

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



## West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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Friday, December 19, 2008

### Obama reaffirms support of freedom to form Unions

On December 10, President-elect Barack Obama sat down with the *Los Angeles Times* for his first in-depth newspaper interview since his election. In the interview, Obama said that part of his economic agenda would be fighting for workers' freedom to form Unions and bargain for a better life—the goal of the Employee Free Choice Act, which Obama co-sponsored in the Senate and pledged to sign as president.

"When it comes to Unions, I have consistently said that I want to strengthen the Union movement in this country and put an end to the kinds of barriers and roadblocks that are in the way of workers legitimately coming together in order to form a Union and bargain collectively," Obama stated.

Since the election, Obama's staff has confirmed that he supports the passage of the Employee Free Choice Act, as he stated repeatedly throughout the campaign season. Obama's support of workers' freedom to form Unions and bargain for a better life is one of the many reasons the AFL-CIO strongly endorsed Obama and carried out a strong national effort to get out the vote for Obama across the country.

In the interview, Obama also stressed that his top priorities would include strengthening the economy by creating jobs in infrastructure and green energy. The Employee Free Choice Act is critical to restore worker power, rebuild the middle class and build long-lasting, sustainable and broadly shared prosperity in the economy.

### Union-busting, job-killing Republicans block auto rescue loan

The senators who on December 11, blocked the \$14 billion bridge loan to the auto industry out of ideological hatred for Unions and workers who make a middle-

class living did so knowing that if the American auto industry collapsed, between three million and five million jobs would be killed.

Senators were deadlocked over Republican demands for steep cuts in pay and benefits by the United Automobile Workers Union in 2009. Republicans immediately blamed Unions. "It sounds like the UAW blew it up," said Senator David Vitter (R-Louisiana). Senator Richard Shelby (R-Alabama) said, "Labor has got to give. If they want a bill they can get one."

Senator Bob Corker (R-Tennessee) who introduced the pay-cut amendment that sank the agreement, blamed the UAW for supposedly refusing to make concessions and allowing "these companies to fall into peril."

UAW President Ron Gettelfinger said the Republicans made it "very clear" that "there are those who would do

### Unemployment soars as a half million jobs lost in November

The United States is bleeding jobs: Unemployment figures from the U.S. Bureau of Labor Statistics (BLS) released on December 5, show a mind-numbing 533,000 jobs lost in November, the largest monthly jobs loss in 34 years. The already bad 6.5 percent unemployment rate worsened to 6.7 percent, and some 1.9 million workers have lost their jobs this year.

The number of workers who have lost their jobs in November is far larger than the 300,000 predicted by many economists, and doesn't reflect drastic lay-off plans announced by major corporations recently. AT&T Inc., DuPont Co., Viacom Inc., Credit Suisse Group and Avis

Budget Group announced job cuts that total 22,850, and earlier this month, financial firms such as The Carlyle Group said they'd cut a total of 3,000 jobs.

As bad as the November job loss numbers are, the unemployment situation is far worse than the latest figures show. First, many of the jobs lost aren't coming back. According to the BLS: "Among the unemployed, the number of persons who lost their jobs and did not expect to be recalled to work increased by 298,000 to 4.7 million in November."

Next, the BLS data shows the number of long-term unemployed (those jobless for 27 weeks or more) hovered at 2.2 million in November—up by

822,000 over the past 12 months.

In addition, the official unemployment rate of 6.7 percent does not include underemployed workers and those who are discouraged, and if they were included, analysts estimate the U.S. unemployment rate would be 12.5 percent. The numbers of "involuntary part-time workers"—underemployed workers—continued to increase in November, reaching 7.3 million.

Congress last month passed a second extension of unemployment insurance, but far more is needed to stem the consequences of such massive job loss. Already, the number of Americans receiving food stamps set a record in September, with more

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ers are the tip of the iceberg.

So far, 1.9 million U.S. jobs have been lost this year. Those lost jobs equal 547,267,000 months, to be more or less exact, of work, productivity and income the U.S. economy lost under George W. Bush. Analysts expect much more job loss in the coming months, and that's without the auto industry crashing.

Initial claims for state unemployment insurance benefits jumped by 58,000, the biggest increase since September 2005, to a seasonally adjusted 573,000 in the week that ended Dec. 6, from an upwardly revised 515,000 the previous week.

Last week's jobless claims were far more than the 525,000 claims Wall Street economists expected. The number of people continuing to claim jobless benefits also jumped much more than expected, increasing by 338,000 to 4.4 million. Econo-



Periodicals postage paid at San Francisco, CA (USPS 675-180)

## Korea to escort ships off Aden

South Korea will send naval vessels to escort its vulnerable merchant ships of less than 30,000 dwt in the Gulf of Aden, the Korea Shipowners' Association announced.

The move was a response to such piracy attacks as the hijacking of the bulker *Bright Ruby*, with 22 crew, in September. The crew and the ship were released in October, reportedly after a ransom was paid to Somali pirates.

Defense minister Lee Sang Hee said a 4,500 gross ton stealth destroyer and special forces might be part of the escort.

## U.S. jobs lost in November

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than 31.5 million needing food aid, up 17 percent from a year ago.

Many economists expect U.S. gross domestic product will contract 4% at an annual rate or even more this quarter after falling 0.5% in the third quarter.

According to the Labor Department's report, hiring last month in goods-producing industries fell 163,000. Within this group, manufacturing firms cut 85,000 jobs, with automobile and auto parts makers accounting for 13,000 job losses. Manufacturing losses would have been even larger if not for the return 27,000 striking aerospace workers last month, the Labor Department said. Construction employment was down by 82,000.

In a particularly worrying sign, service-sector employment plunged 370,000. Labor-intensive services make

up the vast majority of employment and usually cushion downturns. Yet business and professional services companies shed 136,000 jobs—the 10th drop in 11 months—and financial-sector payrolls were down 32,000.

Retail trade cut over 91,000 jobs, reflecting the pullback in consumer spending. Leisure and hospitality businesses, meanwhile, shed 76,000 jobs. Temporary employment, with economists consider a bellwether for future job prospects, fell more than 78,000.

Continuing a recent trend, the main bright spots were in health care and education, which tend to be more labor intensive and less productive than manufacturing and other services. Employment in those sectors rose 52,000. The government also added 7,000 jobs.

## Down in Oz boobs bob up in Melbourne

Australia's most notorious wardrobe malfunction ended December 10, when the hoopla over more than 100,000 pairs of missing inflatable plastic breasts turned out to be a false alarm.

The breasts had been shipped from China, intended as a promotion for the Australian men's magazine, *Ralph*. They went missing on December 3, in Sydney,

when Chinese officials misplaced paperwork and were feared lost overboard.

But the alignment consignment turned up at a Melbourne dock.

*Ralph* editor Santi Pintado said the incident had cost the magazine \$30,000 (Australian). "You'd think the Chinese economy was in enough trouble without misplacing 130,000 pairs of boobs," Pintado added.

The magazine plans to give away the plastic breasts with its December issue in order to set a Guinness world record for the most boobs given away at one time.

## Why don't we hang pirates anymore?

It's a safe bet that the headline of this article has caused you to either (a) roll your eyes and wonder, *What century do you think we're living in?* or (b) scratch your head and ask, *Yes, why don't we?* Wherever you come down, the question defines a fault line in the civilized world's view about the latest encroachment of barbarism.

Year-to-date, Somalia-based pirates have attacked more than 90 ships, seized more than 35, and currently hold 17. Some 280 crew members are being held hostage, and two have been killed. Billions of dollars worth of cargo have been seized; millions have been paid in ransom. A multinational naval force has attempted to secure a corridor in the Gulf of Aden, through which 12% of the total volume of seaborne oil passes, and U.S., British and Indian naval ships have engaged the pirates by force. Yet the number of attacks keeps rising.

Why? The view of senior U.S. military officials seems to be, in effect, that there is no controlling legal authority. Title 18, Chapter 81 of the United States Code establishes a sentence of life in prison for foreigners captured in the act of piracy. But, crucially, the law is only enforceable against pirates who attack U.S.-flagged vessels, of which today there are few.

