street Elizabeth 33 Wood Ave. S, Ste. 665 Iselin 89 Beuning Street, Ste. G South Hackensack 400 Grove Road West Deptford New York 102 Smith Boulevard Albany 2680 Grand Island Blvd. Ste. 5 Grand Island 2752 Middle Country Rd. Lake Grove 178 W. Hoffman Ave. Lindenhurst Whitehall Ferry Terminal 4 South St., Room 210 New York One East 2nd St. Oswego 800 West Ave., Ste. 310 Rochester 700 Hummel Ave. Southold North Carolina 311 Atlantic Beach Causeway Atlantic Beach 5704 Oleander Dr. Ste. 107 Wilmington Ohio 4830 State Rd. Ashtabula 8044 Montgomery Rd. Stes. 754 Cincinnati Cleveland Burke Lakefront Airport Main Terminal Room 179 1501 N Marginal Road Cleveland 444 W. Perkins Ave. Ste. 102 Sandusky Star Center One Maritime Pl. 720 Water St. Toledo	Oklahoma 5350 Cimarron Rd. Catoosa Oregon 400 Virginia Ave. Ste. 112 Coos Bay 7025 North Lombard Ste. 100 Portland Pennsylvania 102 Broadway St. Ste. 400 Carnegie 50 West Powhattan Ave. Chester 1723 Woodbourne Rd. Levittown 601 Upland Ave. Ste. 120B Brookhaven Philadelphia Regional Port 3460 N Delaware Ave. Philadelphia 701 North Point Dr. Ste. 104 Pittsburgh Puerto Rico Prima Piso, Salon de Conf. Ave., Santiago de los Caballeros final, Edificio Turismo Playa Ponce Navy Frontier Base Ste. 1 408 Ave. Fernandez Juncos San Juan Saipan TSL Plaza. Suite 2C Beach Road Garapan South Carolina Residence Inn 5035 International Blvd. North Charleston Tennessee 3720 Amnicola Hwy. Ste. 101 Chattanooga Tennessee Valley Training Center 324 W. Mallory Ave. Memphis 60 Old Hickory Blvd. Old Hickory Texas Ford Conv. Ctr Tyler Room 5155 Interstate 10 S Beaumont 1000 Foust Rd. Brownsville 7433 Leopard St. Rm. 203 Corpus Christi 6000 Broadway Ste. 103 Galveston West Gulf Maritime Assoc. 1717 Turning Basin Ste. 100 Houston Gulf Gate, Ste. 314 2900 Woodridge Dr. Houston	621 W. Main St. LaPorte Brazos Mall Ste. 1039 100 Hwy 332 West Lake Jackson 3820 Highway 365 Ste. 500 Port Arthur 411 West Main St. Port LaVaca Mall of the Mainland 10000 Emmett F. Ste. 1272 Lowery Expy Texas City Best Western 8106 NE Zac Lentz Parkway Victoria Vermont 145 Pine Haven Shores Rd. Room 1132 Shelburne Virginia 814 Greenbrier Cir. Ste. F Chesapeake 11815 Fountain Way Ste. 300 Rm 359 Newport News Washington 8327 Summit Park Rd., Ste.D Anacortes 127 E. Intercity Ave. Bldg. G, Ste. C Everett Red Lion Hotel 501 S. First Ave. Ste. 201 Kelso 2815 St. Andrews Loop Pasco 4634 East Marginal Way S Ste. C150 Seattle 5009 Pacific Hwy. E Ste. 17 Fife Business Park Tacoma 33rd Place Bldg. Ste. 107 3305 Main St. Vancouver West Virginia Tri-State Fire Academy 4200 Ohio River Rd. Huntington Wisconsin 425 South Military Ave. Green Bay 3073 South Chase Ave. Ste. 620 Bldg. 28 Fl. 1 Milwaukee Virgin Islands 8000 Niksy Ctr., #217 Charlotte Amalie Renaissance Park Estate Anguilla Kings Hill
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According to reporting by Sam Stein in *The Huffington Post*, within three days of being approved for \$25 billion in taxpayers’ money, Bank of America officials hosted an October 17 conference call with key corporate leaders to strategize about the upcoming election and how to fight the Employee Free Choice Act in the next Congress. The call, which included major finance industry figures and representatives from big corporations (including AIG, itself a recipient of \$85 billion in taxpayer-funded loans), featured apocalyptic rhetoric and demands that those on the call donate to anti-Employee Free Choice Act politicians.

