



# West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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SAN FRANCISCO, CALIFORNIA

Friday, February 22, 2002

## Matson profits in 2001 despite weak economy

Matson Navigation Company, a subsidiary of Alexander & Baldwin, Inc. (A&B), made \$62.3 million in ocean transportation profit in 2001, a decrease of \$31.4 million, or 34%, from \$93.7 million in 2000.

Matson was hit hard in the fourth quarter of last year when its operating profit was \$1.9 million compared to \$19.8 million in the same quarter of 2000. According to the company the decrease resulted primarily from lower cargo volume, principally due to the post-September 11 effects on Hawai'i and costs of improving its terminal at Sand Island in Honolulu.

Matson's total Hawai'i service container volume in 2001 was 3% lower than in 2000 and its automobile volume was 7% lower.

A&B's consolidated operating profit for 2001 was \$247.6 million compared to \$158.6 million in 2000.

Allen Doane, A&B's president and chief executive officer, said in a press release, that "As you look more deeply into the 2001 financial results, the effects of 9/11 and a generally weak economic environment are evident. Added to these negative economic influences have been internal operating shortfalls primarily at Matson, where it was a difficult year in many ways. At the same time, A&B's real es-

tate business continued to perform strongly and we are pleased to report that our level of acquisition activity and investment in Hawai'i remains high.

"For background, the visitor industry is Hawai'i's largest business, affecting about one third of all jobs in the state. Travel during the holidays, and subsequently, has shown a steady recovery in visitors arriving from the U.S. mainland. The prospects for a comparable recovery in visitors from Japan, however, remains clouded by economic issues affecting that country, as well as by the reduced purchasing power of the yen.

"These external forces," Doane added, "directly influence the cargo marketplace for Matson. And even with continued favorable trends, it would take most of 2002 to regain pre-9/11 levels for the economic measures that influence our business most." To reduce the effects of the near-term downturn, the most significant action the company is taking is the reduction from eight to seven of the number of vessels operating in Matson's Hawai'i service.

Doane predicted that "A&B's earnings from core operation in 2002 will be lower than those in

**See Matson**

*continued on page 4*

## Economic expediency subverts maritime safety and U.S. domestic security

### STCW waiver for foreign mariners prompts Coast Guard meeting with American Unions

In the wake of the International Maritime Organization's (IMO) decision not to fully enforce the International Convention for Standards of Training, Certification & Watchkeeping for Seafarer's (STCW 95) until July 31, 2002, and the U.S. Coast Guard's determination that the vast majority of American merchant mariners must have been in compliance with the Convention by February 1, the Coast Guard called a meeting of seagoing maritime labor.

SUP President Gunnar Lundberg attended the meeting and filed this report:

"At the invitation of USCG Captain Mike Brown, head of the United States delegation to the IMO, met at Coast Guard Headquarters on February 13, in Washington D.C. to discuss issues related to STCW compliance. In attendance were representatives of the MM&P, MEBA, SIU-A&G/NMU and AMO. In addition to representing the Sailors' Union, was designated as the representative of the MFOW and Inlandboatmen's Union of the Pacific/ILWU. The Coast Guard's contingent was

led by Captain Ernest Fink, commanding officer of the Coast Guard's National Maritime Center, Captain Brown and other uniformed and civilian Coast Guard personnel.

At the outset, Captain Brown stated that the United States had no prior knowledge regarding the IMO decision to delay STCW 95 compliance for six months.

Each Union found this statement to be disingenuous since all the Union's had representatives at the IMO Conference in London in late January (including SUP Vice President Dave Connolly) and knew that flag-of-convenience nations and labor supplying countries were adamantly opposed to enforcing STCW on February 1 and that the U.S. delegation, led by the Coast Guard, did not oppose this delay.

All the Unions expressed dissatisfaction with what had transpired. The SUP's position was basic: by giving foreigners a six-month break, maritime safety is compromised worldwide and the Coast Guard's decision not to detain vessels in U.S. ports that were not in compliance with STCW 95 as of February 1, runs

counter to the U.S. government's maritime security pronouncements since September 11, 2001.

In addition, the government's decision to enforce STCW for American mariners and not for foreign seamen puts the U.S. merchant marine at a competitive disadvantage which is contrary to the longstanding policy of the U.S. stipulated in the Merchant Marine Act of 1936 to maintain and develop the industry.

The Coast Guard replied that foreign mariners are trained but there is a backlog in certain countries in processing the documentation. Although it was not stated at the meeting, the commercial maritime press has reported for months that tens of thousands of mariners across the globe have not taken the training necessary to be issued an STCW certificate.

When asked why the Coast Guard will not detain vessels not in compliance, the answer was that it would "impede commerce." That response indicated that the Coast Guard was not

**See Maritime safety**

*continued on page 3*



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## California workers' compensation benefit increase

In a victory for California's workers, Governor Gray Davis signed into law this month a bill to increase workers compensation benefits for the first time in 16 years.

Co-authored by Senator John Burton and Assemblyman Tom Calderon, the legislation was a top priority for the California Labor Federation.

Highlights of the bill are as follows:

### Temporary Disability

Increases the maximum weekly temporary disability benefits to \$602 for injuries occurring on or after January 1, 2003,

to \$728 for injuries occurring after January 1, 2004, and to \$840 for injuries occurring on or after January 1, 2005.

Increases the minimum weekly temporary disability benefits to \$126, without regard to earnings.

Commencing January 1, 2006, and each January thereafter, the maximum and minimum temporary disability benefit will be increased by an amount equal to the percentage increase in the state average weekly wage.

### Permanent Disability

Increases the maximum weekly permanent partial dis-

ability benefit currently between \$140 and \$230 per week to \$230 in 2006 for all partial disability ratings under 70% and \$270 for those above 70%.

Increases partial disability minimum from \$70 to \$130 per week, over four-year period.

Increases the number of weeks an injured worker may receive partial disability benefits.

### Life Pension and Death Benefits

Increases the life pension benefits by indexing it to the state average weekly wage for injuries occurring on or after January 1, 2003. For injuries occurring on

or after January 1, 2006, doubles the maximum to \$515.38.

Effective January 1, 2004, increases death benefits from \$125,000, \$145,000 or \$160,000 to \$250,000, \$290,000 and \$320,000 based on number of dependents.

## Inside:

- SUP Election Results** —Page 5
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- March 5 Primary California Labor Fed. Endorsements** —Page 9

# SUP Quarterly Finance Committee Report

## SUP QUARTERLY FINANCE COMMITTEE REPORT FOR THE QUARTER ENDED DECEMBER 31, 2001

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on January 14, 2002, hereby submits the following report:

### SUMMARY OF CASH AND INVESTMENTS

|   |                 |
|---|-----------------|
| General Fund .....                            | \$1,075,525.92* |
| Political Fund .....                          | \$966.17        |
| Strike Fund .....                             | \$1,293,730.99  |
| Total Cash and Investments 4th Qtr 2001 ..... | \$2,370,223.08  |

\*\$3,589.00 held for Wall of Honor not included  
\$16,600.00 paid 2/4/00 to AMMV for memorial

### GENERAL FUND

|   |              |
|---|--------------|
| Income:                                     |              |
| Dues, Initiation, Assessments .....         | \$106,563.50 |
| Interest .....                              | 38,530.68    |
| Donations - <i>West Coast Sailors</i> ..... | 1,745.00     |
| Tanker & Joint Committee, Hiring Hall ..... | 80,547.05    |
| Advertising & Promotion .....               | 430.95       |
| Miscellaneous Reimbursements, Fines .....   | 280.00       |
| Reimbursed Administrative Expenses .....    | 14,353.56    |
| Reimbursed Field Expense .....              | 25.78        |
| Contributions - General Fund .....          | 1,735.00     |
| Total Income: .....                         | \$244,211.52 |

### Expenses:

|  |            |
|--|------------|
| Auto & Travel .....                                | \$2,440.23 |
| Rent .....   | 11,553.81  |
| Postage, Printing & Office .....                   | 9,951.70   |
| Telephone & Telegraph .....                        | 5,704.23   |
| <i>West Coast Sailors</i> Publishing Expense ..... | 5,542.35   |
| Per Capita .....                                   | 13,372.50  |
| Salaries & Payroll Taxes .....                     | 169,922.46 |
| Office Workers Pension .....                       | 4,112.43   |
| Insurance .....                                    | 25,650.00  |
| Field Expense .....                                | 596.46     |
| Committee & Neg., Conference & Conv. ....          | 297.31     |
| Contribution .....                                 | 790.00     |
| Investment Expense .....                           | 1,452.47   |
| Officials' Pension .....                           | 640.46     |
| Flowers .....                                      | 168.70     |
| Advertising & Promotion .....                      | (9,008.43) |
| Legal & Accounting .....                           | 2,863.41   |
| Election .....                                     | 2,085.00   |
| Filing Fees .....                                  | 40.00      |
| Miscellaneous .....                                | 4.50       |

|                      |              |
|----------------------|--------------|
| Subscription .....   | 4,911.68     |
| Total Expense: ..... | \$253,091.27 |

### BUILDING CORPORATION

#### Income:

|  |             |
|--|-------------|
| Assessments .....                            | \$2,752.00  |
| Interest & Principle on Mortgage Notes ..... | 6,235.62    |
| Miscellaneous .....                          | 4.50        |
| Rents .....                                  | 64,807.26   |
| Total Income: .....                          | \$73,799.38 |

#### Expense:

|                                     |             |
|-------------------------------------|-------------|
| Building Services & Utilities ..... | \$28,683.83 |
| Repairs & Maintenance .....         | 14,925.62   |
| Salaries & Payroll Taxes .....      | 11,403.25   |
| Legal Expense .....                 | (22,806.89) |
| General Tax .....                   | 10,649.16   |
| Filing & License Fees .....         | 612.11      |
| Insurance .....                     | 1,710.66    |
| Total Expense: .....                | \$45,177.74 |

### POLITICAL FUND

#### Income:

|                     |            |
|---------------------|------------|
| Contributions ..... | \$3,426.00 |
| Interest .....      | 1.75       |
| Total Income .....  | \$3,427.75 |

#### Expense:

|                      |            |
|----------------------|------------|
| Contributions .....  | \$4,625.00 |
| Office Expense ..... | 12.00      |
| Total Expense: ..... | \$4,637.00 |

Net Income .....

|                    |             |
|--------------------|-------------|
| 1st Quarter .....  | \$47,653.37 |
| 2nd Quarter .....  | 4,148.89    |
| 3rd Quarter .....  | \$27,727.65 |
| Year to date ..... | \$98,062.55 |

/s/Romaine Dudley

/s/Ian McLeod

/s/John Kelly

/s/Bill Berry

/s/Thaddeus Cahill

*ACTION BY THE MEMBERSHIP February 11, 2002. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.*

## Final Departures

**Woodrow Leiter**, Book No. 3291. Born in Missouri in 1914. Joined SUP in 1937. Died in Los Angeles, California, December 14, 2001. (Pensioner)

**William Kalani**, Book No. 2250. Born in Hawaii in 1914. Joined SUP in 1935. Died in Hawaii, January 4, 2002. (Pensioner)

**Wilks Sullivan**, Book No. 5072. Born in 1912. Joined in 1935. Died in Washington, January 8, 2002. (Pensioner)

**Phillip Pino**, Book No. 3691. Born in Washington in 1926. Joined SUP in 1948. Died in Troutdale, Oregon, January 14, 2002. (Pensioner)

**John Hiram**, Book No. 3707. Born in Hawaii in 1915. Joined SUP in 1937. Died in Kirkland, Washington, December 26, 2001. (Pensioner)

**Robert James Claunch**, Book No. 3570. Born in Washington in 1917. Joined SUP in 1944. Died in Berkeley, California, January 27, 2002. (Pensioner)

**Louis Greenwell**, Book No. 2994. Born in Oregon in 1928. Joined SUP in 1967. Died in Union, Washington, January 29, 2002. (Pensioner)

**Durwood Brady**, Book No. 4503. Born in Idaho in 1922. Joined SUP in 1942. Died in Oregon, February 5, 2002. (Pensioner)



## Frisco waterfront gin-mill closes

Yet another old waterfront institution is sinking to the bottom. The venerable bar and restaurant, the Boondocks, closed for good on February 15. The Boondocks served its last lunch on Thursday, February 14, to a crowd of assorted waterfront vermin. All trades of the waterfront were well represented. San Francisco Dry Dock

sent a delegation. Former PFEL and Prudential-Grace Captain Adrian Jennings was in attendance with his son Chuck who is a cadet at the California Maritime Academy. Captain Frank Medeiros represented the Masters, Mates and Pilots. Bill Cantua led members of the American Merchant Marine Veterans to the lunch. Rank and file members Romaine Dudley and Rich Reed represented the Sailors' Union of the Pacific. As a parting gesture to the legendary old Boondocks, Dudley (affectionately known as "The Ranger") shook hands with everybody in the place 12 times!