What about international law? Article 110 of the U.N.'s Law of the Sea Convention—ratified by most nations, but not by the U.S.—enjoins naval ships from simply firing on suspected pirates. Instead, they are required first to send over a boarding party to inquire of the pirates whether they are, in fact, pirates. A recent U.N. Security Council resolution allows foreign navies to pursue pirates into Somali waters—provided Somalia's tottering government agrees—but the resolution expires soon. As for

the idea of laying waste, Stephen Decatur-like, to the pirate's prospering capital port city of Eyl, this too would require U.N. authorization. A shippers' organization asked NATO to blockade the Somali coast. NATO promptly declined.

Then there is the problem of what to do with captured pirates. No international body similar to the old Admiralty Courts is currently empowered to try pirates and imprison them. The British foreign office recently produced a legal opinion warning Royal Navy ships not to take pirates captive, lest they seek asylum in the U.K. or otherwise face repatriation in jurisdictions where they might be dealt with harshly, in violation of the British Human Rights Act.

In March 2006, the U.S. Navy took 11 pirates prisoner, six of whom were injured. Not wanting to set a precedent for trying pirates in U.S. courts, the State Department turned to Kenya to do the job. The injured spent weeks aboard the *USS Nassau*, enjoying First World medical care.

All this legal exquisiteness stands in contrast to what was once a more robust attitude. Pirates, said Cicero, were *hostis humani generis*—enemies of the human race—to be dealt with accordingly by their captors. Tellingly, Cicero's notion of piracy vanished in the Middle Ages; its recovery traces the recovery of the West itself.

By the 18th century, pirates knew exactly where they stood in relation to the law. A legal dictionary of the day spelled it out: "A piracy attempted on the Ocean, if the Pirates are overcome, the Takers may immediately inflict a Punishment by hanging them up at the Main-yard End; though this is understood where no legal judgment may be obtained."

Source: *Lloyd's List*

### Timely Reminder

First quarter 2009 dues are due and payable now!

#### SUP Constitution ARTICLE VI DUES AND INITIATION FEE

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

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

### SUP Meetings

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

	Hdqs.	Branch
January	12	20*
February	9	17*
March	9	16
April	13	20
May	11	18
June	8	15
July	13	20
August	10	17
September	14	21
October	13*	19
November	9	16
December	14	21

\*Tuesday

## Job-killing Republicans

continued from page 1

mists expected a small increase to 4.1 million.

But so vicious is the hatred of Republicans for Unions and their efforts in ensuring that all U.S. workers don't become 21st century corporate serfs that they are willing to sacrifice millions of jobs and burn the entire U.S. economy down at the same time.

Those who voted against the auto loan bill were Republican Senators Wayne Allard (Colorado), John Barrasso (Wyoming), Robert Bennett (Utah), Jim Bunning (Kentucky), Richard Burr (North Carolina), Saxby Chamblis (Georgia), Tom Coburn (Oklahoma), Thad Cochran (Mississippi), Norm Coleman (Minnesota), Bob Corker (Tennessee), Mike Crapo (Idaho), Jim DeMint (South Carolina), John Ensign (Nevada), Mike Enzi (Wyoming), Charles Grassley (Iowa), Orin Hatch (Utah), Judd Gregg (New Hampshire), Kay Bailey Hutchison (Texas), James Inhofe (Oklahoma), Johnny Isakson (Georgia), Jon Kyle (Arizona), Mel Martinez (Florida), John McCain (Arizona), Mitch McConnell (Kentucky), Lisa Murkowski (Alaska), Pat Roberts (Kansas), Jeff Sessions (Alabama), Richard Shelby (Alabama), John Thune (South Dakota), David Vitter (Louisiana) and Roger Wicker (Mississippi). Democrats who voted wrong were Senators Max Baucus (Montana), Blanche Lincoln (Arkansas) and Jon Tester (Montana).

As the *West Coast Sailors* went to press, the White House indicated that it was prepared to lend financial assistance to the auto industry.

## Final Departures

**Daniel Ballstaedt**, Book No. 4767. Born in Germany in 1909. Joined SUP in 1944. Died in Heber City, Utah, November 10, 2008. (Pensioner)

**Ronald Farrington**, Book No. 2143. Born in Washington in 1927. Joined SUP in 1950. Died in Port Angeles, Washington, November 10, 2008. (Pensioner)

**Ebbe Hansson**, Book No. 5606. Born in Sweden in 1922. Joined SUP in 1948. Died in Portland, Oregon, November 8, 2008. (Pensioner)

**Frank Dufek**, Permit No. 18308. Born in Czechoslovakia in 1951. Joined SUP in 1997. Died in Santa Barbara, California, November 21, 2008. (Active)

**David Gillis**, Book No. 3012. Born in California in 1932. Joined SUP in 1951. Died in Placerville, California, November 29, 2008. (Pensioner)

**Norman Bor**, Book No. 5079. Born in Canada in 1927. Joined SUP in 1946. Died in Louisiana, November 30, 2008. (Pensioner)

**John Kelly**, Book No. 3169. Born in Pennsylvania in 1945. Joined SUP in 1989. Died in Hawaii, November 30, 2008. (Active)

## West Coast Sailors

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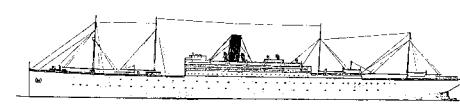
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## Indian navy captures 23 pirates

The Indian navy has thwarted a pirate attack on an Ethiopian-flagged vessel in the Gulf of Aden, seizing 23 of the suspects.

The Indian naval vessel *Mysore* answered a distress call from the cargo ship *Gibe* on December 13. Twelve of the suspected pirates are thought to be Somali and the remaining 11 were Yemeni, according to the Indian navy.

The *Gibe* sent a message at 1130 on December 13, that it was under attack from two boats firing small arms. The merchant vessel retaliated with small arms on board. The larger boat —a dhow— has been identified as the *Sahuddin* with the small boat in tow.

Marine commandos boarded the dhow at 1230 and captured the pirates with a large weapons cache.

But the Indian navy is now saddled with the pirates because no country is willing to take them into custody. But India has reportedly approached Yemen to ask whether it would prosecute the 11 Yemeni suspects.

The *Gibe* is listed as a 27,000dwt ship operated by Ethiopian Shipping Lines.

In other piracy news:

Pirates have released the Greek chemical tanker *Action*, but there were reports that at least one of the crew was found dead. The owner, Drassis Shipping, confirmed that the ship had been released on December 12, and that the Chief Engineer Enver Varshanidze from Georgia had died of unknown causes on December 1.

The *Action* was hijacked on October 10, in the Gulf of Aden. It had a crew of 17 Georgians and three Pakistanis. The 9,064dwt Panama-flagged ship was recently bought by Drassis and was previously operated by South Korea's Cosmos Shipping as *Sky Crystal*.

Pirates have freed the Greek bulker carrier *Captain Stephanos* after nearly three months of captivity. The vessel was captured on September 21, as it was sailing 250 nautical miles off the coast of Somalia with a cargo of coal. It was released on December 8, according to Greek reports. All 19 of its crew were reported to be in good health.

The 74,077dwt *Captain Stephanos* is a Bahamas-flagged vessel and operated by Charterwell Maritime. It is not known whether a ransom was paid to the hijackers.

## Heads roll over Seattle port fraud

Two top Port of Seattle managers have resigned, another four have been suspended and three others reprimanded in a fraud scandal.

A scathing report detailed fraud at the Washington facility that centered on the airport's expansion. Port CEO Tay Yoshitani announced the port's moves as part of his response to the inquiry conducted into port operations by former U.S. Attorney Michael McKay.

"McKay's report reflects a 'get it done at all costs' culture—that day is over," Yoshitani said in a statement. "We have tough competitors and big projects, but we have to deliver those projects with fair and open competition."

McKay's 57-page report reflected an inquiry that cost \$1.4 million and lasted 10 months. He was hired by the port commission earlier this year to look into its contracting after an audit found them lax and vulnerable to fraud. The report did not find any of the embezzlement that was feared, but did identify 10 instances of fraud, including a port employee's decision to provide a potential bidder with internal cost estimates for a project related to the Sea-Tac third runway.