Chinese ports brace for bleak year ahead

Chinese ports are preparing for a bleak year as the full impact of collapsing U.S. and European consumer spending hits Asian export markets. Cargo figures already show a very sharp contraction in port throughput in the final weeks of 2008, with the grim performance figures continuing into the first two months of 2009. Some ports in southern China saw volumes plunge by a third, with no relief in sight. “The worst is yet to come,” China Merchants chairman and manager director Fu Yuning warned this month.

After years of sensational growth figures, Chinese ports will be lucky to see any net increase at all in 2009. China Merchants is provisionally forecasting nationwide throughput of 129 million teu, unchanged from 2008. But the figure could well be negative, Dr. Fu said in a speech to the Trans-Pacific Maritime Conference in Long Beach. That would be the first time that container volumes have remained the same, or even fallen, year-on-year, he said.

Hope is now being pinned on China’s massive stimulus package, which is being put in place at high speed as the government responds to the crisis of 20 million unemployed migrant workers. The one slightly encouraging development was an improvement in the number of loaded containers moved in the latter half of February, Fu told delegates to the conference, and by 2010, he thinks the worst may be over. But Cosco Research executive deputy director Simon Young told the same conference that there was no sign of any recovery in the container trades. Furthermore, the slump that has already spread to the car and bulk trades is likely to hit tankers as well, he said.

As trade conditions worsened, ports were also having to contend with the problem of empty containers piling up, said Modern Terminals general manager Vincent Li. “They are stuck in our yards, not moving and creating a challenge to operational efficiency.”

Inbound cargo slump puts squeeze on supply of containers for export

The container equipment shortages that threatened U.S. exports last year have resurfaced, though for very different reasons. Exporters are complaining there are not enough containers in parts of the country to meet their requirements, but this time it is not because of a sudden upsurge in overseas sales. Instead, it is the collapse in inbound volumes that has left insufficient boxes to handle outbound cargoes in some areas.

U.S. exports enjoyed a short-lived resurgence last year as the weak dollar lifted overseas demand. But as the bulk trades soared, many shippers such as farmers began to containerize their produce, only to have ocean carriers struggling to reposition equipment to the Midwest and other regions where there had never been much need for containers in the past. This time, the shortages reflect a precipitous collapse in trade that has left many containers being stored at ports or on sites close to the coast rather than inland.

Inbound U.S. container volumes plummeted in January, with most ports on the West Coast experiencing traffic declines of around 25%. Anecdotal reports indicate the February numbers were just as bad. The sudden fall-off has triggered a round of price cuts along the supply chain, with lines that have seen ocean freight rates plunge demanding lower charges from terminal operators, which in turn are telling port authorities to reduce their fees.

U.S. containerized exports are forecast to fall 9.4% this year after growing 6.5% in 2008, according to HIS Global Insight. A further small drop of 1.1% is projected for 2010. The slide for 2009 is not quite as bad as the 12% fall forecast for imports.

Vice President's Report

March 2009

Ships Checked

APL Singapore: Charlie Duke, delegate. Crew called-back under Shipping Rule 21 to join this laid-up ship in China. Rumors of rotating layups in the C-11’s continue. Advise all APL sailors to acquire Chinese visas to avoid restriction.

APL China: Robert Taylor, delegate. In at Oakland with no problems.

APL Korea: Remoni Tufono, delegate. Mick McHenry, bosun. Clean ship.

Matsonia: Company reported ship headed for layup in Richmond for the rest of the year.

Mississippi Voyager: Earl Eastmark, delegate. Company is going to begin more rigorous enforcement of existing medical policy with regard to physical fitness exams. If you are 44 years of age or younger you will be required to have a Company directed physical every two years. For those mariners 45 or older it will be an annual requirement.

Colorado Voyager: Bill Fisher, delegate. Call from the delegate in Swan Island shipyard. Issue regarding working on watch after 1700 and before 0800 discussed and resolved.

Arizona Voyager: Jennifer Corner, delegate. Ship now running into Tampa more or less continuously. With a short sea passage and a shift in Tampa the crew work and rest hours will require more attention.

Admiral Callaghan: Phil Romei, delegate. Noel Isumaru, bosun. Crewed up and sailed for Coast Guard exercise in Vancouver, Canada. Call from the delegate off Victoria on possible restriction. Investigation underway.

Cape Farewell: Keith Adams, delegate. Bob Vandermey, bosun. Called for small crew for crane work and barge maintenance in Beaumont, Texas. Also working the *Cape Flattery*.