The Boondocks will close for a couple of months and reopen with new owners at the helm, probably as some yuppified venue.

## SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2002:

|           | Hdq. | Branch |
|-----------|------|--------|
| March     | 11   | 18     |
| April     | 8    | 15     |
| May       | 13   | 20     |
| June      | 10   | 17     |
| July      | 8    | 15     |
| August    | 12   | 19     |
| September | 9    | 16     |
| October   | 15*  | 21     |
| November  | 12*  | 18     |
| December  | 9    | 16     |

\*Tuesday

## West Coast Sailors

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**Gunnar Lundeberg,**  
President/Secretary-Treasurer  
**Teresa Anibale, Editor**

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## ChevronTexaco considers buying Phillips Petroleum or Conoco, Inc.

The financial press reported late last month that ChevronTexaco is contemplating making unsolicited bids for either Phillips Petroleum Company or Conoco, Inc.

Phillips and Conoco announced last year that they intended to merge, but the transaction has been considered vulnerable by Wall Street analysts because it carries little or no price premium for shareholders of either company.

An acquisition of Phillips or Conoco would boost ChevronTexaco's oil and gas reserves and help it to cut costs.

Phillip's, whose subsidiary Polar Tank-

ers operates a fleet of vessels in the West Coast trades, would provide ChevronTexaco access to Alaska crude oil reserves in addition to creating so-called synergies in the Caspian Sea region. Conoco, on the other hand, offered ChevronTexaco similar synergies in Venezuela and the Gulf of Mexico.

The SUP represents all unlicensed personnel in ChevronTexaco's U.S.-flag fleet.

As the *West Coast Sailors* went to press, ChevronTexaco had not disclosed whether it is going to pursue purchasing either Phillips or Conoco.

## U.S.-flag LASH ships to become history

LASH (lighter aboard ship) vessels developed in the 1960s, put into service in the 1970s and used extensively by the now defunct Pacific Far East Lines (PFEL), are now in their last days under the U.S.-flag.

International Shipholding Corporation (ISC) of New Orleans announced that the three LASH vessels operated by its subsidiary, Waterman Steamship Company are earmarked for sale or lay-up. The ships in question are the 28,580 grt ton *Robert E. Lee* and sister ships *Stonewall Jackson* and *Sam Houston* all built in 1974.

ISC President Erik F. Johnsen said the vessels are listed as "assets for disposal," adding that capital replacement costs are too high to build new LASH ships.

PFEL pioneered the use of LASH vessels in the Far East, South Pacific and Persian Gulf trades prior to filing for bankruptcy in the late 1970's. The *Golden Bear*, *Japan Bear*, and *Thomas E. Cuffe* were then converted to containerships and sold to American President Lines which renamed them *President Grant*, *President Tyler* and *President Hoover*. APL in turn sold the vessels to Matson where they currently operate in the Hawai'i trades as *Chief Gadao*, *Eva* and *Lihue*.

## Another port security bill introduced in Congress

Proving that port, waterway and container security issues continue to dominate the maritime legislative agenda, U.S. Congressman David Vitter (R-LA) introduced on January 23 a new bill to protect America's marine assets from terrorist attacks.

H.R.3621, the Port Security and Terrorism Act, resembles closely S.1214, the Port and Maritime Security Act of 2001. That legislation, authored by U.S. Senators Ernest F. Hollings (D-SC) and Bob Graham (D-FL), passed the Senate by unanimous consent in December 2001. Yet they are not exact replicas.

Vitter's bill differs from the Hollings proposal by allowing only federal matching funds to assist ports in tightening security; the Hollings measure utilizes matching funds plus loan guarantees.

H.R.3621 also gives local authorities more decision-making responsibility to craft policies tailored to the specific needs of individual cities, whereas S.1214 attempts to integrate local, state and federal authority under one broad umbrella.

The Hollings bill authorizes \$390 million for ports to improve security infrastructure, and guarantees \$3.3 billion in loans for future infrastructure upgrades. The legislation also creates new sea marshal initiatives, mandates the establishment of port security committees to devise clear plans and improve inter-agency cooperation, and requires passenger and cargo manifests.

The Vitter proposal was referred to the House Transportation and Infrastructure,

Judiciary, and Ways and Means Committees. No hearing dates have yet been scheduled.

H.R.3621 joins three other pieces of maritime security legislation now under committee review in the House. Congresswoman Corrine Brown (D-FL) introduced last October H.R.3013, the Port and Maritime Security Act of 2001, which establishes standard training regimens, facilitates international cooperation, and includes funding for security equipment upgrades. It also forms a national task force which will provide federal safety and security guidance to seaports through the auspices of the U.S. Coast Guard, U.S. Customs Service, and the Maritime Administration.

On December 6, 2001, U.S. Representative John C. Cooksey (R-LA) introduced H.R.3432, the Seaport Security Enhancement Act, a bill that mandates the U.S. Coast Guard implement a Sea Marshal program at the 20 ports in the United States the U.S. Transportation Secretary deems most vulnerable to terrorist attack.

Congressman Clay Shaw (R-FL) added another proposal to the hopper on December 10, 2001, when he introduced H.R.3437, the Port and Maritime Security Act of 2001, which charges the Secretary of Transportation with establishing a Port Security Task Force, requires the U.S. Coast Guard to create local seaport security committees, and mandates that the Coast Guard conduct port vulnerability assessments.

Source: AMC Washington Letter

## Chinese crew trapped aboard flag-of-convenience slave ship off Angola

The crew of a Chinese-owned, Panamanian-registered passenger ship is being held in conditions so deplorable that Oslo-based *Trade Winds* shipping gazette has termed the vessel a slave ship.

The 4,992 gross ton *Green Coast* has been anchored off Luanda, Angola since May 2001 supposedly undergoing conversion into a floating hotel.

The ship's crew of 30 Chinese nationals have been held onboard for over a year and are being forced to work without pay and are being denied repatriation.

A spokesman for the International Transport Workers Federation (ITF) said that the crew "are being threatened by beatings and told that they will be thrown overboard if they refuse to work." In addition, "they are being fed substandard food and many are suffering from diseases caused by poor sanitary conditions and lack of medication onboard."

The ITF has taken the situation up with both the Panamanian Registry of Shipping and the Chinese embassy in Luanda with no results, despite a pledge of assistance from the Chinese government.

The *Green Coast* is registered under the ownership of Hong Kong-based Green Coast Shipping, but when the ITF attempted to visit the company's listed Hong Kong address, the premises had been vacant for months. Attempts to contact Fujian Shipping, the vessel's listed owner have also been unsuccessful.

The ITF is treating the crew as abandoned seafarers and is trying to make arrangements for them to be repatriated as soon as possible.

The *Green Coast* was originally built in 1960 in East Germany as the *Litva* for Black Sea Shipping Company. Sold in 1988 she subsequently operated under the names *Boguchar* and *Fujian* until she got her current handle in May 2000. The ship has reportedly lost all her certificates and is no longer insured.

## Mexican shipowners reject government's second registry proposal

Mexican shipowners this month rejected a government proposal to establish a second register for foreign-flagged vessels operating in that nation's domestic, cabotage trades.

The second register is one of the central planks of maritime legislation pending in the Mexican Congress.

The president of Mexico's chamber of Maritime Industry and Commerce, Rodolfo Mora Cordero, said the second register is "disloyal" and would produce unfair advantages "contrary to measures intended to promulgate the rescue of the merchant

marine and local cabotage fleet." He said the move would give foreign-flagged ships access to federal tax benefits, particularly those for port terminal and oil services, currently enjoyed by those operating under the Mexican flag.

The proposed legislation would require all foreign-flagged ships operating in the cabotage trades to flag in the second Mexican registry, employ Mexican mariners and pay taxes. Currently two-thirds of Mexico's domestic waterborne trades comprises foreign-flag vessels operating under government waivers.

## Maritime safety...

*continued from page 1*

calling the shots but was being directed by the Bush Administration. When maritime safety, the marine environment and maritime security are on the line, the economic royalists always seem to prevail.

The Coast Guard did state that foreign-flagged vessels entering U.S. ports would have to be in compliance with STCW 95 on August 1. Whether that in fact occurs, remains to be seen.

As far as enforcement procedures for American mariners, the following points were discussed:

1) The SUP proposed that the expiration date for STCW 95 certificates be the controlling date independent of specific training expiration dates. It was explained to the Coast Guard that the rules for Basic Safety Training (BST) renewal intertwine with rules for STCW renewal creating confusion aboard ship. Mariners with BST more than five years old must carry one-year's worth of discharges acquired during the previous five years for onboard interpretation. After a thorough discussion of the issue, the Coast Guard agreed to take under advisement the Union's proposal to have one date on the STCW certificate.

2) The SUP proposed that the "gap-closing" period for mariners who started sailing before August 1, 1998, be extended to July 31, 2002. This would permit U.S. mariners who were unable to take BST to complete that training which leads to an STCW 95 certificate. It would also allow those who, for whatever reason, had not secured the "rating forming part of a navigational watch" endorsement, to do so according to the transitional rules. This proposal would give U.S. mariners the same opportunity given foreign seamen.

The Coast Guard rejected this proposal stating that the agency had already extended the STCW compliance date until February 1, 2003, for U.S.

mariners engaged in the coastwise trades (up to 200 miles offshore). While that is good news for mariners so employed, it does nothing for those sailing in the foreign trades who had to be in compliance on February 1. The Coast Guard indicated that it reviewed this issue, but made no commitment that it would change its ruling.

3) The SIU-A&G/NMU proposed that Coast Guard's ruling on mariners who started sailing after August 1, 1998 be revised to take into account BST training completed or issuance of an STCW certificate. At some Regional Examination Centers, the Coast Guard is interpreting agency policy to mean that anyone, regardless of rating held, are being denied STCW certificates without first completing the watchstanding assessments, returning to sea, coming back and then reacquiring a rating that was already held — for example AB or QMED. The Coast Guard agreed to review its regulations.

4) The SIU-A&G/NMU proposed that the Coast Guard review its procedures for issuing STCW certificates to qualified military veterans that want to join the merchant marine. Currently many recently discharged veterans are being given the brush-off by the Coast Guard's Regional Examination Centers because their experience does not coincide—chapter and verse—with the Coast Guard's criteria. This problem is further exasperated with the February 1, implementation of STCW 95. The Coast Guard agreed to review its procedures.

Regarding delays issuing documentation, the Coast Guard is developing "tiger teams" to assist the Regional Examination Centers in Los Angeles/Long Beach, New Orleans, Miami, Charleston, Houston, and Boston in expediting the process.

Anticipate more meetings with the Coast Guard to clarify STCW and Coast Guard directives and procedures."