The two executives who quit were John Rothnie, who managed the third runway expansion at the airport, and Larry McFadden, port construction services general manager. Federal prosecutors are also conducting an independent inquiry.

## Matson raises Hawai'i container rates

Matson Navigation Company announced on November 25, that it will raise its rates for the company's Hawai'i service by \$120 per westbound container and \$60 per eastbound container, effective January 4, 2009. Matson estimates that this increase will raise rates by an average of 3.9 percent. The increase will be filed with the Surface Transportation Board. In addition, Matson will raise its terminal handling charge by \$175 per westbound container and \$90 per eastbound container, also effective January 4, 2009.

"This rate increase will help offset rises in operating costs and support ongoing investments in our Hawaii service," said Dave Hoppes, Senior Vice President, Ocean Services. "This rate adjustment is consistent with our longstanding philosophy of implementing modest, incremental increases as necessary. Given the essential role ocean transportation has in supporting the state's economic activities, Matson's primary business objective remains focused on ensuring the company's services are among the best in the world. Since 2003, Matson has invested nearly \$600 million in fleet enhancements, including over \$500 million

for construction of four new containerships. Matson also continues to invest in new container equipment, information technology and enhancements to its Neighbor Island fleet and terminal facilities."

Matson's terminal handling charge was first implemented in 2003 and is designed to recover a portion of the extraordinary costs associated with the movement of cargo through terminals. This charge is standard in the industry and appears as a separate line item at the bottom of the company's freight bills.

"Terminal handling costs comprise approximately 40 percent of Matson's operating costs," said Hoppes. "Matson continues to absorb most of the costs associated with terminal operations, the majority of which are driven by factors that are outside of our control, but needs to pass on some of the increased expenses to our customers."

**Support the SUP Political Fund**

## Maui and Manoa were this year's Christmas Tree ships



Pictured hoisting a tree aloft on the Maui are SUP members Peter Villanueva and Tom Koppel.

Matson Navigation Company's annual "Christmas Tree Ship" arrived in Honolulu on Saturday, November 22, delivering evergreens from the Pacific Northwest. Following inspection by the Hawai'i Department of Agriculture, the trees were available to customers the following morning.

While traditionally the "Christmas Tree Ship" has marked the arrival of the majority of Hawai'i's Christmas trees, recent trends have spread the trees over four vessel voyages, with the bulk of this year's trees arriving on the s/s *Maui* on November 22 and the *m/v Manoa* on November 29. The first small shipment arrived on the *Manoa* on November 15, with those trees primarily targeted for retail store displays and limited Neighbor Island retail sales. A final, small shipment of trees arrived on the *Maui* on Saturday, December 6.

Matson has been carrying Christmas trees from the Pacific Northwest to Hawai'i for over a century. The trees are loaded directly into refrigerated containers at Christmas tree farms located in Oregon and Washington. The containers are then kept sealed and refrigerated throughout the transportation process to maximize freshness upon arrival in Hawai'i. Matson estimates that it ships over 100,000 trees every holiday season.

## APL container volume declines 12%

APL parent, Neptune Orient Lines reported that its worldwide container volumes dropped by 12 percent in the four-week period from October 18-November 14, while average revenue per container increased by nine percent.

The Singapore-based parent of APL, said volumes totaled 169,700 FEUs, down from 192,400 FEUs in the same period in 2007.

The decline in volumes is a reflection of a slowdown in global demand, NOL said in a statement, particularly in the trans-Pacific and Asia-Europe routes where it has initiated capacity reductions since October.

Average revenue per FEU increased nine percent to \$3,124, compared to \$2,860 a year ago largely due to increased bunker adjustment factors. Year-to-date, volumes increased nine percent to 2,246,800 FEUs from 2,069,100 FEUs. Year-to-date average revenue per FEU increased 12 percent to \$3,044 from \$2,727.

## Ships that took terrorists to Mumbai identified

Indian officials investigating the recent Mumbai (Bombay) terrorist attack believe the terrorists left Karachi, Pakistan in the 3,170 dwt general cargo ship *al-Hussaini*.

Several Indian newspapers reported comments from officials that the attackers sailed to the port of Porbandar in the Western Indian state of Gujarat where they hijacked the fishing trawler *Kuber*. They then killed four members of the crew and kept one alive to pilot them to Mumbai, then killed him as well. It should be noted that Porbandar is the birthplace of Mahatma Gandhi.

Authorities in New Delhi announced on December 4, that ports in Gujarat have been placed under high alert and an investigation is under way to find out how the *Kuber* could have passed customs and into Mumbai unchallenged.

## Maritime Administration awards contract to clean up Suisun Bay reserve fleet

Maritime Administrator Sean T. Connaughton on December 1, announced a contract with Certified Coatings Company of Concord, California, to remove and contain exfoliating paint from ships in the National Defense Reserve Fleet at Suisun Bay, California

The contract is potentially worth \$3.5 million over five years. Similar contracts are being prepared for the two fleet sites in Beaumont, Texas, and Fort Eustis, Virginia, overseen by the Maritime Administration.

The contract is part of the Maritime

Administration's Environmental Excellence Initiative which focuses on strengthening environmental protections and implementing green procedures.

"We are committed to being good stewards to the environment in all our fleet sites," said Connaughton.

The National Defense Reserve Fleet holds militarily-useful ships in reserve for use by the U.S. Armed Forces or in a national emergency. When the ships become obsolete, the Maritime Administration arranges for their responsible disposal.

## After a 15-year struggle workers Unionize North Carolina pork plant

After an expensive and emotional 15-year organizing battle, workers at the world's largest hog-killing plant, the Smithfield Packing slaughterhouse in Tar Heel, North Carolina, have voted to Unionize.

The United Food and Commercial Workers (UFCW), which had lost Unionization elections at the 5,000-worker plant in 1994 and 1997, announced on December 11, that it had finally won. The victory was significant in a region known for hostility toward organized labor.

The vote was one of the biggest private-sector Union successes in years, and officials from the UFCW said it was the largest in that Union's history. The Union won by 2,041 votes to 1,879 after two years of turmoil at the plant. As a result of a federal crackdown on illegal immigrants, more than 1,500 Hispanic workers have left the plant. Its work force is now 60 percent black, up from around 20 percent two years ago.

The UFCW maintained that it lost the 1997 election because Smithfield broke the law by intimidating and firing Union supporters. In 2006, after seven years of litigation, the United States Court of Appeals for the District of Columbia Circuit ruled that Smithfield had engaged in "intense and widespread" coercion.

The court ordered Smithfield to reinstate four Union supporters it found were illegally fired, one of whom was beaten

by the plant's police on the day of the Union materials, threatening to fire workers who voted for the Union and threatening to freeze wages and shut the plant.

The Unionization campaign this year was conducted under unusual conditions and rules, intended to reduce the vitriol.

In October, the company and the Union reached a settlement under court supervision in which the Union agreed to drop its nationwide campaign intended to denounce and embarrass Smithfield and the company agreed to drop a lawsuit asserting that the Union's denunciations and calls for a boycott violated racketeering laws.

The Union's pressure campaign had been intended to persuade the company to let the workers decide on Unionizing not through secret balloting but through having a majority of workers sign pro-Union cards.

Under the settlement, the two sides could campaign in a limited fashion, and they could not denounce each other. The agreement also allowed Union organizers on the plant's property; Union organizers are generally barred from setting foot on company property, even a parking lot, unless management consents.

"We won because that gave us more of a level playing field," said Joseph Hansen, the UFCW national president. "That was probably the major thing."

## 91 trade Unionists murdered in 2007

A total of 91 trade Unionists were murdered for fighting for workers' rights worldwide in 2007, according to the International Trade Union Confederation's (ITUC) Annual "Survey of Violations of Trade Union Rights," released last month.

Colombia, where 39 Union members were killed in 2007, again tops the list of most dangerous countries to be a Union member. While there was a slight reduction in killings in Colombia compared with the previous year, ITUC says many attempts to kill Colombian Unionists failed, and there was a notable increase in forced removals, arbitrary arrests, illegal raids and threats, especially in agriculture, health and education.