Cape Jacob: James Bailey, delegate. Ventilation problems related to stairtower painting investigated. Mitigation procedures apparently sufficient.

USAV Worthy: Robert Bourne, delegate. Called back crew for joining in the shipyard Cairns, Australia. Email from the delegate indicates sailing for home port in the Marshall Islands is now delayed at least a week.

USNS Waters: Paul Harsany, bosun. Problems related to the mess deck relayed to the Company for further investigation. Re-positioning to the East Coast complete. First mission there beginning shortly.

Foss Maritime Company: Delegates Sean Gaddis, Tom Tynan and Mel Jackson. Company-required training payable under Section 17. Continued questions about Anderson-Kelly physicals and ramifications.

San Francisco Bar Pilots: Delegates Louie Urbano and Steve Ross. New vacation schedule worked out by the delegates. Future scheduling improvements under consideration.

Dave Connolly

Containership layups exceed 1.4 million TEUs this month

About 484 containerships with 1.4 million TEUs in capacity are in layup, reports the latest survey by the information service AXS-Alphaliner.

The company said that 11.3% of the world container fleet is in layup as of March 16. AXS-Alphaliner said that while the number of ships being idled is growing, the pace of layups has slowed. “It now remains to hope that the next peak season, which should kick off in May or June, maintains the positive momentum, if—and it is a big if—consumer confidence rebounds.”

AXS-Alphaliner noted about half the ships in layup, around 243, are charter market ships awaiting employment and have total capacity of just 370,000 TEUs. In contrast the other 241 ships are either owned or chartered and controlled by carriers and have total capacity of 1.04 million TEUs.

Editor’s Note: To receive the *West Coast Sailors* via first-class mail it’s \$25 per year U.S. mail; \$30 per year international.

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SUP President's Report

March 9, 2009

TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL

All hands are again reminded that April 15, 2009, is the deadline for U.S. merchant mariners to obtain a valid Transportation Worker Identification Credential (TWIC). Members will not be dispatched to a seagoing job or standby job unless they possess this federally-required document.

UNION FINANCES

As reported last month, the Union went into the red last year. Specifically, expenses over income totaled over \$331,000.

While the Union remains strong financially, continued deficit spending will weaken the organization. Therefore, austerity measures must be taken to reduce expenditures.

The major expense for the Union is wages, payroll taxes (Social Security and Medicare) and medical coverage for officers. Last year's wages and payroll taxes were over \$602,000 and approximately \$78,000 a year for medical premiums plus approximately \$4,000 in reimbursement to officers for medical costs. The Union pays medical premiums to the SUP Welfare Plan, but the Union, not the Plan, reimburses officers for prescription drugs, co-pays, etc., in the same manner as the Plan reimburses qualified participants.

Faced with the current deficit and mindful of the provision of the SUP Constitution Article XIV, Section 2(j) —that the President/Secretary-Treasurer “is directed to take any and all measures, and employ such means, which are deemed necessary or advisable, to protect the interests, and further the welfare and financial well-being of the Union and its members”—reluctantly wrote to all SUP officers on March 3, requesting that they take a voluntary 5% wage reduction for one year, beginning this week. All officers agreed with this request which will save the Union over the course of the year approximately \$61,430.

While the temporary wage reduction will make a substantial dent in overall costs, your secretary in conjunction with the other officers and the Union's controller are reviewing all expenditures and ways to increase income.

A Committee on Constitution will be elected at the June Headquarters and Branch meetings to consider proposed amendments to the SUP Constitution and to the SUP Shipping Rules submitted by the membership for inclusion on the 2009-2010 ballot. It is hoped that members will submit proposals that increase the financial obligation of members to their Union. A dues increase every 10 years is not going to make it. The officers of the SUP have taken a financial hit for the good of the organization, it's time for the membership to belly-up to the bar.

PATRIOT CONTRACT SERVICES

The SUP, MFOW and SIU-A&G were notified on February 18, by Patriot Contract Services that it intends to bid to operate eleven Maritime Prepositioning Force vessels. The ships are employed in the worldwide prepositioning of government-owned cargo, including, but not limited to, explosives and ammunition. The vessels may also be used for other government missions as directed.

Under the Military Sealift Command's Request for Proposal (N00033-09-R-3316), the vessels are divided into five “lots”. Lot 1 is a “small business set aside,” while Lots 2 through 5 are open to all bidders.