# SUP Honor Roll

Voluntary contributions from the membership to the following funds:

## Organization/ General Fund

|   |        |
|---|--------|
| Mike Binsky .....                             | 15.00  |
| Joe Campos .....                              | 50.00  |
| Lee Dancer .....                              | 20.00  |
| Dean Gille in memory of<br>Kenneth Head ..... | 50.00  |
| John Gouveia .....                            | 50.00  |
| Izzy Isnin .....                              | 50.00  |
| John Kelly .....                              | 50.00  |
| Steve Messenger .....                         | 25.00  |
| Leo Moore .....                               | 20.00  |
| Jonathan Rose .....                           | 20.00  |
| Art Thanash .....                             | 100.00 |
| Bruce Thompson .....                          | 50.00  |

## Political Fund

|   |        |
|---|--------|
| Ann Barrasso .....                                  | 10.00  |
| Rogelio Berioso .....                               | 10.00  |
| Mike Binsky .....                                   | 15.00  |
| Don Cushing .....                                   | 200.00 |
| Lee Dancer .....                                    | 20.00  |
| Martin Davies .....                                 | 20.00  |
| Mike ElMobdy Jr. ....                               | 20.00  |
| Jeff Evenhus .....                                  | 20.00  |
| Louis Frazier .....                                 | 40.00  |
| Leighton Gandy .....                                | 20.00  |
| John Gouveia .....                                  | 50.00  |
| Robert Greene .....                                 | 50.00  |
| Walter Harris .....                                 | 10.00  |
| Knud Jensen .....                                   | 20.00  |
| James Kerns .....                                   | 40.00  |
| Ernesto Legarte .....                               | 35.00  |
| Gunnar Lundeborg .....                              | 25.00  |
| Gil Managbanag .....                                | 20.00  |
| Steve Messenger .....                               | 25.00  |
| Vince O'Halloran .....                              | 100.00 |
| John Palenapa .....                                 | 20.00  |
| John Peterson .....                                 | 20.00  |
| Tom Phillips .....                                  | 20.00  |
| Ray Pinochi .....                                   | 10.00  |
| Michael Powell .....                                | 20.00  |
| Dale Rodriguez .....                                | 20.00  |
| Greg Schauf .....                                   | 20.00  |
| Hank Suhr .....                                     | 40.00  |
| Jack Swain .....                                    | 20.00  |
| Bruce Thompson in memory of<br>"Slats" Snyder ..... | 100.00 |
| Julian Torre .....                                  | 20.00  |
| Grant Wegger .....                                  | 50.00  |

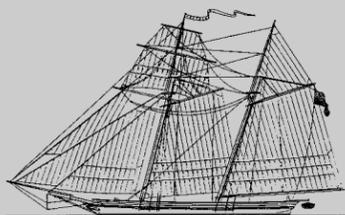
## Wall of Honor

(San Pedro Merchant Marine Memorial)

|                       |       |
|-----------------------|-------|
| Ann Barrasso .....    | 10.00 |
| John Gouveia .....    | 50.00 |
| Eli Lalich .....      | 50.00 |
| Ernesto Legarte ..... | 35.00 |
| Dale Rodriguez .....  | 20.00 |
| John Yee .....        | 50.00 |

## West Coast Sailors

|  |        |
|--|--------|
| Jerry Ah Sam .....                             | 10.00  |
| Gerald Allen .....                             | 50.00  |
| Red Bell .....                                 | 20.00  |
| Mike Binsky .....                              | 10.00  |
| Al Brown .....                                 | 10.00  |
| L.L.Ray Brown .....                            | 15.86  |
| Thomas Casynn .....                            | 100.00 |
| Lee Dancer .....                               | 10.00  |
| James Fernandes .....                          | 25.00  |
| John Gouveia .....                             | 50.00  |
| Robert Greene .....                            | 50.00  |
| Robert Hampshire .....                         | 25.00  |
| Izzy Isnin .....                               | 50.00  |
| Eli Lalich .....                               | 50.00  |
| Thomas Mariner .....                           | 25.00  |
| Venetta Muir .....                             | 20.00  |
| Robert Nash .....                              | 100.00 |
| Sven Ottersten .....                           | 50.00  |
| John Palenapa .....                            | 20.00  |
| Jon Pedersen .....                             | 20.00  |
| John Perez .....                               | 20.00  |
| George Pope .....                              | 20.00  |
| Charles Regal .....                            | 25.00  |
| Teo Roxas .....                                | 10.00  |
| Charlie Schroeder .....                        | 10.00  |
| Virgil Sieben .....                            | 5.00   |
| Augusto Silva .....                            | 10.00  |
| Jackie Silva in memory of<br>Ernie Silva ..... | 25.00  |
| Bruce Thompson .....                           | 20.00  |
| John Yee .....                                 | 50.00  |



## Dues-Paying Pensioners

|                   |            |                   |            |
|-------------------|------------|-------------------|------------|
| Archie Aki        | Book #3791 | Gunnar Larsen     | Book #3516 |
| John Battles      | Book #5512 | Peter Paul Liptay | Book #3725 |
| Roy R. Camerio    | Book #4577 | Joseph Napier     | Book #2299 |
| Richard Cummings  | Book #4666 | Frank Parks       | Book #3798 |
| Knud Jensen       | Book #3940 | John Perez        | Book #3810 |
| John Jewett       | Book #4291 | Charles Rafael    | Book #3141 |
| Tony Jones        | Book #4305 | Ralph Senter      | Book #7323 |
| Alfred Kerns      | Book #3167 | Kai Sorensen      | Book #7479 |
| Kaj E. Kristensen | Book #3120 | William Tice      | Book #3239 |
| Eli Lalich        | Book #4062 | Charles H. Wall   | Book #3420 |

## ATTENTION SUP MEMBERS

### Persian Gulf War Bonus—final notice

All claims by SIU-PD (SUP, MFOW, SIU-AGLIWD) members for war bonus benefits under United States District Court Case No. C93-01455 EFL must be submitted to Patriot Contract Services, attention Ms. Bobbi Wolff (Tel. 925-296-1906), by March 31, 2002, after which date the remaining funds will be forwarded to MarAd.

**THIS IS THE LAST AND FINAL NOTICE!**

# Oil spill traced to the wreck of the s/s *Jacob Luckenbach*

Federal and state environmental sleuths said this month they have tracked down the elusive source of the offshore oil spills that have killed tens of thousands of birds from Sonoma to Monterey counties over the last decade.

Oil samples gathered from the *Jacob Luckenbach*, a freighter that sank near the Farallon Islands half a century ago, match the petroleum found on the feathers of birds and in the tar balls and oil found on the shoreline and water.

Jubilant biologists and cleanup experts from the U.S. Coast Guard and the state Office of Spill Prevention and Response said the *Luckenbach* is believed the source for oil spills that occurred this winter and at least four other times in 2001, 1999, 1997 and 1992.

Now they face the daunting task of either sealing or raising the 468-foot steamship which lies in two or more pieces 17 miles southwest of the Golden Gate in 174 feet of watery .

The *Luckenbach* collided with Matson's *Hawaiian Pilot* on July 14, 1953, 18 miles southwest of the Golden Gate Bridge in a fog so dense that some other skippers preferred to wait it out. Both vessels were C-3 freighters built in the same shipyard.

As the *West Coast Sailors* reported on July 24, 1953: "The *Jacob Luckenbach* owned by *Luckenbach* Steamship Company but bareboat chartered to Pacific Far East Lines, put out to sea at 2:30 A.M. It was

bound for Yokohama and Pusan with general cargo and some military supplies.

Inbound was the *Hawaiian Pilot*, coming from Honolulu with 12,000 tons of sugar, molasses and pineapple. Both ships met some ten miles beyond the lightship. According to SUP members, the *Luckenbach* was hit squarely on the starboard side just aft of the midship house at 4:51 A.M. A vast wedge was opened for the sea by No. 5 hatch, extending nearly to the *Luckenbach's* center line. The ships hung together momentarily, the *Pilot* swung free, opening the shattered *Luckenbach* to the full in-rush of water.

There was no panic on either ship and no undue confusion. The *Luckenbach's* crew tried to save their ship until the decks were awash. Both ships were equipped with radar and had spotted one another on the screen before the crash.

The *Luckenbach's* engines were drowned by the first onrush of water through the gap and no power was available for the pumps. So at 5:20 A.M., nearly a half hour after the crash, the *Luckenbach* radioed for help.

The Coast Guard sent three 83-foot cutter. The Navy dispatched two tugs and the Army sped a tug and a crash boat. Three Red Stack tugs joined the parade as the *Pilot* radioed at 6:30 A.M.— *s/s Jacob Luckenbach* sunk. Rescued all crew of *Jacob Luckenbach* and now aboard *Hawaiian Pilot*. No serious injuries reported."

## Greek maritime labor federation warns cruise line not to flag-out

The Panhellenic Seamen's Federation (PNO), which is comprised of 14 seafaring unions, has issued a strong warning to Royal Olympic Cruises to stay with the Greek flag or face the consequences. Based on reliable information indicating that Royal Olympic was going to flag-out, PNO General Secretary Yannis Halas wrote to the company this month expressing the Union's "unpleasant surprise" over such action coming from a traditional Greek company. Halas stated, "We unequivocally declare that PNO is determined to protect the jobs of Greek seafarers on your ships, and to this effect we will use every available means, in Greece and abroad, to cancel your plans."

## Action urged to protect foreign mariners in U.S. Ports

Douglas Stevensen, director of the New York-based Center for Seafarers Rights, has urged that the United States "raise the bar of financial responsibility" by insisting that foreign shipowners prove by bonds or bank guarantees that they can repatriate or pay their crews before they enter American ports.

Stevensen wants legislation outlining a port state requirement for proof of re-

sponsibility covering repatriation and two-months wages. Such a requirement is on the books in Norway.

"It won't cost a good shipowner anything," Stevensen stated. "This is better than other proposals for mandatory insurance or creating an international fund which meant responsible shipowners had to subsidize their substandard counterparts."

## Matson...

*continued from page 1*

2001, at least for the first two, and possibly three, quarters." Doane added that, "In spite of these near-term issues, A&B stands out because of its low debt, the resulting strength in its balance sheet, and its high operating cash flow. With those advantages, we remain intent on taking actions that will increase shareholder value."

In related news, Matson announced early this month that it had sold the roll-on, roll-off/lift-on, lift-off containerships *El Yunque* (ex-*Kaimoku*) and *El Morro* (ex-*Kainalu*) to Sea Star line.

Both vessels were bought by Matson in 1989 and 1990 respectively and operated in the Hawai'i trades before being bareboat chartered to Sea Star in 1998 for use in the East Coast-Puerto Rico trades. At the time of that transaction, the SUP and MFOW were unsuccessful in persuading Matson to time charter the vessels instead of bareboating them in order to preserve the work for West Coast mariners.

Waterfront sources indicate that Matson wanted to peddle these vessels because of the poor profit margins of Sea Star. According to A&B's 2001 earnings report, Matson's profits were down because of "substantially lower results from investments in a shipping operation in Puerto Rico."

Sea Star is jointly owned by Salt Chuk Resources, Inc., Taino Star Investment, Inc. and Matson.

# SUP ELECTION RESULTS

## CERTIFICATE OF ELECTION

Election held December 2002-January 2003. Tabulated February 1, 2002, by Sequoia Voting Systems, Impartial Balloting Agent. This is to certify that the following are the true and correct results of the election:

### PRESIDENT/SECRETARY-TREASURER

Gunnar Lundeberg 768 ELECTED  
Mike Bailey 213

### VICE PRESIDENT/ASSISTANT SECRETARY-TREASURER

Dave Connolly 681 ELECTED  
William Henneberry 276

### SAN FRANCISCO BUSINESS AGENT

William Berger 664 ELECTED  
Paul Calais 286

### SEATTLE BRANCH AGENT

Vince O'Halloran 881 ELECTED

### WILMINGTON BRANCH AGENT

Mark Hurley 901 ELECTED

### HONOLULU BRANCH AGENT

Mike Duvall 898 ELECTED

### SUP BUILDING CORPORATION TRUSTEE

|                     |     |         |                  |     |
|---------------------|-----|---------|------------------|-----|
| Gunnar Lundeberg    | 820 | ELECTED | Bruce Smith      | 440 |
| Dave Connolly       | 785 | ELECTED | Terrance O'Neill | 320 |
| William Berger      | 680 | ELECTED | Robin Colonas    | 193 |
| Norman Christianson | 668 | ELECTED | Colin Dewey      | 193 |
| Paul Calais         | 450 | ELECTED |                  |     |

### SIUNA CONVENTION DELEGATES

|                  |     |         |                  |     |
|------------------|-----|---------|------------------|-----|
| Gunnar Lundeberg | 802 | ELECTED |                  |     |
| Dave Connolly    | 776 | ELECTED | Terrance O'Neill | 388 |
| William Berger   | 664 | ELECTED | Colin Dewey      | 223 |
| Paul Calais      | 460 | ELECTED | Robin Colonas    | 211 |