In Guinea, 30 Unionists were murdered. ITUC says the regime of President Lansana Conte was directly responsible for the killing of 30 Unionists during the brutal repression of Union-organized public demonstrations against corruption and violations of fundamental rights.

The survey also noted a disturbing increase in violence in Guatemala as trade Unions were increasingly targeted, with four Unionists murdered and a worsening climate of threats and harassment.

ITUC General Secretary Guy Ryder says: "Repression of legitimate trade Union activities ... continued unabated in every continent. Murder, violence and torture, along with harassment, dismissal and imprisonment, were all used to stop working people organizing Unions and bargaining collectively for decent pay and working conditions. Several governments were only too ready to openly or covertly support unscrupulous employers who deny fundamental rights to their employees."

"Governments have failed to do enough to protect workers' rights, either at home or in their international diplomatic, economic and trade relations."

The survey also singled out the United States and Australia among industrialized nations for restricting workers' freedom to form Unions, citing court decisions in Australia and the Bush National Labor Relations Board rulings in this country.

Several disturbing trends emerged in the survey, which covers worker rights violations in 138 countries. Among those: collusion between some governments and employers to deprive workers of their legitimate rights to Union membership and representation. Serious and systematic harassment and intimidation was reported in 63 countries. Seventy-three Unionists were sent to prison in 2007, including 40 in Iran, where systematic suppression of workers organizing in transportation and education continued. Fourteen Unionists were jailed in Morocco and seven in Burma, where the junta targeted Union activists as part of its brutal crackdown on any moves for democracy and human rights.

In Africa, employers in several countries used lax labor laws to encourage splits in trade Unions and create employer-controlled groups to replace independent trade Unions. Conditions were especially bad in Zimbabwe and Swaziland, which also appeared on a list of countries where Chinese-owned and funded projects were cited for poor working conditions and exploitation of the workforce.

In the Middle East and Asia: Saudi employers beat four female Indonesian domestic workers so badly that two died, and police forcibly removed the other two from the hospital; two trade Unionists, one of whom was abducted and tortured were killed due to their Union activities in Iraq; and murders of trade Unionists were once again reported in Cambodia and the Philippines.

## Welfare Notes

December 2008



*The SUP Welfare Plan*

*Wishes you a Happy and Healthy Holiday Season*

*Michelle Chang—Administrator*

*Patty Martin*

*Michael Jacyna*

*Virginia Briggs*

*Wilma Olday*

SUP Welfare Plan Telephone: 415 778-5490 or 1 800 796-8003

## Carbon monoxide safety alert

SUP-contracted Foss Maritime Company issued the following safety alert on November 19:

As the weather cools, this is the right time of year to heed a carbon monoxide health warning and take steps to conduct an annual inspection for combustion appliances, such as ovens and propane heaters, and make sure that you have installed life-saving carbon monoxide (CO) detectors.

On average each year, 450 people nationally die from accidental CO poisoning, and many more experience flu-like symptoms. Carbon monoxide is a colorless, odorless gas that blocks the use of oxygen in the body. Young children and individuals with heart disease are those most likely to be affected by CO poisoning.

"Carbon monoxide is truly a silent killer," said California's Air Resources Board (ARB) Chairman Mary Nichols. "As winter weather beckons us to warm our homes, there is little thought that heating appliances can be potentially hazardous. Simple steps can be taken to protect yourself and your family from tragedy."

More than half of CO poisoning deaths are from malfunctioning or improperly vented combustion appliances. The ARB recommends:

- Proper use and maintenance of any appliances that produce a flame, such as gas furnaces and gas and propane space heaters, can prevent exposure to lethal levels of CO. Gas ovens should not be used for heating the home.
- Kerosene or propane space heaters, charcoal grills and barbecues, and unvented gas logs are dangerous and cannot be used legally indoors in California.
- Annual check-ups of all gas appliances by a qualified professional.
- Use of Underwriters Laboratory (UL)-approved CO detectors that sound an alarm when dangerous carbon monoxide levels are found; some also have warning signals or digital readouts to indicate lower levels of CO.
- Using caution when heating with propane appliances, older wall or floor gas furnaces, and fireplaces.
- Placing emergency generators outdoors away from windows and doors to prevent fumes from entering the home.
- Proper use and maintenance of appliances in recreational vehicles.

If you are concerned about the safety of your gas furnace or oven, contact your local utility provider or utility certified heating contractor immediately and request a combustion appliance safety test that includes CO measurements. Some utility companies will inspect home equipment for little or no charge.

In addition, do not operate cars or other internal combustion engines in enclosed spaces or attached garages. One-third of CO poisoning deaths are the result of accidental exposure from vehicles running in closed garages.

ARB data show that outdoor CO levels rise throughout California between the months of November and March because of stagnant weather conditions. These levels have been measured in covered garages and at busy intersections. Rising levels of outdoor CO may generate health complaints in sensitive people.

## Human Rights Watch confirms Colombia not ready for trade deal with United States

Despite the Bush administration's repeated attempts to push through Congress a U.S.-Colombia Free Trade Agreement (FTA) this year, the reality is that Colombia has not stemmed the violence against trade unionists or brought those responsible to justice. In short, Colombia has a long way to go before a free trade pact should be considered.

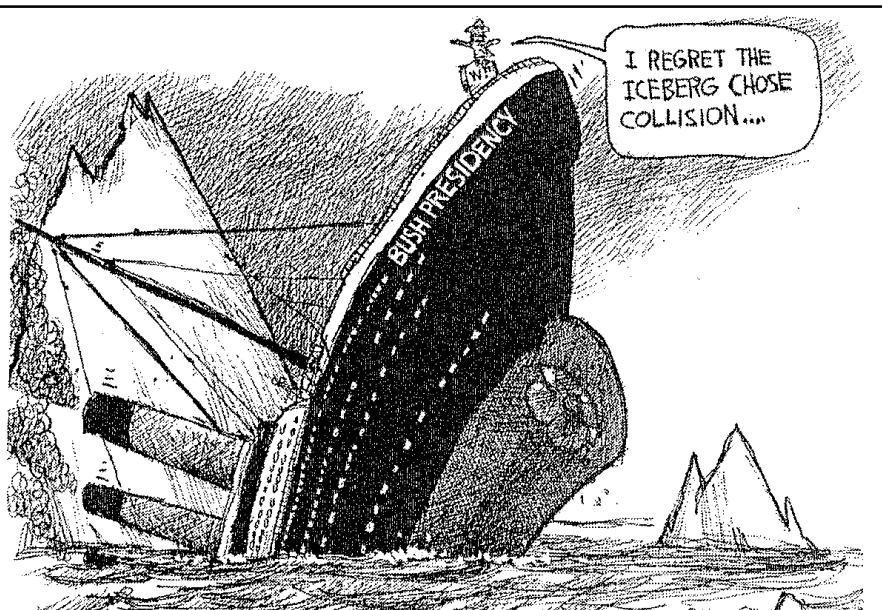
The head of Human Rights Watch recently wrote three top House leaders urging them to remain steadfast in insisting that Colombia clean up its act before approving any new trade deal. In the letter, Human Rights Watch Executive Director Kenneth Roth says: "Free trade should be premised on fundamental respect for human rights, especially the rights of the workers producing the goods to be traded. In Colombia, workers cannot exercise their rights without fear of being threatened or killed. Without concrete and sustained results in addressing this basic problem, ongoing anti-union violence and impunity would, as President-elect Barack Obama has noted, make a "mockery" of labor protections in the agreement. We believe that Colombia should be in compliance with such protections before the accord takes effect, as has generally been demanded with FTA commercial provisions."

Roth points out that U.S. pressure related to the free trade deal has forced the Colombian government to take some positive steps on impunity for anti-Union violence. But he says even those steps are limited and incomplete. In other areas, such as the rate of violence, Colombia has been sliding back this year.

New data support Roth's conclusions. The International Trade Union Confederation's (ITUC's) Annual Survey of Violations of Trade Union Rights again ranked Colombia as the most dangerous country for trade Union members. A total of 39 union members were killed there in 2007. While there was a slight reduction in killings in Colombia compared with the previous year, ITUC says many attempts to kill Colombian unionists failed, and there was a notable increase in forced removals, arbitrary arrests, illegal raids and threats, especially in agriculture, health and education.

