

PRESIDENT'S REPORT JUNE 2022

APL

President Wilson

Work to improve conditions in this ship goes on. As reported in detail last month, the Chinese COVID-zero policy restrictions forced an extreme Shanghai lockdown which, among other problems, delayed the shipyard overhaul. Only recently, as restrictions eased, work slowly resumed and the ship finally shifted from the yard to anchor on June 7 for the last outfitting. Along the way, the SUP in concert with the other unions made several ambitious proposals to mitigate the hardship. Some were immediately or eventually successful such as improved communications, payment of lodging and overtime, contingency planning, storing and expedited provisioning process. Reliefs were always primary to our efforts, and various methods such as immediate Department of State-sanctioned reliefs, transfer of reliefs to other APL ships in Shanghai, or reliefs in next foreign port of call were rejected, or accepted only to be rejected again. The frustration and disappointment of crew based on expectations is understandable. At the outset, the SUP predicted trouble in this yard period and issued an early call for foreign reliefs. Although the request is simple, the satisfaction of that demand is complicated. The uncertainty around changing COVID restrictions and international travel for both joining and off-signing sailors including for example the shift in national definitions of “fully vaccinated” (last vaccine less than 180 days), different port state control rules around COI compliance, and a higher bar for clearance because of an extended period of exposure to China, only scratches the surface.

Navigating such problems are almost entirely within the company area of responsibility, but the SUP proposed relief plans, explored options, and requested but never received job orders. We cannot act unilaterally to ship foreign reliefs. Nor is the Union authorized to determine the safe manning required by the Certificate of Inspection. Incremental and slow, progress has nevertheless been made: and we keep at it. At the same time, we relinquish none of our responsibility to represent and advocate for members, to interpret contract terms, and in that vein no individual member is authorized to negotiate their own terms and conditions separate from the collective bargaining agreement for reliefs or as a grievance adjustment. On June 10, the Company informed the Union that reliefs in Korea were now not possible, this time adding a trucker's strike that had closed the port to the mix. Unless it changes again, the first port for reliefs will likely be Los Angeles.

President Eisenhower

The National Transportation Safety Board issued its findings on May 10th in an investigation report on the engine room fire in the *President Eisenhower*. The cause was determined to be an incorrect installation of a fuel oil tube compression fitting that failed and leaked which ignited and then set off secondary fires. The report noted that fire was first detected on the bridge wing by a SUP lookout who saw smoke coming from a hatch. Moments later alarms went off and the quickly mustered crew had fire teams running hoses and cooling boundary within 10 minutes. They also closed the forward upper engine room hatch, activated

fuel and ventilation shut offs, and initiated communications ashore. The fire teams made two controlled entries into the engine room and identified the fire as being too large to fight with hoses. After a safe exit, they released the CO2 in a controlled manner. In its final analysis the NTSB noted the importance of “realistic scenario-based training including engine room emergencies and found the crew response to be both “timely and effective” and according to a professional marine firefighter “textbook perfect.” Kudos to the entire crew.

GOVERNMENT MATTERS

EMBARC Standards: The federal government passed legislation to establish new maritime standards to prevent sexual assault and harassment. The Maritime Administration published notice in the Federal Register of the draft rules and called for public comment on what is known as the EMBARC standards (Every Mariner Builds a Respectful Culture) in Docket No. MARAD-2022-0057-004.

Because the rules are likely to have some effect on shipboard conditions, the SUP working with the Transportation Trades Department of the AFL-CIO and other maritime unions participated in the discussion and drafted for the docket a letter [available in meeting Communications] to ensure our voice is heard. Sexual assault and sexual harassment are never acceptable, and we joined with others for prevention in favor of safer workplace. We argued that the rules should protect victims while at the same time provide all mariners with basic due process protections. The comments reflect these points in a unified position on compliance, privacy, reporting, and training. This is the first step in rulemaking but the Maritime Administration has made it a priority so implementation could come soon.