### CONSTITUTIONAL AMENDMENTS

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

|             |     |       |
|-------------|-----|-------|
| YES         | 229 | 58.3% |
| (FAILED) NO | 164 | 41.7% |

**Amendment #2.** Reduce quorum at Headquarters' meetings to 30 members:

|              |     |       |
|--------------|-----|-------|
| (PASSED) YES | 600 | 66.7% |
| NO           | 299 | 33.3% |

### SHIPPING RULE AMENDMENTS

**Shipping Rule #1.** Close the hiring hall on Saturdays:

|              |     |       |
|--------------|-----|-------|
| (PASSED) YES | 268 | 67.7% |
| NO           | 128 | 32.3% |

**Shipping Rule #2.** Dispatching the bosun's job aboard ship if no A or B members take the job when called at the hiring halls:

|              |     |       |
|--------------|-----|-------|
| (PASSED) YES | 274 | 70.6% |
| NO           | 114 | 29.4% |

**Shipping Rule #3.** Form a committee regarding requalification for bosun's stamps:

|              |     |       |
|--------------|-----|-------|
| (PASSED) YES | 256 | 66.7% |
| NO           | 128 | 33.3% |

**Shipping Rule #4.** Allow A, B and C members an emergency trip.

|              |     |       |
|--------------|-----|-------|
| (PASSED) YES | 267 | 68.8% |
| NO           | 121 | 31.2% |

*(Constitutional Amendments require two-thirds majority, Shipping Rule amendments require simple majority.)*

### SEQUOIA VOTING SYSTEMS

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

## Certificate of Ballot Mailing

|                          |       |                             |       |
|--------------------------|-------|-----------------------------|-------|
| Official ballots printed | 1,800 | Ballots accounted for       | 1,800 |
| Ballots used for mailing | 1,616 | Number of remailed ballots  | 0     |
| Spoiled ballots          | 0     | Undeliverable (bad address) | 42    |
| Duplicate ballots mailed | 53    |                             |       |
| Unused ballots           | 131   | /s/Robbin A. Johnson        |       |

## BALLOTING COMMITTEE'S REPORT

February 1, 2002

We, the duly elected Balloting Committee, herewith submit our report on the Sailors' Union of the Pacific election of officers, Constitutional Amendments, and Shipping Rule changes for the 2002-2004 term.

The Balloting Committee turned to at 0800 Friday, February 1, 2002, at SUP Headquarters, to check and to verify the standing of those eligible to vote in this election. We then met with the Impartial Balloting Agent from Sequoia Voting Systems, picked up the mailed ballots from the U.S. Post Office in San Francisco and transported them to the SUP Headquarters library where the vote took place.

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

The election count took place only after all the ballots were cross-checked with the master mailing list for verification and eligibility. After all of this was completed the official vote was run and tallied at 1:05 P.M.

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

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

Fraternally,  
SUP BALLOTING COMMITTEE

*William Berry #5719*  
*Rafael Cooper #4687*  
*Richard Cummings #4666*  
*Donald Cushing #4777*  
*Romaine Dudley #2593*



The crew from Sequoia Voting Systems begins counting the ballots in the library at Headquarters on February 1. Robbin Johnson, manager, non governmental election services, of Sequoia Voting Systems, is standing.

## Certificate of Accounting of returned mailed ballots

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

|                        |       |                     |
|------------------------|-------|---------------------|
| Returned voted ballots | 1,094 |                     |
| Ballots not counted    | 88    | /s/William Berry    |
| Ballots counted        | 1,006 | /s/Rafael Cooper    |
| Dues delinquent        | 9     | /s/Richard Cummings |
| Signed                 | 3     | /s/Donald Cushing   |
| No signature           | 8     | /s/Romaine Dudley   |
| C-cards                | 3     |                     |

## ESU Office Assignments

For the month of March, John Straley will be in the Baytown office and newly elected Secretary/Treasurer Leo DeCastro will be in the Benicia office.

# ESU NEWS

FEBRUARY 2002

Official Publication of the Exxon Seamen's Union

## Ambitious agenda fulfilled at 2002 Ship Representative's Conference

The 2002 Ship Representatives Conference officially kicked off on February 12 and concluded on February 15, 2002. The annual conference is designed to provide communication, training and information to the onboard Representative's. By accomplishing these goals, the very best representation possible is then provided to the members of the Exxon Seamen's Union. The Executive Board and Representatives undertook a highly motivated schedule in an effort to maximize the time provided. The level of participation far exceeded original expectations.

This year's conference was held at the Galveston Beach Hilton Hotel in Galveston, Texas and was attended by the following ESU Board members and Representatives: President Jerry Patterson, Vice President John Straley, Secretary-Treasurer Leo DeCastro, Recording Secretary Tom Thompson; Trustees: Engine Department Chester Bell, Deck Department Pat Campbell, Stewards Department Gerard Nelson; Ship Representatives Bill Ackley (S/R Galena Bay)

John Detwiler (S/R Mediterranean) Danny Jones (S/R Hinchinbrook), Bob Knight (S/R Charleston), Mark Myser (S/R Baytown) and Johnny Navarro (S/R Wilmington). Unable to attend this year's conference were Representative's Joe Graca (S/R Benicia), Michael Harrison (S/R Puget Sound) and Jack Patterson (S/R Long Beach).

Travel to the conference commenced on Sunday, February 10, with the ESU Board members, including the three Trustees traveling to Galveston from various points throughout the United States. The following is a synopsis of the weeks activities:

### Monday, February 11, 2002

The new Board met for the first time. Newly elected Board members Chester Bell (Engine Trustee), Patrick Campbell and Leo DeCastro (Secretary/Treasurer) were sworn in by ESU President Jerry Patterson. The Board reviewed and discussed a wide range of issues pertaining to the business of the ESU. Included were discussions on such topics as ESU finances, grievances, procedures and union communications to members and Ship Representatives.

Much of the afternoon session dealt with review, discussion and formulation of ESU goals, final preparations for the arrival of the Representatives and final discussions and adjustments to the agenda for the week. At approximately 1500 hours Ship Representatives arrived and welcoming remarks were presented by ESU President Jerry Patterson as well as SeaRiver Maritime, Inc. managers Ed Cahill and Dave Walker.

### Tuesday, February 12, 2002

SeaRiver Vice President Jack Buono greeted the assembled participants and presented a comprehensive overview of the company's present operations. Additionally, Mr. Buono offered his personal outlook as to SeaRiver Maritime's position within the industry for the future. A lively Q&A session also was conducted by Jack Buono touching on a variety of topics of interest to the membership.

Terry Thompson of the Benefits Department followed with a presentation focusing on the Blue Cross and Blue Shield Medical and Dental Health Plans. Mr. Thompson's presentation included historical information pertaining to

the plans and data used in ultimately determining health care premiums. Additionally, Mr. Thompson answered numerous questions and took note of several complaints and concerns in respect to BC/BS.

Regulatory, training and STCW issues were fielded by Captain Nils Knudstad. A comprehensive overview of the STCW was offered, including the historical evolution of the certification, implementation, pitfalls and

ner was held at Guido's Restaurant on Galveston Beach. All participants of the conference were present for this event as well as invited guests. Numerous members of the labor community in the Houston area were in attendance as well as President/Secretary Treasurer of the Sailors' Union of the Pacific, Mr. Gunnar Lundeberg.

All Ship Representative's were recognized for their willingness to serve as frontline representatives of the Union and a small token of appreciation was presented to them at the dinner.

### Thursday, February 14, 2002

Mr. Steve Fischer, Commissioner of the Federal Mediation & Conciliation Service hosted a work shop that included topics such as the history of Unions, bargaining preparation, establishment of a communication network, Weingarten rights, grievance handling and a video concerning four (4) companies that have accomplished exemplary Union/Management relationships.

The afternoon portion also included contributions from SUP President Gunnar Lundeberg and SUP Vice President Dave Connolly. The fraternal brothers, Lundeberg and Connolly discussed the ESU/SUP relationship and its continuing evolution. Additionally, Dave Connolly gave an extensive presentation on a variety of subjects involving the present condition of the maritime industry and forecasts for the future. Of particular interest to those present was Mr. Connolly's first hand knowledge of ongoing issues surrounding the STCW issue.

### Friday, February 15, 2002

Ship Representative's travel day—Union Training Committee members ESU Vice President John Straley and Trustees Chester Bell, Pat Campbell and Gerard Nelson met with management. The Joint Union Management Training Committee (JUMTC) discussed topics involving training that included availability of courses for the unlicensed, suggestions for future courses and issues surrounding renewal of the Basic Safety Training/STCW documents. In the afternoon the Executive Board met with management and conducted a communications meeting. Preliminary discussions were held concerning this year's timeline for contact negotiations. General discussions were also scheduled on topics such as the operation of the S/R Everett, grievance clarification and industry updates. The 2002 Ship Representative Conference ended with Board members traveling on Saturday, February 16. The Conference accomplished a great deal in the time allotted. Ship Representatives were provided with a wealth of up-to-date knowledge to better execute their responsibilities. The members of the Exxon Seamen's Union will benefit greatly from these Representatives efforts during this week. Thank you, Ship Representatives!



Ship Representative's Conference attendees from left to right: Chester Bell (Engine Trustee), Bob Knight (S/R Charleston), Leo DeCastro (Executive Board), Jerry Patterson (Executive Board), Pat Campbell (Deck Trustee), John Detwiler (S/R Mediterranean), Tommy Thompson (Executive Board), John Straley (Executive Board), Danny Jones (S/R Hinchinbrook), Johnny Navarro (S/R Wilmington), Mark Myser (S/R Baytown), Gerard Nelson (Stewards Trustee), and Will Ackley (S/R Galena Bay).

a "to date" assessment of SeaRiver's, as well as the membership's compliance. Future anticipated developments involving documentation and renewal of documents were also discussed. This particular segment of the days agenda generated many questions for Captain Knudstad, who has been intimately involved with the STCW/BST issue for quite some time.

The final speaker of the day was Mr. Mark Wertheimer, Fleet Manning Head, who spoke on a wide variety of manning issues. Mr. Wertheimer offered explanations as to how personnel levels are determined by the company and the level that SeaRiver is presently operating at. Participants were afforded during this segment an opportunity to question Mr. Wertheimer on a range of subjects including assignments to vessels, Christmas rotations and travel.

### Wednesday, February 13, 2002

New Ship Representative's were officially sworn in. Representative's spent the first part of the day developing bargaining issues in work groups. Later these groups came together as one to develop a manageable list of concerns that they felt mutually reflected the membership's interests as a whole. These issues were then presented to the four principal officers of the ESU.

Later in the day, ESU legal counsel and member of the bargaining committee, Ms. Sharon Groth joined the meeting and reviewed legal topics of concern to the Union, including a status report on a number of outstanding grievances. Ms. Groth also updated the officers on matters relating to ExxonMobil benefits.

The annual Ship Representative's Appreciation Din-



Among invited labor representatives in attendance at the annual Ship Representative's Appreciation Dinner were from left to right: Robert Martin (MEBA District 1), Denise Martin (ILA Local #1351), Steve Fischer (FM&CS), Richard Shaw (AFL-CIO/Harris Co.) and Wayne Farthing (MM&P).

## ESU News

## Arbitrator denies grievance

American Arbitration Association Arbitrator Jeffrey Tener rendered his decision on January 16, 2002, in the "Denial of Launch Service/SeaRiver Mediterranean" grievance and determined that the Company did not violate Article III, Section 7 of the Agreement when the Master disallowed launch service to the crew on September 24, 1999.

As earlier reported, a hearing was conducted on October 2, 2001, in Newark, New Jersey, in this matter. Representing the Union was Executive Board member Thomas Thompson as well as Union witness, former *S/R Mediterranean* Ship Representative John Munich. David Grossman, Esq., served as legal counsel for the Union.

The original third step grievance was filed due to the Master's refusing to allow launch service while the vessel was anchored at Trieste, Italy. Launch service was available and, in fact, had been utilized the previous three days. The Master of the vessel cited the signed foreign articles and language in the articles reading "Going on shore in foreign ports is prohibited except by permission of the Master" during the initial grievance investigation process conducted by the Ship Representative.

In hearing testimony the Company testified that the Agreement between the ESU and the Company is applicable between the Master and the unlicensed crew and that he is bound by the terms of the Agreement. Though, the Company countered the CSB language pertaining to launch service by citing Article III, Section 1, Management rights. This language in part states that, "The Company shall retain all rights of management resulting from the ownership or pertaining to the operation of the business..."