In April, House Speaker Nancy Pelosi stripped the Fast Track timetable from the U.S.-Colombia FTA indefinitely, delaying a vote. But Bush, the Colombian government and the business lobby continue to press hard for a vote.

Roth added: "Colombia still has a lot of work to do before the FTA should be considered. By continuing to delay the deal's approval, the United States will show that human rights are not just words, but rather basic values that have real consequences for U.S. policy."



Mike Luckovich Atlanta Journal-Constitution, Creators Syndicate

## It's official: The recession started last year

The National Bureau of Economic Research determined last month that a peak in economic activity occurred in the U.S. economy in December 2007. The peak marks the end of the expansion that began in November 2001, and the beginning of a recession. The expansion lasted 73 months; the previous expansion of the 1990s lasted 120 months.

A recession is a significant decline in economic activity spread across the economy, lasting more than a few months, normally visible in production, employment, real income, and other indicators. A recession begins when the economy reaches a peak of activity and ends when the economy reaches its trough. Between trough and peak, the economy is in an expansion.

Founded in 1920, the National Bureau of Economic Research is a private, non-profit, nonpartisan research organization dedicated to promoting a greater understanding of how the economy works. The NBER is committed to undertaking and disseminating unbiased economic research among public policymakers, business professionals, and the academic community.

## Smugglers bale out on cutter

Marijuana by the bale —156 of them— has been fished out of the sea in Baja California by a U.S. Coast Guard cutter, but the smugglers escaped.

The Coast Guard cutter *Edisto* returned to San Diego on December 8, and offloaded 5.4 tons of cannabis, which was dumped into the Pacific when smugglers in a speedboat realized that the ship was bearing down on them. It had been alerted by a C130 Hercules flying above the international waters.

When the interception team stopped to pick up the contraband, the suspects sped off. The encounter took place on December 4.

## Bush Labor Department deemed a major failure

The next Secretary of Labor will be taking charge of an agency widely criticized for walking away from its regulatory function across a range of issues, including wage and hour law and workplace safety.

"My view is that this is a deeply troubled department," said Scott Lilly, a senior fellow at the Center for American Progress, who has written several reports critical of the agency's operation under the Bush administration. "As bad as personnel situation may be in many departments, I think it tends to worsen in the Labor Department than in most places. "I think you've got people embedded there who are philosophically hostile to the mission of the agency."

There are few federal agencies where the ideological differences separating many Democrats and Republicans play out more plainly. Labor is one of the government's largest regulatory enforcement agencies, overseeing issues from overtime payments and pension regulations to workplace safety and training programs. The agency has a total budget of \$50.4 billion and 16,800 employees.

Many businesses say the agency's enforcement regime often becomes onerous under Democratic administrations, leading to burdensome reporting requirements and a type of punitive enforcement that they say stifles economic growth. They applaud Republican administrations for focusing more on helping companies abide by the law than on penalizing those who violate it. So they are bracing for a big shift.

"With the new administration, I think you are going to a shift from compliance assistance to pure enforcement," said Randel K. Johnson, a vice president of the U.S. Chamber of Commerce.

Labor activists say that focusing so closely on the concerns of employers short-changes workers and that a shift in emphasis is long overdue. Under President Bush, they say, the pendulum has swung far away from enforcement, leaving workers vulnerable to dangerous workplaces and with little protection from exploitative employers.

In July, the Government Accountability Office issued a report alleging that the Labor Department did an inadequate job of investigating complaints by low-wage workers who alleged that their employers were stiffing them for overtime, or failing to pay the minimum wage. That report followed another that found troubling inconsistencies in how the department handled individual worker complaints. Department officials have disputed both reports, calling them inaccurate.

Still, they caught the attention of President-elect Barack Obama, who while campaigning in July fired off a letter to labor Secretary Elaine L. Chao expressing "serious concern" that the agency was not fulfilling its enforcement mission.

"It is important that the department put procedures into place that will lead to improvements in the enforcement of workers' rights," Obama wrote. "This is the core mission of the department and failing to adequately enforce the Fair Labor Standards Act is unacceptable."

This was not the first time the Labor Department has been accused of not living up to its regulatory mandate. A report last year by the department's inspector general found that mine safety regulators did not conduct federally required inspections at more than 14 percent of the country's 731 underground coal mines during the previous year —when the number of worker deaths in mining accidents more than doubled to 47.

The Bush administration's budget constraints and a lack of management emphasis on worker safety are responsible for the lapses, the report said.

"Bigger than any legislative change that may be out there is the question of funding," said Mike Asensio, a partner in the law firm Baker Hostetler who specializes in labor law. "The criticism is that because funding for enforcement has been cut, they don't have enough investigators out in the field."

Those problems extend to the Occupational Safety and Health Administration (OSHA), which oversees most workplace safety. It has seen its budget shrink each year Bush has been in office when inflation is taken into account, according to an analysis by the watchdog group OMB Watch. And while the overall budget fell by 5 percent, the enforcement budget is down 8 percent for Bush's tenure.

That decline continued a trend that saw the rate of OSHA workplace inspections reduced by nearly two-thirds between 1980 and 2005. Department officials have defended their emphasis, saying voluntary compliance has led to steady reductions in on-the-job injuries.

One area where the department became a more rigorous enforcer was in the oversight of labor Unions, critics say. New rules required more rigorous financial reports from about 20,000 Union locals. The Bush administration said the reporting requirements better informed workers how Unions spent their money. Critics differed. The administration "used that as a tool to weaken and discredit organized labor," Lilly said.

During the campaign, Obama promised to be supportive of organized labor and to step up enforcement of workplace safety regulations. He also said he would work to expand the reach of the Family and Medical Leave Act, which allows workers to take time off to care for relatives. He also has voiced support for the rights of workers to strike without having to worry about being permanently replaced.

"The Bush administration had abdicated its responsibility to protect workers," said Thea Lee, policy director of the AFL-CIO. "We have high hopes that we will see a dramatic change of direction under the Obama administration."

Moreover, Union officials said they are hoping the agency — which has been a backwater in some administrations — will have a strong voice in the administration's economic policy, speaking up for the workers in a fast-shifting economy.

## ESU Office Assignment

For the month of January, John Straley will be in the Seabrook office.

# ESU NEWS

DECEMBER 2008

Official Publication of the Exxon Seamen's Union

## ESU West Coast Office Closes

On December 31, 2008, twenty-six years after first opening, the ESU Benicia Office will close its doors for the final time.

The office was first established after the 1982 contract talks when the ESU was successful in negotiating a second office to be located on the West Coast. At that time and up until the mid nineties the Company kept two full time vessels in San Francisco Bay to do lightering operations. Those two ships, the *Exxon Galveston* and *Exxon Baytown* lightered crude oil from larger Company vessels arriving into San Francisco Bay from Valdez, Alaska and carried the cargo up to Richmond, Martinez, Benicia and other refineries in the North Bay and lower Sacramento River delta. Due to the large number of vessels calling into San Francisco at the time and with Exxon Shipping Company keeping an operations office in Benicia, the Union needed an office in the area to keep up with the significant amount of Union business generated by the activities. During those boom times, the Board Officer assigned to Benicia was constantly busy visiting ships and dealing with the entire West Coast fleet, which at its height accounted for more than double of what the fleet is today.

With the downsizing of the fleet in recent years and with the closure of the SeaRiver West Coast Operations Office a few years ago the Company has wanted to eliminate the ESU Benicia office for some time. During this year's contract negotiations the Company pressed hard for this major concession. The ESU tried it's best to keep the Benicia office but in the end had to concede to its closure. The ESU was able to get some protective language in our new Contract to help compensate for the loss of the office however. For example, we were able to negotiate that the Company now provide for up to ten round trip airfares a year for a Board Officer to travel to the West Coast to visit the ships and that if the number of ships in the fleet ever increases back to 12 or more, the second office will be reopened.

Within the next few months we will run an article in the *ESU News* detailing exactly how the new arrangement will work and how all Union business will be handled out of our main office in Seabrook, Texas. All telephone, fax and email lines to the Benicia office will be disconnected as of midnight December 31, 2008.