The various ships lots and anticipated delivery locations according to the RFP are as follows:

Lot #1: *USNS Martin*, Saipan; Lot #2: *USNS Stockham*, Diego Garcia; Lot #3: *USNS Wheat*, Eastern Europe. Lot #4: *USNS Bobo*, Eastern Europe; *USNS Button*, U.S. East Coast; *USNS Lopez*, Diego Garcia; *USNS Lummus*, Saipan; and *USNS Williams*, Saipan.

Lot #5: *USNS Kocak*, Diego Garcia; *s/s Obegron*, Diego Garcia; and *USNS Pless*, Saipan.

In accordance with past practice on competitive government bids the SUP in conjunction with the MFOW and SIU-A&G have had preliminary discussions on total unlicensed labor costs so that companies submitting bids have the same crew costs.

As reported last December, Patriot responded to an MSC solicitation to operate 11 Large Medium Speed Roll-On/Roll-Off (LMSR) vessels. The successful bid went to Ocean Ships, an SIU-A&G and AMO-contracted company.

FOSS MARITIME COMPANY

In accordance with the 2008-2012 collective bargaining agreement between the Sailors' Union and Foss Maritime Company covering tankermen, engineers, and deckhands employed in the company's bunkering operation in the San Francisco Bay Area, base hourly wages will increase by 3% effective March 1. Overtime is time-and-a-half the straight-time rate.

MARITIME TRADES DEPARTMENT

At the invitation of Mike Sacco, President of the Maritime Trades Department (MTD) AFL-CIO, attended that organization's Executive Board meetings on February 26 and 27, in Miami, Florida.

The MTD reiterated its support for various federal statutes that keep the industry afloat and U.S. merchant mariners employed. A series of policy statements including those regarding cargo preference, the Jones Act, and the Maritime Security Program, were acted upon by the delegates. However, the main focus of the meetings was the necessity to pass the Employee Free Choice Act and the enactment of legislation to ensure that all Americans have comprehensive, affordable health coverage.

Delegates were represented by representatives of labor, government and the military.

AFL-CIO President John Sweeney noted how labor had mobilized to elect President Obama and that the same effort is needed to pass the Employee Free Choice Act.

Larry Cohen, President of the Communications Workers of America, spoke extensively on the Employee Free Choice Act and quoted President Franklin Roosevelt as stating in 1938, that “I regard the expansion of collective bargaining as essential.”

Stephen Cotton, of the Seafarers Section of the International Transport Workers' Federation, painted a grim portrait of international shipping during the current worldwide international economic crisis with tonnage down due to lack of cargo, flag-of-convenience operators are freezing or cutting crew wages or in some instances not paying crews at all.

MTD delegates were also addressed by Representatives James Clyburn (D-South Carolina), the House Majority Whip; Bennie Thompson (D-Mississippi), Chairman of the House Homeland Security Committee; and Neil Abercrombie (D-Hawai'i). All praised the labor movement for its actions during the 2008 election cycle.

General Duncan McNabb, Commander of the United States Transportation Command (Transcom) gave an overview of the command and the critical importance of the U.S. merchant marine.

TRANSPORTATION TRADES DEPARTMENT

While in Miami, also attended an Executive Committee meeting on March 1, of the Transportation Trades Department (TTD), AFL-CIO, to which the SUP affiliated in 2006.

TTD President Edward Wytkind gave a comprehensive overview of the organization's activities and its effort to influence policy makers in the Obama administration and with members of Congress.

The Executive Committee was addressed by AFL-CIO President John Sweeney, by Representative James Oberstar (D-Minnesota), Chairman of the House Transportation and Infrastructure Committee and the new Secretary of Transportation, Ray LaHood.

HOLIDAY

Cesar Chavez' Birthday

All SUP halls on the West Coast will be closed on Tuesday, March 31, in observance of Cesar Chavez' birthday. As an ILWU holiday it is, therefore a recognized holiday for SUP members working under the APL and Matson Maintenance Agreements on the West Coast and for APL and Matson vessels in West Coast ports on that day. The holiday is also applicable to members employed by the San Francisco Bar Pilots.

Good Friday

In accordance with past practice, all SUP halls will be closed at noon on April 10, in observance of Good Friday.

Good Friday is a holiday under the Offshore and Maintenance Agreements with APL and Matson. SUP members in vessels in West Coast and Hawai'i ports shall be paid the overtime rate if required to work between noon and 3:00 P.M.

ACTION TAKEN

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

Gunnar Lundeberg

Piracy watch update

Shanghai Venture: A 53,410 dwt bulk carrier was fired upon by pirates off East Africa on March 10. Sources indicate 90 bullets were fired at the vessel.