Counsel for the Union not only argued the merits of the Collective Bargaining Agreement but cited a Supreme Court de-

cision, *Aguilar v. Standard Oil*. A summation of which is found in Norris, 4th edition, page 187 which reads: "While by terms of the Shipping Articles, the granting of shore leave must be by permission of the Master, shore leave should not be made a matter depending upon his personal whims. Such leave is necessary for the mental and physical health of the seamen."

The Master testified at the hearing that he had concerns about granting shore leave as the vessel was anchored in an area that could be subject to the Bora winds. If the winds occurred, the Master contended that there was a possibility that crewmen ashore would not be able to board the vessel in time for the vessel's scheduled berthing at the dock the next day. Furthermore, the Master stated that it was his first docking at that particular dock and that he needed to insure that he had a full crew the next day for the docking operation.

Arbitrator Tener, in his decision, found that the Master did not act arbitrarily. He cited among other things that launch service for the crew had been provided the previous three days and accepted the Master's testimony that he was concerned about docking and discharging with less than a full crew as a result of the unpredictable Bora winds developing and creating problems for the crew if they were ashore. As part of Mr. Tener's decision, he offers that the Masters "...denial of shore leave on September 24, 1999, notwithstanding what turned out to have been a beautiful day with calm winds, was not a matter of personal whim."

Although, the ESU disagrees and is disappointed in the decision, the Union accepts it. Moreover, the Union finds nothing in the Arbitrator's ruling that alters the Company's obligation to adhere to the Collective Bargaining Agreement and federal law in the granting of launch service to its members.

## ExxonMobil and others avoid strike

On February 1, 2002, the Paper, Allied-Industrial, Chemical and Energy workers (PACE) International Union announced that the Union and Shell Oil had accepted an offer from oil companies, ending a threat of a strike at U.S. refineries. The strike notice, issued early on Thursday January 31, 2002, was rescinded on the evening of January 31, when negotiators from Shell Oil notified the union that it was coming to the table in Nashville, Tennessee, with a fresh offer. PACE had threatened a strike against six oil refineries owned by ExxonMobil Corp., BP Plc., ChevronTexaco Corp. and Philips Petroleum Co.

The tentative agreement between Pace and Shell Oil Co. serves to set the minimum standard for oil refinery contracts throughout the United States. At press time it is reported that almost all local unions have settled with their respective companies using this agreement as the standard. A number of Northern California locals experienced delays in coming to an agreement. Primarily, local pay issues surrounding the high cost of living in that region of the country contributed to the holdup in these refineries agreeing to terms with the locals.

ExxonMobil, as well as the other oil companies have told the union that they expect to accept the terms negotiated by the lead company, Shell Oil. The new four-year agreement runs from February 1, 2002 to January 31, 2006 and includes the following provisions:

- Yearly wage increases of 3.5%, 3.5%, 3.7% and 4% in the final year.
- Shift differential increases of 75 cents per hour, up from 50 cents per hour and an overnight shift differential of \$1.50, up from \$1.00 per hour.
- Agreement on job security including no-layoffs unless a plant is sold, closed or merged.

This agreement will increase oil workers salaries immediately, from an average yearly wage, excluding overtime and premium payments of \$48,000 to \$50,400. By the fourth year of this agreement the represented employees average annual base wage will be \$56,300. The ESU congratulates PACE on their successful conclusion to the 2002 negotiations.

## Special Ships Representative elections

Alan Squire, recently elected Ship Representative to the *S/R American Progress* has elected to resign from SeaRiver Maritime, necessitating a special election to fill the vacancy aboard that vessel. Additionally, the newly acquired *S/R Bristol Bay* will also require an election to place a permanent Representative. The nomination period for these two positions will start March 1, 2002 and run through April 30, 2002.

Eligibility requirements for the position of Ship Representative described in Article V, Section 1 of the Unions Constitution and By-laws follow: Candidate having his/her dues paid through the month in which the nomination is made and have at least two years of continuous service in the Company and be a member of the Union for at least one year. Members may either nominate themselves

or be nominated by other members in good standing.

Nomination forms can be obtained by contacting either Union office and should be available aboard all vessels. Forms must designate which position the candidate is seeking. Fifteen signatures of members in good standing are required for the position of Ship Representative.

Each candidate for office is requested to provide a campaign statement that will be presented to the membership. The deadline for statements and nomination forms to be received by the Union is before May 1, 2002. No exceptions can be made. If there could be any question concerning the timely receipt of the form(s) by the Union, they should be mailed by certified mail. All forms and statements are to be sent to the Exxon Seamen's Union office at Baytown, Texas.

## Ship reports

### S/R American Progress

Vessel visited at Shore Terminal, Martinez on February 5. Stewards Department concerns brought forward. Ship Representative resigned from company. New election to be held.

### S/R Baytown

Board visit on January 26 at Shore Terminal in Martinez, CA. No Major Beefs. Recently appointed Ship Representative Mark Myser present at Ship Representative Conference.

### S/R Benicia

No definite date yet offered on lay-up of vessel. Joe Graca, Representative on board. Communicating regularly with Union offices.

### S/R Bristol Bay

Vessel slated to enter SeaRiver service 3rd week of February. Final preparations at Cascade shipyard are being completed. Deck Trustee Pat Campbell as well as *Mediterranean* Ship Representative John Detwiler have been aboard her.

### S/R Charleston

Visited January 20 at ExxonMobil Dock, Beaumont, TX. Ship Representative Bob Knight in attendance at Ship Representative's Conference. No major beefs. Continues on Gulf run.

### S/R Galena Bay

Vessel staying in frequent contact with Union. Newly appointed Ship

Representative Will Ackley participated in Ship Representative's Conference.

### S/R Hinchinbrook

Ship Representative Danny Jones in attendance at Ship Representative's Conference. No beefs reported from vessel. Standing issue regarding mattresses being worked with shore side management.

### S/R Long Beach

Executive Board visit January 25 at anchorage #9, San Francisco Bay. Representative Jackie Patterson is still on the mend and was unable to attend Ship Representatives Conference. Vessel expected to continue split discharges.

### S/R Mediterranean

Ship Representative John Detwiler stayed stateside to attend the Representative's Conference. Communication continues to be a problem. Board and John are exploring ideas to better disseminate information to the vessel.

### S/R Puget Sound

Ship Representative Michael Harrison was unable to attend Conference due to scheduling conflict and is on board. No issues reported.

### S/R Wilmington

Johnny Navarro, Ship Representative to the vessel was a participant at the Representative's Conference. Vessel scheduled to be visited February 21. Vessel staying in contact with Baytown office.

## Domingo, Jones, Reneses and Wood Retire

The Exxon Seamen's Union has been recently notified that four of our good and loyal members have elected to retire from SeaRiver Maritime. They are Rolando Domingo, Tom (Tucker) Jones, Anthony "Tony" Reneses and Chiyon Wood.

Rolando, a Pumpman for many years, has had continuous service in the ESU since April of 1992. Tom Jones, likewise retires from the Pumpmen's list with service in the Union dating back to March of 1986. Tony Reneses, is an Able Seaman and a member in good standing since March of 1991. Ms. Chiyon Wood has been a supporter and member of the Union since September of 1981 and retires as Cook.

The Exxon Seamen's Union would like to express its most sincere thanks to each one of these individuals for the exemplary support that they have lent this Union throughout their careers. Furthermore, the Union and its members wish Rolando, Tom, Tony and Chiyon a very happy retirement.

## EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

701 W. Sterling Ave.  
Baytown, TX 77520  
Tel (281) 420-9276  
Fax (281) 422-0710  
E-Mail: esubay@msn.com

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

President Jerry Patterson

Vice President John Straley

Secretary/Treasurer Leo DeCastro

Recording Secretary Thomas Thompson III

Deck Trustee Patrick Campbell

Engine Trustee Chester Bell

Steward Trustee Gerard Nelson

# Sailors' Union of the Pacific/ Training Resources Ltd Schedule of Course Offerings for 2002

## STCW 95 Basic Safety Training

|                       |   |               |              |
|-----------------------|---|---------------|--------------|
| • Basic Fire Fighting | • Basic First Aid                           |               |              |
| • Personal Survival   | • Personal Safety and Social Responsibility |               |              |
| Mar 4-8               | May 6-10                                    | Jul 15-19     | Sep 23-27    |
| Mar 11-15             | May 13-17                                   | Jul 22-26     | Sep 30-Oct 4 |
| Mar 18-22             | May 20-24                                   | Jul 29- Aug 2 | Oct 14-18    |
| Mar25-29              | May 27-31                                   | Aug 5-9       | Oct 21-25    |
| Apr 1-5               | Jun 3-7                                     | Aug 12-16     | Oct 28-Nov 1 |
| Apr 8-12              | Jun 10-14                                   | Aug 19-23     | Nov 4-8      |
| Apr 15-19             | Jun 17-21                                   | Aug 26-30     | Nov 25-29    |
| Apr 22-26             | Jun 24-28                                   | Sep 9-13      | Dec 2-6      |
| Apr 29-May 3          | Jul 8-12                                    | Sep 16-20     | Dec 9-13     |

## Small Arms Training (MSC approved)

|         |           |              |          |
|---------|-----------|--------------|----------|
| Mar 4-6 | Jun 10-12 | Aug 26-28    | Nov 4-6  |
| Apr 1-3 | Jul 22-24 | Sep 30-Oct 2 | Dec 9-11 |
| May 6-8 |           |              |          |

## LMSR Vessel Training (MSC approved)

|              |                |           |              |
|--------------|----------------|-----------|--------------|
| Mar 19-29    | May 28 - Jun 7 | Aug 13-23 | Oct 22-Nov 1 |
| Apr 23-May 3 | July 9-19      | Sep 17-27 | Nov 26-Dec 6 |

## Survival Craft (Lifeboatman)

|           |           |           |              |
|-----------|-----------|-----------|--------------|
| Mar 18-22 | Jun 10-14 | Aug 12-16 | Oct 28-Nov 1 |
| Apr 15-19 | Jul 8-12  | Sep 23-27 | Dec 9-13     |
| May 20-24 |           |           |              |

## Training Information and Enrollment

### Contacts

Rich Reed, SUP Welfare Plan  
Tel: (415) 778-5490  
E-mail: supwelfarerep@hotmail.com

# Welfare Notes

February 2002

The Sailor's Snug Harbor in Sea Level, North Carolina has a history of caring for the retired merchant seaman. Many retired sailors may not be aware of the fact that Snug Harbor is not just a residential facility. It also offers The Mariners Outreach Assistance Program that can be used by retired mariners while living in their current home.

The Sailor's Snug Harbor has a history of caring for retired merchant seaman. In 1801, Captain Robert Richard Randall declared through his will that a facility be established to care for "aged, decrepit and worn-out sailors." The first facility opened in 1833 on Staten Island. In 1976 the facility moved to Sea Level, North Carolina.

Changes in the maritime industry and society as a whole have brought about the implementation of the Mariners Outreach Program. Through this program, qualified retired seamen can benefit from Captain Randall's bequest while staying in their own communities. Some examples of assistance that the Mariners Outreach Program can help with are rent, health insurance, auto payments, auto insurance, electric bills, phone bills, water and sewer bills.

Benefits from this program are paid directly to the vendors, service providers or creditors. This helps the retired mariner avoid tax liability and will not affect eligibility from most other entitlements or other forms of assistance. Sailor's Snug Harbor says their goal is "to provide some financial assistance so career seaman may enjoy their retirement years to the fullest."

When applying for this program some of the things the retired mariner will be asked to do are to complete an application and include recent tax returns and financial documents. Also copies of ten years of Coast Guard discharges will need to be submitted, and an in home visit may be arranged by Sailors' Snug Harbor.

For information on this program you may reach Snug Harbor at 1-800-257-5456. You may also log on to their website at [www.snugarborhome.com](http://www.snugarborhome.com) or you may contact Rich Reed at the SUP Welfare Plan.