## WiFi pilot program to be rolled out on the *S/R Wilmington* If successful the system will be installed throughout the fleet

A new phase of the crew accessible shipboard internet and email system will soon be tested in the fleet. In addition to the fixed internet access computers, which are already available to crewmembers a new advanced WiFi system, will soon be rolled out and tested on the *S/R Wilmington*. If the system proves successful it will be installed and implemented on all vessels. The *Sierra*, which is now in the shipyard in Singapore, is currently having her fixed system installed and it should be up and running by the time her yard period is completed.

On November 22, while the *Wilmington* was alongside the dock at ExxonMobil in Baytown, technical specialists Mr. Mike Morrow and Ms. Vickie Colson came down from Houston to begin testing the new WiFi equipment. There is already a WiFi type network installed on most ships and it has been in use by the officers for some time now. The new enhanced system however, is different and will involve using external USB adaptors that crewmembers can plug into their personal laptop computers to amplify the signal, which is already available in the house and engine room. New WiFi signal amplifiers will also be installed throughout the ships to further enhance signal strength.

In his email to Operations VP Stu McRobbie, Mr. Morrow said that by using the adaptors the connectivity throughout the house and engine room can be greatly enhanced and he felt confident that when the adaptors are used in conjunction with the new signal boosters crewmembers should be able to connect to the internet with their laptops from their staterooms or anywhere throughout the ship. Further, these adaptors will provide connectivity superior to that which is built into most personal computers and help alleviate technical problems that may occur resulting from the use of the security protocol that is used on the company system.

Mr. McRobbie has approved the purchase of 15 of these adaptors for the onboard pilot test. It is envisioned that crewmembers will check out the adaptors from the captain and return them either when they are finished or when they sign off the vessel. The adaptors are company property and control and accountability measures will be put in place to guarantee their return. If the test aboard the *Wilmington* is satisfactory similar numbers of adaptors will be ordered for the remaining ships in the fleet.

The ESU lobbied long and hard for internet access for the crew and we are delighted that the system is finally coming online. The ESU thanks Mr. McRobbie, Mr. Morrow, Ted Burger and all others involved for their help and support of this important quality of life enhancement to our ships.

## Seabrook office to re-open in January



If repair and renovation work continue on schedule, the ESU hopes to be moved into our new office in Seabrook Texas by mid-January 2009. Our old office located on 5<sup>th</sup> Street in Seabrook was flooded and destroyed earlier this year by Hurricane Ike. Since that time we have been conducting business out of a temporary office, which we set up in our Seabrook apartment. Working out of the apartment has proven a challenge since it is a small one-bedroom apartment and space has been cramped.

The new office is in a pre-existing building in the same neighborhood as our old office, which is located in a part of town known as Old Seabrook. Because it sits on higher ground it sustained much less damage than our old office did but was still significantly damaged by the storm. Currently contractors are refinishing the floors, painting both the interior and exterior, checking the roof, repairing the wiring, heating and air conditioning and generally cleaning up the property to get it into a habitable condition. We have put down some rent money on the property to hold it but will not sign a lease until we are satisfied that the building has been properly repaired and inspected.

The address of the new office is the Exxon Seamen's Union, 913-A Hardesty Avenue, Seabrook, Texas 77586. We are already receiving mail at this address and

request that everyone change their address books to remove the old 1320 5<sup>th</sup> Street address and replace it with the new Hardesty Avenue address. At this time we do not foresee our telephone numbers and email address changing. The building is located only a mile and a half from our apartment so we have been driving by each day to pick up the mail and check on the progress of the renovation.

The landlord has removed an interior wall at our request to make one large room in front that will be suitable for our conference table and chairs. The building also has two smaller rooms, one that we will use for our desk, phones and office equipment and the other for storage. This new building also has a small kitchen, which will make it convenient for the Board officer at work and for meetings and conferences. The location of this year's Ship Rep conference has not yet been determined but if it is held close by the Reps, Trustees and Board Members at Large will be given a tour of the new property sometime during the week of the conference.

The building formerly housed the offices of Seabrook Counseling and psychologist Dr. Sandy Pannett. We look forward to moving back into a regular office and getting business back to normal. We will keep you updated on the progress of our relocation in next month's *ESU News*.

## Marcums organize effort to fight breast cancer

ESU member Marvin Marcum and his wife Gail in association with the Yoplait yogurt division of General Mills Corporation have organized an effort to help fight breast cancer by collecting lids from yogurt containers on the *S/R Wilmington* and other SeaRiver vessels. Yoplait has introduced a charitable program where for every pink Yoplait yogurt lid send in, they donate 10 cents to the Susan G. Komen Breast Cancer Foundation. Yoplait has pledged to donate up to 1.5 million dollars, and they guarantee a minimum donation of 500,000 dollars to the foundation.

Marvin is a Pumpman in the Ocean Fleet and was recently assigned to the *S/R Wilmington*. When he was made aware of the program by his wife Gail who is active in breast cancer charity work in their hometown of San Antonio he remembered that a significant amount of Yoplait yogurt was consumed on the SeaRiver vessels. Marvin then decided to recruit the help of all the officers and crew aboard the *Willy* to start collecting and saving the lids, which he cleans up and sends to Gail in San Antonio to forward on to the Yoplait program headquarters.

The program is named for Susan G. Komen; a remarkable woman who tirelessly fought breast cancer until the end. Throughout her treatment and endless days in the hospital, she spent her time thinking of ways to make life better for other women battling breast cancer instead of worrying about her own situation. Moved and inspired by her sister's compassion and commitment for others, Nancy G. Brinker began the Susan G. Komen for the Cure Foundation in 1982. Since that time it has become the largest source of nonprofit funds dedicated to fight breast cancer in the world.

The ESU commends Marvin and Gail for their commitment and compassion as well. Their initiative to get involved in charitable programs like this reflects the kind of principles and character that make us proud to have them as part of the ESU.

## S/R American Progress applies for STEP program

As reported in the Federal Register, Volume 73, dated December 1, 2008 the US Coast Guard announced the availability of a Draft Environmental Assessment for the *S/R American Progress*. The Draft Environmental Assessment or DEA is a document, which describes the *S/R American Progress*' application for the Shipboard Technology Evaluation Program (STEP) ballast water treatment demonstration initiative.

Notwithstanding the long and elaborate sounding program name and acronyms, what the Federal Register is reporting is SeaRiver's application to include the *American Progress* in the federal program designed to evaluate new shipboard technology. In this case it is to evaluate the Severn Trent De Nora BalPure ballast water treatment equipment, which according to the manufacturer was installed on the *American Progress* in January of 2008. The patented BalPure system is a piece of equipment that purifies ballast water of invasive aquatic species by generating biocides and analyzing and metering the level of those biocides and neutralizing agents prior to discharge and de-ballasting operations. The equipment also logs the overall ballast water treatment system for presentation to authorities.

The Coast Guard announced the STEP program for the testing of experimental shipboard ballast water treatment systems in December of 2004. The goal of the program was to promote the development of alternatives to ballast water exchange as a means of preventing invasive species from entering US waters through ships' ballast water. In the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, Congress directed the Coast Guard to prevent the introduction of foreign species into U.S. waters from ballast discharged by ships. To achieve this the Coast Guard wrote the present ballast water exchange regulations. As we all know, ballast water exchange can be an inefficient and time-consuming process. It is hoped that if this new ballast water treatment system on the *American Progress* proves safe and effective it will be certified by the Coast Guard and International Maritime Organization (IMO) to replace some of the ballast water exchange procedures that are now required by U.S. and international regulations.

## Ship reports

### S/R American Progress

An ESU Board officer visited the vessel on November 21, and again on December 3, at the ExxonMobil Refinery in Beaumont, Texas. Deck Trustee Pat Campbell was onboard handling ESU matters and reported all running well. Pat has now gone home to paid leave and Greg Connell has taken over as Temp Ship Rep. Our thanks to Greg for helping out. The *Progress* remains in her Beaumont to Fort Lauderdale run.