A possible hijacking was averted after the alert bridge crew saw the speedboat approach on radar. The ship's crew were told to lock themselves in the bridge or the engine room while the vessel took evasive action. This involved zigzagging to prevent the likelihood of pirates being able to board the vessel, which was in ballast to load a cargo of coal in India. The pirates were also deterred from boarding after the crew opened the ballast tanks to allow ballast water to overflow the sides of the vessel to drench those below. Despite this, the pirates pressed home their attack and their armed assault shattered windows in the living quarters.

Blue Star: This Egyptian cargo ship was released by pirates on March 5. She and her crew of 28 mariners were captured in the Gulf of Aden on January 1. A ransom of \$3 million was reportedly paid.

Courier: A German-owned containership was attacked on March 3, in the Gulf of Aden by pirates firing rocket-propelled grenades from a small boat, however, a U.S. Navy helicopter chased them off.

Saldanha: ON February 22, this 75,000 dwt Greek-owned, Maltese-flag bulk carrier enroute to Slovenia with a load of coal was seized by pirates off the Somali coast. The crew is comprised of 19 Filipinos, two Romanians and a Ukrainian. The vessel was captured despite sailing within an agreed security corridor under naval protection. According to reports from the region, the British naval warship *HMS Northumbria* became aware of the incident when its radar showed the *Saldanha* dropping out of the corridor area. A helicopter from a U.S. warship was then sent to the scene, but by the time it reached the vessel, the master said that the crew had been taken hostage and asked the warship to keep away.

MLC Nancy 5: This 247 gross ton tugboat and her tow, the *Barge Miclyn 3316*, was hijacked in the Malacca Strait on February 19, near Penang, Malaysia. The master and the chief engineer, both Indonesian nationals, were kidnapped by the pirates. The crew was then allowed to take the vessels into port after the pirates took navigational equipment, radios and the personal belongings of the crew. On February 23, the master and engineer were released.

SUP Branch Reports

Seattle

February 17, 2009

Shipped during the period: 7 Able Seaman berths shipped and filled with 5 A-cards and 2 B-cards.

Registered during the period: 5 A cards for a total of 16; 12 B cards for a total of 25; 6 C cards for a total of 12.

Ships Checked

Matson vessels *s/s Maui* and *m/v Manoa* called twice in Seattle with little or no problems. The *President Jackson* called in New York. I spoke with delegate Duke Maringer who had quite a lot to say regarding food stores and reported this past voyage as a “lousy feeder!”

I represented the SUP at the following meetings: the Puget Sound Harbor Safety Committee; the King County Labor Council meetings; a Port of Seattle meeting including all Unions with collective bargaining agreements with the Port. During this meeting the Port’s CEO, Mr. Tay Yoshitani stated that drastic cost cutting measures must be put in place in order for the port to continue as a business due to plunging revenues from both of it’s airport and seaport divisions. Yoshitani said he did not want to lay people off and would consider wage freeze and work furloughs as an alternative to work force layoffs. In a sobering remark, Yoshitani stated that he receives five publications daily from China and that factory manufacturing orders are down 35-45 percent throughout that country.

With a falling economy, container traffic down and ships laid-up, the SUP continues to hold its head above water when it comes to putting our members to work. This also shows in the negotiated wages we earn, our pension monies wisely invested, and the medical benefits we enjoy. You may have to travel to a different port to get a ship, you may not get the run you want, but if you are an A or B seniority member you will get a berth. During the last spring, summer and holiday seasons, the Union shipped C members and D registrants to jobs from all of our dispatch halls and we continue to register qualified seaman to fill jobs on the open shipping board when the opportunity occurs. And this is a hell of a lot better than the rest of our sisters and brothers in the work-force are doing these days! If we want to hold on to what we have the membership must raise dues to keep up with the rising costs of accomplishing the business of the membership.

I am pleased to report to the membership that retired SUP member Tony Jones has been re-elected to his fifth term as an Executive Board member to the Pierce County Labor Council. Brother Jones represents the Hotel Employees and Restaurant Employees Union on the council which covers the Tacoma waterfront. Tony continues to provide valuable support to the SUP whenever the Union requires it!

Vince O’Halloran
Branch Agent

Wilmington

February 17, 2009

Registration: Class A 42; Class B 23; Class C 3.