### SUP Welfare Plan

450 Harrison Street, San Francisco CA 94105

#### Telephone Numbers:

- Main..... (415) 778-5490
- Eligibility active members/dependents ..... (415) 778-5491
- SUP Money Purchase Plan, SUP 401(k) Plan,
- Pensioner Medical Benefits..... (415) 778-5493
- Toll Free Number ..... (800) 796-8003**

# REPORT FROM THE IMO by Dave Connolly

In front of the International Maritime Organization (IMO) building in London, a bronze seamen stands on the bow of a ship, coiled up line in his right hand. It is an impressive monument to the world's seamen, whose safety is purported to be the central purpose of the IMO. But close inspection reveals improper, surreal rigging. Neither stay nor shroud support odd, disproportionate booms, and runners end mysteriously inside unreeved blocks. Of course, artistic realism is symbolic, and to insist on a perfectly accurate portrayal might lack sophistication, but in the eyes of the seamen to which it is dedicated, the monument will appear awkward, improbable, and false.

During the week of January 21-25, I traveled to London as part of the official U.S. delegation to the IMO's STCW Subcommittee. Along with my State Department credentials, came a stern warning—"you are not to speak or negotiate for the United States." Therefore, like the rest of the civilian delegation, my role was to witness, to seek clarification, and to register mostly unheeded objections.

The agenda held numerous items, but the major focus was entitled "Follow-up Action to STCW 95," a benign name for what became the insidious business of extending the deadline for compliance to the STCW 95 requirements from February 1, 2002, to July 31, 2002. Under the pressure of flag-of-convenience registries, who despite seven years of transition were unable to comply with STCW requirements, the member states of the IMO agreed to

extend the deadline for full STCW compliance. The United States tacitly supported this position by remaining neutral. Why?

After September 11, the U.S. Coast Guard made maritime security its primary focus. But at the IMO, the United States referred all security issues to a later conference so that any such discussion would take place within the context of U.S. proposals. It is not certain, but it appeared obvious that in exchange for member state agreement to discuss U.S. security proposals in February, the United States would remain neutral on the STCW compliance deadline.

Beneath the maritime security maneuvering, an even more powerful influence lurked. The STCW Convention as amended provides for clear and universal standards of competency for seagoing crews. It provided a transition period to allow all nations to train for compliance. It also provides a dependable way to enforce the rules—specifically that port states are given the authority to detain ships with major non-conformities until they are rectified. Of course, detaining ships would necessarily affect shipping, and the world's low standards flag-of-convenience registries would be especially hard hit. Since such flags carry more than 70% of the world's freight, the potential impact on the economy of the world's greatest trading nation—the United States—could be substantial.

In the end, the United States blinked. U.S. representatives indicated to me in London and Gunnar Lundberg in Wash-

ington, D.C., that it could not afford retaliatory detentions in foreign ports, that no one else had opposed the extension, and that the decision was only guidance not law and therefore did not merit protest. But finally and especially U.S. representatives admitted that the underlying reason for not opposing the deadline extension was a fear of impeding commerce.

If flag-of-convenience vessels were detained in U.S. ports, some significant portion of that cargo would be diverted to U.S.-flag ships not in danger of being detained. In this way, the U.S. maritime industry was denied a competitive advantage that it had worked hard for. Additionally, since the original deadline still applies for U.S. mariners, the net result is the creation of a new double standard in world seafarer certification. Instead of all mariners being held to the same clear and measurable standard, which is what STCW is all about, now U.S. mariners will be held to a higher standard than the rest of the world. Theoretically, that inequity will only last until July 31, 2002. But given the permeability of recent deadlines, future deadlines are also suspect, as is the entire Convention.

Moreover, the new grace period endangers the maritime security of the nation's harbors, rivers and coastlines, since foreign mariners will not meet prior expectations of training and certification. Without detentions, there is little compliance incentive for bottom-feeding operations. Therefore Americans cannot be sure that some foreign-flag mariners traversing



Monument to seamen at the IMO building in London

U.S. waters are competent to put out fires, understand basic prohibitions against dumping oil in the water, and know the difference between the English helm orders "hard left" and "hard right."

The SUP will continue to pursue answers, and in some cases amendment, of Coast Guard STCW interpretations. If the monument outside the IMO is meant to represent the IMO itself, rather than the world's seamen, it is perfectly fitting. The statue, like the organization, has something to do with those who make their daily bread at sea, but what it is ain't exactly clear.



# California Labor Federation

## March 5, 2002 Primary Endorsements

**As passed by delegates to the pre-Primary Convention of the California Labor Federation on November 28, 2001**

**Governor: Gray Davis (D)**

Lt. Governor: Cruz Bustamante  
 Secretary of State: Kevin Shelley  
 State Controller: Johan Klehs (D)  
 State Treasurer: Phil Angelides (D)

Attorney General: Bill Lockyer (D)  
 Superintendent of Public Instruction: Jack O'Connell  
 State Insurance Commissioner: Open

Board of Equalization  
 District 1—Carole Migden (D)  
 District 2—No endorsement  
 District 3 — No endorsement  
 District 4 — John Chiang (D)

### CONGRESS

#### District

1. Mike Thompson (D)
2. No endorsement
3. Dropped from race
4. Mark Norberg (D)  
Bill Kirby (R)
5. Robert Matsui (D)
6. Lynn Woolsey (D)
7. George Miller (D)
8. Nancy Pelosi (D)
9. Barbara Lee (D)
10. Ellen Tauscher (D)
11. No endorsement
12. Tom Lantos (D)
13. Fortney (Pete) Stark (D)
14. Anna Eshoo (D)
15. Mike Honda (D)
16. Zoe Lofgren (D)
17. Sam Farr (D)
18. Dennis Cardoza (D)
19. No endorsement
20. No endorsement
21. No endorsement
22. No endorsement
23. Lois Capps (D)
24. No endorsement
25. No endorsement
26. No endorsement
27. Brad Sherman (D)
28. Howard Berman (D)
29. Adam Schiff (D)
30. Henry Waxman (D)
31. Xavier Becerra (D)
32. Hilda Solis (D)
33. Diane Watson (D)
34. Lucille Roybal-Allard (D)
35. Maxine Waters (D)
36. Jane Harman (D)
37. Juanita MillenderMcDonald (D)
38. Grace Napolitano (D)
39. Linda Sanchez (D)  
Sally Havice (D)  
Hector De La Torre (D)
40. Christina Avalos (D)
41. No endorsement
42. No endorsement
43. Joe Baca (D)
44. No endorsement
45. Ellie Kurpiewski (D)

46. Gerrie Schipski (D)
47. Loretta Sanchez (D)
48. No endorsement (D)
49. Susan Davis *Rescinded!*
50. No endorsement (D)
51. Bob Filner (D)
52. No endorsement

#### State Senate

2. Wesley Chesbro (D)
4. Marianne Bopp Smith (D)
6. Deborah Ortiz (D)
8. Jackie Speier (D)
10. Liz Figueroa (D)
12. Rusty Areias (D)  
Dropped out (dual)
14. Dropped out (D)
16. Dean Florez (D)
18. No endorsement
20. Richard Alarcon (D)
22. Gilbert Cedillo (D)
24. Gloria Romero (D)
26. Kevin Murray (D)
28. Debra Bowen (D)
30. Martha Escutia (D)
32. Nell Soto (D)
34. Joe Dunn (D)
36. No endorsement
38. Phil Hanneman (R)
40. Denise Moreno Ducheny (D)

#### State Assembly

##### District

1. Patty Berg (D)
2. Doug Kinyon (D)
3. Stuart Randall King (D)
4. Scott Warren (D)
5. Eric Ulis (D)
6. Joseph Nation (D)
7. Patricia Wiggins (D)
8. Christopher Cabaldon (D)
9. Darrell Steinberg (D)
10. Katherin Maestas (D)  
Jon Bagatelos (R)
11. Joe Canciamilla (D)
12. Leland Yee (D)
13. Harry Britt (D)
14. Loni Hancock (D)  
Charles Ramsey (D)

15. Donna Gerber (D)
16. Wilma Chan (D)
17. Barbara Matthews (D)
18. Ellen Corbett (D)
19. Gene Mullin (D)  
Gina Papan (D)
20. John Dutra (D)
21. Joe Simitian (D)
22. Rod Diridon, Jr. (D)  
Sally Lieber (D)
23. Manny Diaz (D)
24. Rebecca Cohn (D)
25. Denise Smith (D)
26. Tom Hallinan (D)
27. John Laird (D)
28. Simon Salinas (D)
29. Richard Martinez (D)
30. Jim Crettol (D)  
Nicole Parra (D)
31. Sarah Reyes (D)
32. Mike Maggard (R)
33. Laurence Houlgate (D)
34. Virginia Gurrola (D)
35. Hannah-Beth Jackson (D)
36. No endorsement
37. No endorsement
38. No endorsement
39. Cindy Montanez (D)
40. No endorsement
41. Fran Pavley (D)
42. Paul Koretz (D)
43. Dario Frommer (D)
44. Carol Liu (D)
45. Jackie Goldberg (D)
46. Fabian Nunez (D)
47. Herb Wesson (D)

48. Mark Ridley-Thomas (D)
49. Judy Chu (D)
50. Marco Antonio Firebaugh (D)
51. Jerome Horton (D)
52. Mervyn Dymally (D)  
Alexandra Gallardo-Rooker (D)
53. George Nakano (D)
54. Alan Lowenthal (D)
55. Jenny Oropeza (D)
56. Rudy Bermudez (D)
57. Edward Chavez (D)
58. Ronald Calderon (D)
59. Patrick Smith (D)
60. No endorsement
61. Gloria Negrete McLeod (D)
62. John Longville (D)
63. Susan Pepler (D)
64. Robert Melsh (D)
65. Darrel Scholes (D)
66. David Bostrom (D)
67. William Orton (D)
68. Al Snook (D)
69. Lou Correa (D)
70. No endorsement
71. No endorsement
72. G. Nanjundappa (D)
73. No endorsement
74. No endorsement
75. Connie Witt (D)
76. Christine Kehoe (D)
77. No endorsement
78. Vincent Hall (D)
79. Juan Vargas (D)
80. Joey Acuna, Jr. (D)  
Gregory Pettis (D)

## VOTE March 5

### Ballot Propositions

- |  |                   |
|--|-------------------|
| 40 Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 ----- | Yes               |
| 41 Voting Modernization Act of 2002 -----  | Yes               |
| 42 Transportation Funding -----  | No recommendation |
| 43 Right to Have Vote Counted -----  | Yes               |
| 44 Insurance Fraud Preventions -----   | Yes               |
| 45 Legislative Term Limits, Local voter Petitions -----                                      | Yes               |



# SUP President's Report

February 11, 2002

## STCW COMPLIANCE

The International Convention on Standards for Training, Certification and Watchkeeping for Seafarers, as amended in 1995 went into full force and effect on February 1, 2002. No SUP member will be dispatched to an offshore job without having an STCW 95 certificate.

It is important for the membership to note that for those who have taken Basic Safety Training (BST) and have been issued an STCW 95 certificate by the U.S. Coast Guard and have completed one year of sea service within the past five years will not have to take BST again.

The ruling on this matter by the Coast Guard's National Maritime Center was published in the September 2001 issue of the *West Coast Sailors* and is timely to reprint.

**A mariner who has met the requirements for initial competency in BST and who is actively serving in a seagoing ship, will be considered as having demonstrated continuing competence in BST provided that the mariner completes at least one year of sea service within the past five years. This five-year period is a running calendar in which credit for competency in BST extends for five years beyond the critical date at which a mariner has completed one year of sea service.**

To determine the critical date, it is necessary to review the mariner's sea service starting with the current date and go backwards in time until one year of sea service is counted. The period of validity for continuing competence in BST is five years from the date where the mariner has completed one year of sea service. For example, if on October 1, 2001, you count backward and determine the mariner completed one year of sea service on June 1, 2001, then the mariner is considered to be competent in the four elements of BST through May 31, 2005. Using a similar date, if on October 1, 2001, a mariner completed one year of sea service on June 1, 1996, then the BST would have been valid until May 31, 2001. Because May 31, 2001 has passed, (the date in this example is October 1, 2001), the mariner has not retained competency in BST.

The critical date determined above is not fixed in time. As a mariner continues to serve on a seagoing vessel, the critical date, and through the expiration date of BST, will advance in time.

If the mariner cannot prove evidence of one year of sea service within the past five years, the mariner will no longer be considered competent in BST and must complete a U.S. Coast Guard-approved or accepted training course approved for revalidation of BST.