### S/R Baytown

A Board officer visited the Baytown on December 2, at Magellan in Galena Park (Houston) Texas. AB Pete Flaherty doing a good job filling in as Temp Rep. while Joe Bernavich is home on paid leave. Thanks to Paul Clow too for doing a fine job filling in before being relieved by Pete. At press time the *Baytown* was scheduled to transit the Panama Canal on December 13, and was due into Los Angeles around December 21. After LA she will re-enter the Valdez to Puget Sound trade.

### Kodiak

The *Kodiak* continues in her Valdez to Puget Sound trade. Board member and Engine Trustee Will Ackley keeps in touch with the ESU regularly. A few minor issues came up but were handled successfully on board. Everything is running well on the *Kodiak*.

### S/R Long Beach

An ESU Board officer visited the Long Beach at the BP 121 Dock in Long Beach, CA, on December 8, 2008. Regular Ship Representative Wayne Dymont is back on board and reported everything running very smooth. Vice

President of Operations Stu McRobbie also visited the ship that day and addressed the crew on safety and gave an operations update. Stu also answered questions regarding the future of the vessel. At press time, the *Long Beach* was heading to Valdez for what will probably be her last load. The load is scheduled to be taken to Hawaii after which she will most likely head to Labuan, Malaysia via Singapore for lay-up.

### Sierra

The *Sierra* has been in Jurong Shipyard in Singapore and is due to depart around December 20, to load in Valdez around the first week of January. Ship Representative Thor Floreen is on still aboard and communicates with the ESU office regularly. Thor reports the crew has been working hard and the ship is coming along well. The *Sierra* had the hardware for the internet access installed during the shipyard and will have it up and running as soon she gets back in the United States.

### S/R Wilmington

A Board officer visited the *Wilmington* on November 22, and again on December 15, at the ExxonMobil Refinery in Baytown, Texas. Members reported that VOPAK Security in Wilmington, Delaware were prepared to deny shore access to anyone without a TWIC on November 28, even if escorted. Luckily all ESU members aboard had their TWIC already. Well done. Thanks to Joel Mitchell for coming forward and volunteering to fill in as Temp. Rep. Joel reports all running smoothly. Rumor has it the *Willy* may enter the Corpus to Tampa gasoline trade in 2009.

## 2009 Holiday Schedule

New Year's Day, Tues., Jan. 1

Martin Luther King Day, Mon., Jan. 19

President's Day, Mon., Feb. 16

Memorial Day, Mon., May 25

Independence Day, Fri., July 3

Labor Day, Mon., Sept. 7

Columbus Day, Mon., Oct. 12

Veteran's Day, Wed., Nov. 11

Thanksgiving, Thurs., Nov. 26

Christmas Day, Fri., Dec. 25

## ESU Recording Secretary Tom Thompson retires



ESU President Kevin Conroy presents Recording Secretary Tom Thompson a plaque in appreciation of his service to the Exxon Seamen's Union. Presentation was made in Galveston, TX during the 2008 Contract review and signing. ESU Executive Board are pictured from left to right: Leo DeCastro, Kurt Kreick, Kevin Conroy, John Straley, Tom Thompson, Pat Campbell and William Ackley.

Thomas "Tom" Thompson, ESU Recording Secretary and Able Seaman in the Ocean Fleet, retired from SeaRiver effective October 3, 2008 with over twenty years of company service. Most members know Tom from his time on the ESU Executive Board where he served as Recording Secretary for the last nine years.

Tom's prior experience included sailing as AB and Mate on seismic survey vessels working up and down the Danish and Norwegian coasts, on oceangoing supply tugs sailing in the Caribbean and Gulf of Mexico and on inland tugs towing barges on the Mississippi river. Tom began his career with Exxon Shipping Company in February 1987 aboard the *Exxon Jamestown* as a Maintenance Man AB. He was promoted to Able Seaman on February 16, 1988 and later sailed on a variety of ships on both the East and West Coasts.

Tommy's labor roots were put down early during his late teenage years when he worked at an automotive plant in California where he was a proud member of the UAW. He later became active in support of union issues in the Exxon and SeaRiver fleets and served as Temporary Ship Representative on a number of occasions.

In the mid 1990s he was elected as permanent ESU Ship's Representative on the *S/R Baytown* where he did a superb job on a vessel that in the past was often challenging. In January 2000 he was elected Recording Secretary of the ESU and served with distinction in that capacity until his retirement.

Tom's official title was Recording Secretary, but to his fellow Executive Board members and the membership as a whole he was certainly much more. He was always willing and able to participate in all ESU functions, which in many cases occurred during his paid leave. The ESU Executive Board and indeed the entire membership are grateful to Tom for his many years of devoted service. We will all miss him and we sincerely thank him for all his help, support and friendship throughout the years.

Tom's retirement plans include traveling around the country in his RV with his wife Cindy and spending time with his children and grandchildren. Tom always enjoyed writing for the *ESU News* but his true passion for writing is on the subject of NASCAR racing. You can read Tom's articles about NASCAR at [www.frontstretch.com/staff](http://www.frontstretch.com/staff).



Attending the Dangerous Liquid Cargo class from October 11 through October 19, 2008 at the Ramada Inn in Vallejo, CA are (from left): Jonathan Straley, Roberto Dixon, Shannon Wegner, Freeman Belmont, Rozrick Purvis and Gabriel Reyes

## EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Vice President John Straley  
Secretary/Treasurer Leo DeCastro  
Recording Secretary Thomas Thompson III

Deck Trustee Pat Campbell  
Engine Trustee William Ackley  
Steward Trustee Kurt Kreick

# SUP Honor Roll

Voluntary contributions from the membership to the following funds in 2008:

## Organization/General Fund

Gordon Abbott .....	100.00	Mike Duvall .....	20.00	Peter Leo .....	40.00	Jon Rose .....	30.00
Abe Acosta .....	20.00	Kelly Eggers .....	80.00	Mark Littlejohn .....	40.00	Steven Ross .....	80.00
Abraham Acosta .....	20.00	Diane Ferrari .....	45.00	Gunnar Lundeberg .....	250.00	Randy Runyan .....	70.00
Asad Al-Rassulullah .....	40.00	Erik Finneman .....	50.00	Jason Magi .....	25.00	Stephen Rydberg .....	100.00
Knud Andersen .....	200.00	Lymel Gador .....	25.00	John McBride .....	50.00	Gary Rymel .....	20.00
Karl Babl .....	20.00	Art Garrett .....	40.00	Brian McCarthy .....	25.00	Carl Schroeder .....	20.00
Jim Bailey .....	30.00	Joe Ginez .....	10.00	Joseph McShane .....	100.00	Ralph Senter .....	20.00
John Benson .....	20.00	Robert Greene .....	70.00	Steve Messenger .....	40.00	Andy Simkanin .....	25.00
Brendan Bohannon .....	40.00	John Hamann .....	20.00	Leo Moore .....	40.00	Knud Sorensen .....	50.00
Christopher Bujnowski .....	40.00	Mark Hurley .....	130.00	Trev Motlow .....	20.00	Ed Suguitan .....	60.00
Brian Burns .....	40.00	Isnin Idris .....	50.00	Duane Nash .....	80.00	Tulilo Tautala .....	20.00
Joseph Castege .....	100.00	Knud Jensen .....	100.00	Remigo Noble .....	30.00	Douglas Taylor .....	100.00
Steve Clemens .....	59.00	David Johnson .....	20.00	Rick Pangan .....	25.00	Arthur Thanash .....	500.00
Robin Colonas .....	40.00	Jan Peter Johnsson .....	50.00	Eric Partika .....	20.00	Morris Thibodeaux .....	50.00
Danny Colton .....	10.00	Brandon Keopuhiwa .....	25.00	Timothy Patricio .....	30.00	Dennis Tinsley .....	40.00
Dave Connolly .....	20.00	Mike Koller .....	40.00	John Perez .....	50.00	Tom Tynan .....	20.00
Robert Copeland in memory of		James Kolm .....	50.00	Mike Potenti .....	77.00	Louie Urbano .....	20.00
Bill Moku .....	20.00	Norman Kwak .....	25.00	Harold Presswood .....	20.00	Joshua Walker .....	80.00
Donald Cushing .....	80.00	Eli Lalich .....	60.00	Rich Reed .....	45.00	William Wood .....	20.00
Jay Dillion .....	30.00	Thomas Larkin .....	25.00	Dale Rodriguez .....	30.00	Roy Yates .....	100.00
Mike Dirksen .....	40.00	Lincoln Lee .....	50.00	Alex Romo .....	40.00	Burwood Yost .....	20.00
Romaine Dudley .....	20.00						