Shipping: Bosun 2 AB 5 AB-D 2 STOS 1 STBY 42 TOTAL: 52

Ships Checked

Philippines/Maunawili/China/Korea/Maunalei/Manulani/Thailand/Singapore/Manukai/Pfeiffer/Mahimahi/Matsonia

Worked with MTD as their secretary treasurer on the Employee Free Choice Act and the Bill Gerisolia campaign. Also working with the L.A. County Federation of Labor and Harbor Coalition on your 30th Annual Labor Day event here in Los Angeles.

At one time there were Labor Day parades in most big cities but as time went by, now there are cities that say a Labor Day parade sends a message other than what they want their city to be known for. Brothers and sisters our president and his advisers are watching to see what our country wants and if you don’t do your part of the fight if you can not sacrifice a little of your time and help in are struggle. Then you will have to be satisfied to take your place in a cowardly retreat into the forgotten chronicles of history and let the liberal creeps speak for you. The struggle is yours so be a fighter. Take your place in the 30th Annual Labor Day parade and if someone tells you otherwise, question their motives. Captains there were people who predicted the Pearl Harbor bombing and the events of 9/11. So don’t skip your wash down dead animal and human waste carry deadly pathogens that can devastate our home land. Brothers our strength is in the quality of your work. We are not saying that we need to work fast but we do need to take pride in our work and let it be said that the SUP is a quality Union.

As always yours in struggle

Paul Calais
Branch Agent

Honolulu

February 17, 2009

During the month of January, dispatched 2 Bosun returns, 2 ABW returns, 4 ABD returns and 3 ABDs. Three jobs were fill by 8 A members, 2 B members and 1 D member. Also shipped 8 standby jobs filled by 1 A member, 2 B members, 3 C members and 1 MFOW member, for a total of 19 jobs shipped.

Registration during the month of January is as follows: 7 A member, 8 B member and 1 C member. To date, registered are: 11 A members, 9 B members and 6 C members for a total of 26 registered.

Ships checked

Mokihana, Mahimahi, and Maunalei (mandatory trip off procedure clarification). Matson domestic and offshore vessels delegates and deck gang checked by phone and stopped by Union hall. All with few or no beefs.

Paint & Rigging gang busy with Monte Kalama as bosun.

At our February 17 Honolulu Branch meeting, we had President Gunnar Lundeborg, Welfare Plan Administrator Michelle Chang, and MasterPlan representative Todd Smithpeter in attendance. They were very helpful and were kept very busy by the members, an especially significant task in these trying economic times.

On February 18, attended the Hawai’i Ports Maritime Council meeting. Discussion on the TWIC implementation on February 12, here in Hawai’i. Also talked on various Hawai’i state legislative bills pertaining to organized labor.

On February 28, along with John Lindsey, attended a memorial service at the ILWU hall for Ah Quon McElrath a Union social worker and activist. Large turnout for this well respected pioneer in labor and community organizing.

Pensioner Thomas Vail still on the binacle list in Tripler Hospital hospice.

Mike Duvall
Branch Agent

San Francisco Business Agent

March 9, 2009

Mahimahi— Tom Larkin, delegate: Triangle run, good shape; no disputes.

Manoa— Mike Dirksen, delegate, Edilberto Genita, bosun: Triangle run. Good gang; running smoothly.

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

Mokihana— Jim Savage, delegate: Car carrier. The crane is broken and has been for several trips. Begin repair ashore, will be placed aboard next trip.

Colorado Voyager— Paul Seager returned as bosun. Made at Long Wharf; good gang.

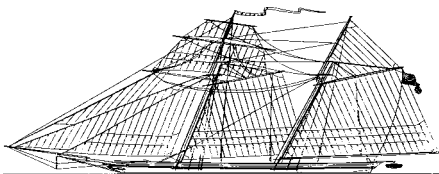
Bill Berger

Timely Reminder
Second quarter 2009
dues are due
and payable now!

SUP Constitution ARTICLE VI DUES AND INITIATION FEE

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

The initial installment of One Hundred Dollars (\$100.00) shall accompany the application of membership and the dues shall be One Hundred Fifty Dollars (\$150.00) per quarter, payable in advance.



Dispatcher's Report

Headquarters—Feb. 2009

Deck	
Bosun	0
Carpenter	0
MM.....	1
AB	4
OS	1
Standby	3
Total Deck Jobs Shipped	9
Total Deck B, C, D Shipped	2
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.	9
Total B, C, D Shipped-All Depts. ...	2
Total Registered “A”	47
Total Registered “B”	44
Total Registered “C”	4
Total Registered “D”	13

Support the SUP
Political Fund