The membership should also take note that if your BST date is more than five years ago, you must pack one year's worth of discharges accumulated within the past five years to present to the master on board a vessel in order to sign-on or for inspection by port state control authorities overseas.

This situation did occur to one of our members this month in the *APL Thailand* when his BST date was over five years old even though his STCW 95 and seamen's papers are valid until 2004. Despite the efforts of Seattle Branch Agent Vince O'Halloran, your secretary and an opinion by the Coast Guard in Seattle, American Ship Management said that they would not sign this sailor on for the next voyage unless he produced one year's worth of discharges within the last five years—which he ultimately did.

Given to the contradictory rulings on STCW 95 compliance being issued by different Coast Guard offices, will attend a meeting on February 12 (tomorrow) in Washington, D.C., called by the Coast Guard to clarify matters. In addition to representing the SUP, will also represent the MFOW and the Inlandboatmen's Union/ILWU.

The larger issue of global STCW 95 compliance is still another matter. As reported in a front-page article in last month's *West Coast Sailors*. The International Maritime Organization issued a circular late January directing port state control authorities to issue warn-

ings to ships, mariners and flag states not in compliance with STCW 95 requirements that went into effect on February 1 and that full compliance is not necessary until July 31, 2002. However the U.S. Coast Guard has ruled that American mariners must be in full compliance regardless of the IMO circular.

This double standard compromises U.S. national security and marine safety by permitting foreign-flag vessels to transit our harbors with crews that have not been certified by the STCW Convention. If the STCW Convention had been implemented worldwide on February 1, 2002 as intended, foreign-flag vessels—particularly flag-of-convenience vessels—would have been detained at U.S. ports until they were in compliance, unable to load or discharge cargo. All mariners have had almost seven years to comply with the Convention. If the IMO believes that six more months will make a difference, then that esteemed group must be sleeping with both hands beneath the sheets.

Intend to raise this issue in Washington with the Coast Guard and members of Congress.

## SUP ELECTION

Although the term of the SUP officers elected on February 1 begins on March 1, the changes to the Constitution and Shipping Rules go into effect immediately, as the referendum on the ballot propositions was certified by the Impartial Balloting Agent (Sequoia Voting Systems) in accordance with Article XII, Sections 6 and 10 of the SUP Constitution on February 1.

The following clarifies the various ballot propositions passed by the membership:

**Shipping Rule 13:** Amended to delete the reference to the hiring halls being open on Saturdays; however, language is added that states, "If circumstances warrant, the halls shall open Saturdays on the orders of the Secretary-Treasurer."

**Shipping Rule 15, 18 and 26:** Amended to reflect the following: "If no Class A or Class B members are willing to take a Boatswain's job when it is called at the hiring hall, the job shall be dispatched aboard ship to a qualified member. Such shipboard dispatch shall not exceed the 200 or 90 days of original dispatch."

The intent of this rule is to ensure that qualified members fill the bosun's job. If the circumstance arises when no Class A or Class B member is willing to take the job in the hall, the Agent will board the vessel in question and ask the crew members on board who is interested in the job. Class A members have preference. If two or more Class A members want the job and have equal qualifications (bosun's stamps) they should cut cards, etc. If no crew members are interested—and sailing time is imminent—the boarding Agent shall designate a bosun with preference again give to members with Class A seniority.

**Shipping Rule 56:** Amended to allow Class B and Class C members, in addition to Class A members, an emergency trip off. Shipping Rule 56 k. states that: "In cases of emergency (not including illness or injury of the individual making the request), an employee may be granted a trip off upon presentation of proof of such emergency. Anyone violating this rule shall lose his right to return to the vessel."

"Proof" of an emergency is often difficult to provide, for example with an illness or death in the family. SUP Agents have been directed to ask why he/she is requesting an emergency trip off and be satisfied it is in fact an emergency.

An emergency trip off shall be in accordance with all the provisions of Shipping Rule 56. Trip Off Procedure and Relief Rules.

**Bosun's Stamps:** This proposition did not amend the Shipping Rules. It stated: "Are you in favor of forming a committee of rank-and-file members from each port to study the issue of re-qualification for bosun's stamps for the purpose of making a recommendation to the membership?"

Since any proposals on this issue would have to first be approved by the next Committee on Constitution (elected in June 2003) and acted upon by the membership before going on the 2004-2006 ballot, recommend

that the Bosun Stamp Committee be elected early next year. Whatever proposals are then made by this committee will be published in the *West Coast Sailors* for membership review well in advance of their submission to the Committee on Constitution.

## Constitutional Amendments

Article XXVI, Section 2 is amended to reduce the minimum quorum necessary to conduct business at Headquarters from 50 to 30 members.

Article VI, Section 1 which would have increased dues from \$130 a quarter to \$150 a quarter passed by majority vote, but failed to garner the two-thirds required by the Constitution. Recommend that the members who voted for this measure show the rest the way, by example, and donate \$20 a quarter to the General Fund to keep our Union financially sound.

## WASHINGTON, D.C. TRIP

During the last week of January, was in Washington, D.C., to attend meetings regarding maritime security.

A Coast Guard workshop on security issues held on January 28 and 29, and a similar forum sponsored by Marine Log magazine on January 30 and 31, was attended by all segments of the maritime industry. In addition to the SUP, labor was represented by the MM&P, MEBA, AMO, SIU-A&G/NMU, ILA and ILWU.

Speakers at these forums emphasized the necessity for improved maritime domain awareness in the wake of the September 11 terrorist attacks on the United States. Every facet of the industry was discussed including security aboard ship, in marine terminals and at locations where containers are stuffed. Credentialing of people who work in the maritime industry was also discussed at length. In response to a question by your secretary, Rear Admiral Paul Pluta, the Coast Guard's Assistant Commandant for Marine Safety and Environmental Protection and head of the Coast Guard's National Maritime Center, stated that it was his agency's view — at least for the foreseeable future—that U.S. Merchant Mariner's Documents were sufficient ID or credentials for American mariners as all who are issued the documents are fingerprinted. The Admiral also stated that standardizing the credentialing of mariners around the world (to include background checks) was an issue the United States has placed on the agenda of the International Maritime Organization in London.

While in Washington, met with the new Maritime Administrator, Captain William G. Schubert. Captain Schubert is a strong proponent of the U.S. merchant marine and the various statutes that protect it. In discussing the Maritime Security Program (MSP), Schubert said that he was in favor of renewing and expanding the program prior to its expiration in September 2005, but that the Maritime Administration would not publicly take a stand on the issue until there is a consensus of the parties affected—companies and Unions—as to the details of a new program.

The Maritime Security Act of 1996, which established the Maritime Security Program (MSP), requires that companies that hold MSP operating agreements must be U.S. citizens as defined by Section 2 of the Shipping Act of 1916. Foreign companies or companies that are "documented citizens"—those with less than 100% American ownership—are prohibited from being MSP participants. This requirement is in the statute to ensure that the availability of a U.S.-flag commercial fleet to meet the nation's national security needs would never be in doubt. Hence APL's U.S.-flag vessels are operated by American Ship Management which has MSP operating agreements with the Maritime Administration. The same applies to Maersk Sealand. Its U.S.-flag vessels in MSP are operated by United States Ship Management, a U.S.-citizen company.

However, APL owns American Automar a U.S.-flag "documented citizen" company that operates vessels with AMO officers and SIU-A&G/NMU unlicensed crew.

The SUP and MFOW have been informed by reliable sources that Copenhagen-based Maersk, and APL, owned by Singapore-based Neptune Orient Lines, are lobbying in Washington to have the MSP citizenship

## President's Report continued

requirement modified so that they can operate MSP vessels directly or through "documented citizen" operators.

If MSP is amended to give "documented citizens" or foreign owners (i.e. APL) the ability to compete for MSP slots on the same basis as U.S. citizen companies, APL could either operate its MSP vessels directly or through American Automar. Either one of these scenarios could place the SUP and MFOW in an untenable position unless we received written guarantees that we would retain our work.

Along with MFOW President Whitey Disley will monitor this closely to protect the interests of the membership.

While in Washington also met with Phil Grill, a senior vice president for Matson and Chairman of the Maritime Cabotage Task Force, which the SUP is a member. Grill said the Task Force has been active in Hawai'i countering the Jones Act repeal efforts of some of the state's legislators.

### FOSS MARITIME COMPANY

In accordance with the collective bargaining agreement with Foss, wage, overtime, standby and night differential rates will increase 2.5% effective March 1, 2002.

### BURGESS v. SUP

As reported over the course of last year, Wayne Burgess filed suit in federal court against the SUP alleging that the Union violated his right of due process when he was dismissed as Wilmington Branch Agent after a Trial Committee and an Appeals Committee found him guilty of charges brought by Duane Nash in accordance with the SUP Constitution.

The status of the case is as follows:

On February 5, attorneys for the Union and Burgess met in Los Angeles in the chambers of United States Magistrate Judge Brian Q. Robbins for a settlement conference. Burgess' attorney proposed that appropriate remedies in this case are for Burgess to be reinstated as Branch Agent and be paid back wages by the Union in addition to the Union paying Burgess' attorney's fees.

On the instructions of your secretary, Union attorney Glenn Rothner of the law firm of Rothner, Segall & Greenstone, rejected this proposal.

The next step in this process is for the case to go before Judge George H. King of the U.S. District Court of the Central District of California Western Division (Los Angeles) on February 25 at 9:30 A.M. in Courtroom 660 at the federal courthouse, 225 East Temple Street, in downtown Los Angeles.

At the hearing Judge King will review the transcript of the Trial Committee proceedings held at the Wilmington Branch on September 5, 2000, and the transcript of the Appeals Committee proceedings held at Headquarters on December 1, 2000 as well as the depositions given by Burgess, Bill Berger, Duane Nash and your secretary. In addition, Judge King will review the legal brief submitted by the attorneys and hear oral argument. Judge King will then issue his decision either at the conclusion of the hearing or shortly thereafter.

The Union's position remains steadfast that Burgess's claims are frivolous, unreasonable and groundless; and accordingly Judge King should dismiss the case, award the Union all costs and attorney's fees incurred.

## MARITIME TECHNOLOGY REGIONAL OCCUPATIONAL PROGRAM

On February 8, along with MFOW President Whitey Disley, IBU Southern California Regional Director Stephan Muller-Dumbois and representatives of ASM, Matson, MarAd, MSC and Polar Tankers attended a swearing in ceremony conducted by LCDR. Eva Kummerfield, officer in charge of the Coast Guard's Regional Examination Center in Long Beach, for students enrolled in the Maritime Technologies Program at Mar Vista High School in Imperial Beach, California.

The Regional Occupational Program (ROP), developed by Ray Addicott and Ray Gillip of Training Resources Ltd. in conjunction with Mar Vista High School and the ROP of the Sweetwater Union High School District, is designed to have selected students at Mar Vista begin a program in their junior year that will provide the necessary training to become ABs and QMEDs. This initiative is the first of its kind in the nation and will hopefully provide a pool of trained and qualified people to help meet the manpower requirements of the U.S. merchant marine.

The first class of 42 students started the program at the end of January with 40 more projected to enroll in the fall. Students selected by Mar Vista's career counselors will take the Maritime Technologies Program in addition to their regular high school curricula.

The one element that is needed for the program to succeed is training billets provided by companies so that the students in the program can acquire the necessary seetime to turn their training into actual AB and QMED endorsements. The industry representatives in attendance stated they were enthusiastic about the program and would, as far as ASM and Matson were concerned and would work with the SUP and MFOW to provide the training billets.

Dr. Louse Phipps, Principal of Mar Vista High School and representatives of San Diego County's Regional Occupational Program said they fully supported the program and that there is great student interest.

The SUP and MFOW believe that this innovative, **state-funded** program is necessary to meet manpower needs in the future.

### BANKING COMMITTEE

In accordance with Article XVII of the SUP Constitution, a Banking Committee shall be elected at today's Headquarters' meeting.

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

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

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

### ACTION TAKEN

M/S to accept the President's report and all recommendations contained therein. Carried unanimously.

*Gunnar Lundeberg*

## Vice President's Report

February 2002

### IMO conference in London

During the week of January 21-25, I traveled to London to represent the SUP at the International Maritime Organization's 33rd STCW Subcommittee meeting. The conference was an extremely valuable lesson in the workings of international law and the priorities of international shipping. The complete report can be read on page 8.