Guidelines for Federal Workplace Drug Testing Programs: As has been noted in this report before, the U.S. Health and Human Services (HHS) Department has long had under review major revisions to the mandatory federal drug testing rules. We have lodged objections to some items in the past, such as hair follicle samples for testing. Now comes other proposed changes, in particular those submitted for public comment in the HHS SAMHSA 2022-0001 docket, that would waive future public comment posting for changes to the policy. This would allow, for example, the HHS to change the drug testing panel without public comment. The guidelines would also find anyone who did not show up for a pre-employment drug test, regardless of the reason, as having refused a test and thus treated the same as anyone having tested positive. This last could especially and unfairly impact mariners who are routinely engaged in pre-employment testing as a function of the rotary shipping system. Accordingly, we assisted TTD staff in a vigorous objection to the new proposed rules in a letter to docket. [See communications attachment package]

UFCW 5 NEGOTIATIONS

As reported last month, months of bargaining produced a tentative agreement was reached with Local 5’s Executive Board and management. After a series of meetings with the Negotiating Committee and the membership, the agreement was taken to a vote. With the able assistance of Alfredo Delgado and Elise Blazek as tellers, as coordinated by SUP VP Matt

Henning on May 16 the vote was overwhelmingly in favor and therefore ratified by members working under that contract.

The Agreement is for a three-year period ending December 31, 2024 and retroactive to January 1, 2022 with increases of 3% in each year. There were also incremental improvements to the sick leave, vacation, retirement, phone expense and vehicle allowance provisions, as well as an important recognition of start-date seniority for temporary personnel. Mr. Chairman, since a majority of members that will be working under the terms and conditions of this Agreement have voted in favor of it, I recommend ratification by the general membership.

MATSON NAVIGATION

Standby COVID rapid tests: On May 26, 2022, Matson management informed the Unions that in response to the recent surge in cases and ship outbreaks it was providing all halls with COVID rapid antigen home tests to be handed out for all standby dispatches. Management asked that dispatched standby sailors take the test 24 hours before turning to, to not turn to if positive, and to advise the dispatcher for replacement if possible. Done on the “honor system,” management said there would be no reporting, proof of testing required, or data collection or tracking associated with the program. There is no cost to the standbys and this only applies to standbys since crew are PCR tested separately.

Wage Increase: In accordance with the General Rules of the Offshore Agreement, in Section 36, between Matson and the SIU Pacific District, there shall be at least a three (3%) percent increase on all rates of pay and wage-related items (overtime, supplemental benefits, etc.) effective July 1, 2022. Also applicable is a cost-of-living increase based on the comparison of the May Consumer Price Index for all Urban Consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, to the previous May Consumer Price Index. The exact parameters and methodology of the cost-of-living increase for the Offshore as well as the Maintenance and Extra Maintenance Agreements, are still being worked out with management and will be published in the July issue of the *West Coast Sailors*. The *Kamokuiki*, which is covered under a separate Memorandum of Understanding has a three (3%) percent increase due on July 1, 2022 on all rates of pay. Finally, under Section 29 of the General Rules, there shall also be a \$0.25 per job day increase in the contributions to the Andrew Furuseth School of Seamanship.

Mr. Chairman, for the Offshore, Maintenance, Extra Maintenance and CV700 Agreements, I recommend that the entire negotiated percent increase amounts including cost-of-living adjustments to be allocated to wages and wage related items.

AFL-CIO, MTD AND CALIFORNIA LABOR FEDERATION CONVENTIONS

At the invitation of the president of the Seafarers International Union of North America, Maritime Trades Department President Mike Sacco, as well as by SIU Executive-Vice-President, Augie Tellez, I was informed that the 2022 Quadrennial Convention of the Maritime Trades Department AFL-CIO will be held on June 9th and 10th and followed by the 28th Constitutional

Convention of the AFL-CIO on June 12th and 15th, both in Philadelphia. On behalf of the membership, I will attend.

By notice from Secretary-Treasurer Art Pulaski, the California Labor Federation will hold its 34th Biennial Convention on July 26th and 27th in San Francisco. The work of the delegates at this convention will be to make labor endorsements for the November general election, as well as policy statements and resolutions. Mr. Chairman, the Union is entitled to six delegates, and I nominate existing CLF delegates SUP Vice-President Matt Henning and myself, as well as the San Francisco Business Agent Roy Tufono, and such other members as may be nominated and elected or shipped off the deck in case of any vacancies. Mr. Chairman, please call for nominations to the California Labor Federation Biennial Convention.

HOLIDAYS

Kamehameha Day: SUP halls will be closed in all ports on Monday June 13, in observance of Kamehameha Day, which falls on Saturday June 11. The monthly SUP HQ meeting, as noticed last month in the halls and in the West Coast Sailors is moved accordingly to June 14.

Juneteenth (National Independence Day): All SUP halls will be closed on Monday June 20, 2022, which falls on Sunday June 19, 2022. It is a contract holiday for Matson but not yet at APL.

Independence Day: SUP halls will be closed on Monday, July 4, 2022, in observance of Independence Day, a contract holiday.