### ESU Ship Representatives Conference

Along with Gunnar Lundeberg, I attended this meeting in Galveston, Texas on February 14th and 15th. Among many topics of mutual concern, we discussed the support received by the ESU from other AFL-CIO unions during their recent wage re-opener negotiations in Houston. This support, which may have increased ESU leverage at the bargaining table, was a direct benefit from their July 1999 affiliation with the SUP.

### Ship Operations Cooperative Project

In Seattle on February 12 and 13, I attended this small but influential group of unions, training institutions, ship managers and shipowners. On behalf of the Andrew Furuseth School of Seamanship, I described some of the barriers to entry for beginning seamen and proposed solutions before introducing Capt. Ray Addicott, of Training Resources, Ltd. Capt. Addicott outlined our model San Diego apprenticeship program to great acclaim. The program is described in detail in this issue's SUP President's Report.

Along with SUP Branch Agent Vince O'Halloran, and IBU Secretary/Treasurer Terri Mast, MMP Pacific Coast Vice-President Don Marcus, I used the SOCP conference as an opportunity to raise local Seattle issues with the Captain of the Port, Capt. Mike Moore. In particular, we requested that Capt. Moore investi-

gate reports that Canadian authorities had warned U.S. seamen with background blemishes that they were unwelcome in their ports. We argued that these seamen had already passed stringent Coast Guard background checks, and that to impose tougher standards in Canada for U.S. mariners on U.S.-flag ships and tugs was neither logical nor consistent with U.S. maritime security policy. Capt. Moore heard our objections and promised to investigate. We also reiterated our desire to participate in Puget Sound maritime security meetings and committees.

### ASM Washdown Beef

The Union last month successfully defended the long-standing practice of a full and complete washdown in ASM ships. Over recent months, SUP President Gunnar Lundeberg had repeatedly clarified this issue for the benefit of the Company. The discussion reached its culmination while Lundeberg was traveling during the week of January 28. Wilmington Branch Agent Mark Hurley alerted Headquarters that the Captain of the *President Polk* had declined to turn all hands to for the completion of the washdown. While the *Polk* was enroute Oakland, I discussed the issue numerous times with the Company. At the same time, we informed the Marine Firemen's Union and received their complete support. In Oakland, San Francisco Business Agent Bill Henneberry boarded the ship and secured the status quo. Later that week, through the efforts of Seattle Branch Agent Vince O'Halloran, the Company confirmed this practice in a similar situation in the *APL Thailand*. In summary, the agreement is that once departing the Orient and once departing the West Coast there will be a full washdown. It takes as long as it takes, and it takes all hands. Support in General Rules Section 16 (9), the 1979 Lou Peachey clarification, and the 1991 Gerry Carbiener clarification.

*Dave Connolly*



*SUP Balloting Committee from the left in back: Rafael Cooper, Donald Cushing, Richard Cummings. In front: Bill Berry and Romaine Dudley.*

## Record of SUP Shipping January 2000

|                     | Hdqs..... | Seattle ..... | Wilm ..... | Hono ..... | Total      |
|---------------------|-----------|---------------|------------|------------|------------|
| Bosun .....         | 2         | 4             | 4          | 1          | 11         |
| Maint. Man.....     | 2         | 0             | 0          | 0          | 2          |
| A.B. Dayworker .    | 0         | 0             | 3          | 0          | 3          |
| A.B. ....           | 19        | 7             | 16         | 10         | 36         |
| O.S. ....           | 1         | 0             | 0          | 3          | 4          |
| Ship Util. ....     | 0         | 1             | 1          | 0          | 2          |
| Standby .....       | 25        | 20            | 90         | 17         | 152        |
| <b>TOTALS .....</b> | <b>49</b> | <b>31</b>     | <b>113</b> | <b>31</b>  | <b>224</b> |

# SUP Branch Reports

## Seattle

January 22, 2002

Shipped the following during the period: 4 bosuns, two returns and two reliefs filled by 4 A cards; 10 ABs taken by 5 A cards to steady jobs, 2 A cards to returns, 1 A card to a relief, 1 B card to a relief and 1 B card to a pierhead jump; and 32 standby jobs filled by 6 A cars, 17 B cards, 7 C cards and 2 D registrants; for a total of 41 jobs.

Registered for the period: 14 A cards for a total of 33; 9 B cards for a total of 22, and 9 C cards for a total of 23, for a grand total of 78 registered.

### Ships checked

APL Thailand, APL Singapore, APL Korea and APL Philippines all with little or no trouble. Maui, Kauai and R.J. Pfeiffer all running smoothly.

Attended the Puget Sound Maritime Trades meeting, the King County Labor Council meeting and the Seattle Port Coalition meeting.

All members are encouraged to vote during this current election. The SUP is a strong and viable organization and all hands must participate for us to remain competitive against political and economic attacks on our livelihoods.

Please take a look at your dues book, the first quarter for 2002 must be paid in order for your vote to count.

Vince O'Halloran, Branch Agent

## Wilmington

January 22, 2002

Shipping for the period was 7 bosuns, 17 ABs, 8 AB maints., and 113 standbys for a total of 145 shipped.

Currently registered are 55 A members, 33 B member, 9 C members and 4 D registrants, for a total of 101.

### Ships checked

President Polk, President Wilson, Lihue (2x) Jim Savage, delegate; Lurline (2x) Trev Motlow, delegate; APL Thailand, President Truman, President Grant, Ewa (2x) Mike Pflieger, delegate; Manulani: (2x) Charlie Clark, delegate in lay up; APL Singapore, President Jackson, Manoa, APL Korea, President Kennedy, Mokihana, APL Philippines, President Adams, Mahimahi.

Vice President Dave Connolly has urged us to set up an SUP School here in Wilmington. On January 9, John Folcarelli, Tony Figueroa and I had a meeting with Bosun Ray Person and chief mate Bill Skinner on the SS Lane Victory to see about getting one started. Thanks to them and the crew, we will be holding classes on the second Wednesday of every month at 0900. George Jackson will be the senior instructor with guest instructors each month. Sign up at the hall.

On the 11th of January, I attended the Maritime Trades Department meeting. Anyone interested in attending the MTD lunch/meeting or anyone with ideas for speakers, see me.

I attended the Veterans' Memorial meeting on the 14th of January. I have been going over the names that are to go on the Memorial. It's a tedious job checking the spelling, but it sure drives home the amount of American seamen who

gave their lives for our country.

I went to the monthly Harbor Labor Coalition meeting on January 17. Any brothers or sisters interested in going to the Harbor Labor Coalition meetings are welcome.

Thanks to Frank Salvatierra for his time and skill in building a fine new bench for our hall.

Please note we have changed the calls at the hall to 1000 and 1400 same times as the MFOW calls.

Mark Hurley  
Branch Agent

## Honolulu

January 22, 2002

During the month of December, dispatched the following jobs: 7 ABs, 1 AB relief, 2 AB returns, and 2 OSs. These jobs were filled by 4 A members, 6 B members and 3 C members. Also shipped 33 standby jobs billed by 5 B members, 18 C members, 8 D registrants, and 3 MFOW members, for a total of 46 jobs shipped.

Registered during the month of December: 1 A member, 7 B members, 4 C members, and 3 D registrants. To date, registered are: 11 A members, 12 B members, 6 C members and 7 D registrants for a total of 36 registered.

### Ships checked

Maui, Lurline, Chief Gadao, Matsonia, Lihue, Kauai, Manulani, R.J. Pfeiffer, and Ewa. All with few or no problems. Paint and rigging gang running smoothly with George Lua as bosun, Patrick Weisbarth delegate.

On January 16, attended the Honolulu Port Council meeting. There was a lot of anti-Passenger Service Act and Jones Act rhetoric going on in the Hawaii State Legislature this session. The Port Council is working with the state AFL/CIO to squash these resolutions. Along with Vice President Dave Connolly, we have also been in contact with Hawaii's Federal Legislators, getting statements of support for these Acts.

We have former member John Lindsey on the binnacle list. The Honolulu gang wishes him a speedy recovery; the Union hall doesn't run as smoothly when he's gone.

Mike Duvall  
Branch Agent

## Norfolk Office

January 2002

Shipping slowed down in the month of January.

Shipped 4 AB jobs and 2 OS jobs filled by 5-C members and 1-D registrant.

The USNS Gordon called for a full crew to move from Boston to Newport News, then went into ROS.

While things were slow I made the USNS Shughart and Yano, in Violet. New cook on the Yano, and good ole MCS steward on the Shughart. Both ships in very good shape.

I tried to catch the Chevron Arizona in Pascagoula, but was fog bound and had engine problems. I will catch her later in February in Florida.

Later in January, I made the USNS Seay and Fisher in Baltimore. Both ships in very good shape. Straightened out a night lunch problem on the Seay. I have four ships in the Norfolk area; all ships with good gangs. The USNS Mendonca is back to a problem ship as the anti-SUP chief mate that caused so many turn-overs, is now the Captain and decided to try to rewrite the SUP contract. This guy came around in the last rain squall, and seems he has nothing to do but follow the gang around and nit pick. I would like to praise the ABs and OS that have come back for repeat tours of duty. It beats sitting in the hall watching jobs go by.

With shipping slow, registered 1 A card, 4 B cards, 5 C cards, and 3 D registrants.

Jack Stasko  
SUP-MFOW Representative

## San Francisco Business Agent

February 11, 2002

Chief Gadao - Tom Koppel, delegate: Vessel in the shipyard in China.

Kauai - Archie Bickford, delegate: No disputed time.

Mahimahi - Tom Larkin, delegate: Request to keep crew social security numbers off the crew list is being worked on by company so that gangs can use the PX in Guam and not be exposed to identify theft.

Manoa - Anthony Labor, delegate: OK.

Matsonia - Art Garrett, delegate: Ship back on her regular run.

Maui - Chuck Maringer, delegate: No problems.

Mokihana - Miguel Placios, delegate: No problems.

Moku Pahu - Vessel in shipyard in China; called for her crew back.

R.J. Pfeiffer - Johnny Webb, delegate.

San Francisco Bar Pilots - Steve Messenger, delegate: OK.

Foss Maritime - Tom Tynan and Mike Worth co-delegates; no problems.

Chevron Colorado - Peter Bragg, delegate: Nick Hoogendam bosun.

Chevron Washington - Dave Mercer, delegate: OK

Chevron Dock - Rick Wilson, bosun.

Ready Reserve Fleet-Alameda- Danny Foster, delegate: No problems.

ASM Shore Gang - Mario Ramella, delegate: OK.

President Adams - Augustus Silva, delegate: OK.

President Grant - Steve Rydberg, delegate: OK.

President Jackson - Dennis Tinsley, delegate: All is in good order.

President Kennedy - Jack Milano, delegate: No problems.

President Polk - Duke Maringer, delegate: Wash down beef squared away. Signed on and sailed for the Far East.

President Truman - Lou Frazier, delegate, Frank Portanier bosun: Disputed time for drills in excess of one hour and delay in sailing squared away to satisfaction of the gang.

President Wilson - Dennis Dooley, delegate: No disputed time.

Bill Henneberry

## Dispatcher's Report

Headquarters—Jan. 2002

|                                      |    |
|--------------------------------------|----|
| <b>Deck</b>                          |    |
| Bosun .....                          | 2  |
| Carpenter .....                      | 0  |
| MM .....                             | 2  |
| AB .....                             | 19 |
| OS .....                             | 1  |
| Standby .....                        | 25 |
| Total Deck Jobs Shipped .....        | 49 |
| Total Deck B, C, D Shipped .....     | 9  |
| <b>Engine/Steward</b>                |    |
| 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. .... | 49 |
| Total B, C, D Shipped-All Depts. ... | 9  |
| Total Registered "A" .....           | 90 |
| Total Registered "B" .....           | 69 |
| Total Registered "C" .....           | 11 |
| Total Registered "D" .....           | 11 |



Posing for the camera in Matson's Mokihana late last year, back row from left: Mike Acero AB, Ivar Thorbjorsen AB, Joe Piscopo bosun, Charles Mohun delegate. In front: Kathryn Sweeney, chief mate, Morris Thibeaux AB, and Frank Dufek AB.

Photo submitted by Ivar Thorbjorsen.