## Sailors' Political Fund

Gordon Abbott .....	100.00	Daniel Foster .....	20.00	Jereld Komoto .....	50.00	Rich Reed .....	150.00
Abraham Acosta .....	100.00	Edgardo Franco .....	60.00	Kaj Kristensen .....	100.00	Emmanuel Rezada .....	90.00
Asad Al-Rassulullah .....	40.00	Louis Frazier .....	20.00	Norman Kurtz .....	30.00	Javier Riano .....	25.00
Knud Andersen .....	176.28	John Furrie .....	20.00	Norman Kwak .....	25.00	Mariam Rillo .....	25.00
Jose Anbeles .....	20.00	Dan Gabaree .....	30.00	David Larsen .....	200.00	Teo Rojas .....	100.00
Mike Arceo .....	10.00	Lymel Gador .....	25.00	Gunnar Larsen .....	50.00	Philip Romeli .....	100.00
Pio Aujero .....	50.00	David Garcia .....	70.00	Lincoln Lee .....	50.00	Alexander Romo .....	20.00
Emo Aulelava .....	20.00	Roberto Garcia .....	65.00	Peter Leo .....	40.00	Jon Rose .....	70.00
Karl Babl .....	20.00	Art Garrett .....	40.00	Maea "Jay" Loe .....	35.00	Manny Roxas .....	50.00
James Bailey .....	100.00	Tom Gatmaitan .....	20.00	Jose Lopez .....	10.00	Randy Runyan .....	30.00
Noel Balaguer .....	50.00	Dale Gibson .....	20.00	Gunnar Lundeberg .....	900.00	Stephen Rydberg .....	100.00
Benito Benson .....	20.00	Joseph Giney .....	10.00	Raoul Macalinao .....	80.00	Dmitri Seleznev .....	90.00
Billy Bell .....	75.00	Joseph Ginez .....	20.00	Virgilia Managbanag .....	110.00	Ralph Senter .....	500.00
Rogelio Berioso .....	20.00	Richard Goen .....	20.00	John McAuliffe .....	40.00	Dave Shands .....	10.00
Brendan Bohannon .....	50.00	Allen Gonzalez .....	10.00	John McBride .....	50.00	Andy Simkanin .....	25.00
Peter Brag .....	25.00	Jonathan Goodwin .....	10.00	Brian McCarthy .....	50.00	Gabriel Sipin .....	20.00
Christopher Bright .....	20.00	David Green .....	90.00	Michael McLavy .....	200.00	Gregory Smith .....	20.00
Christopher Bujnowski .....	160.00	Robert Green .....	410.00	Ian McLeod .....	60.00	Joe Smoler .....	20.00
Charles Bulmer .....	20.00	Marshall Griggs .....	50.00	Dave Mercer .....	60.00	Mike Soper .....	20.00
Chris Bunheirao .....	40.00	Dustin Grobschmit .....	20.00	Steve Messenger .....	60.00	Knud Sorensen .....	50.00
Robert Burns .....	10.00	Tom Gustin .....	40.00	Joseph Moitoso .....	1,159.37	Philip Spinaio .....	50.00
Stephen Campbell .....	150.00	Nabeel Hafid .....	200.00	Paul Monti .....	50.00	Jim Stelpstra .....	70.00
S. Carson .....	20.00	James Hall .....	40.00	Trev Motlow .....	20.00	Ernest Stimach .....	10.00
Norm Christianson .....	25.00	John Hamann, Jr. .....	20.00	Dennis Murphy .....	100.00	Richard Stinson .....	20.00
Michael Cogan .....	30.00	Mark Hargus .....	60.00	Harry Naeole .....	15.00	Edwin Suguitan .....	25.00
Robin Colonas .....	100.00	Rex Harper .....	40.00	Remigo Noble .....	30.00	Steve Swinton .....	20.00
Danny Colton .....	20.00	Walter Harris .....	20.00	Vince O'Halloran .....	400.00	David Sylstra .....	50.00
Dave Connolly .....	400.00	Kenneth Herzstein .....	60.00	Terence O'Neill .....	2000.00	Tulilo Tautala .....	110.00
Kevin Conroy .....	75.00	Timothy Hill .....	100.00	William Ofsthus .....	100.00	Robert Taylor .....	60.00
Nick Cooper .....	60.00	Kim Hoogendam .....	100.00	Scott Oliphant .....	10.00	Arthur Thanash .....	500.00
Jennifer Corner .....	10.00	Nick Hoogendam .....	30.00	Douglas Olney .....	100.00	Morris Thibodeaux .....	100.00
Richard Crowell .....	50.00	Mark Hurley .....	100.00	Mike Orosz .....	20.00	Dennis Tinsley .....	40.00
Douglas Crute .....	50.00	Sheimaih Iaea .....	20.00	Erik P. Williamson .....	70.00	Louie Urbano .....	40.00
Don Cushing .....	420.00	Isnin Idris .....	75.00	Dave Pangan .....	20.00	Rene Valles .....	20.00
Colin Dewey .....	100.00	Norkaslan Idris .....	10.00	Rick Pangan .....	50.00	Colin Walker .....	40.00
Mike Dirksen .....	150.00	Sedek Idris .....	30.00	Michael Parenteau .....	20.00	Robert Watkins .....	100.00
John Drolla .....	110.00	Noel Itsumaru .....	80.00	David Partikian .....	45.00	Scott Weideman .....	80.00
Earl Eastmark .....	40.00	Marcelo Javier .....	40.00	Edwin Pastolero .....	30.00	Eric Weintraug .....	100.00
Joe Eckert .....	30.00	Knud Jensen .....	55.00	Jim Patricio .....	10.00	Patrick Weisbarth .....	100.00
Mike ElMobdy .....	160.00	David Johnson .....	20.00	John Perez .....	125.00	Erik Brandon Williamson, Jr. ..	10.00
Dave Erikson .....	30.00	Jan-Peter Johnsson .....	50.00	John Peterson .....	50.00	Wil Williamson .....	100.00
Berit Eriksson .....	100.00	Lani Kalama .....	100.00	Jesper Pfeil .....	20.00	Aaron Wong .....	20.00
David Fadoul .....	100.00	Monte Kalama .....	50.00	Edwin Postolero .....	10.00	Elroy Wong .....	10.00
Tom Fate .....	30.00	Art Kardinal .....	110.00	Paul Purugganan .....	25.00	William Wood .....	100.00
Diane Ferrari .....	75.00	John Kelly .....	30.00	Ray Ramirez .....	30.00	Danilo Ycoy .....	20.00
Barry Fisher .....	20.00	Brandon Keopuhiwa .....	45.00	Knut Rasmussen .....	25.00	Antonio Ymas .....	40.00
James Flaherty .....	50.00	Mike Koller .....	40.00	John Rawlings .....	70.00	Brian Yost .....	20.00
Patrick Flynn .....	100.00	James Kolm .....	50.00			Edward Zoobrick .....	100.00

## **West Coast Sailors**

Gordon Abbott .....	100.00	Thor Eriksen .....	30.00	Eli Lalich .....	100.00	Robert Ramirez .....	25.00
Albert Abramson .....	20.00	C.H. Erikson .....	100.00	Mark Lara .....	25.00	John Reed .....	50.00
Abe Acosta .....	40.00	David Fadoul .....	50.00	Thomas Larkin .....	20.00	Richard Reed .....	25.00
Archie Aki .....	25.00	Frank Fellow .....	25.00	Gunnar Larsen .....	25.00	Mariam Rillo .....	25.00
Gerald Allen .....	50.00	Erik Finneman .....	50.00	James Larsen .....	25.00	Arthur Rogers .....	25.00
Alfred Anderson .....	80.00	James Flaherty .....	50.00	Orson Larsen .....	25.00	Teo Rojas .....	90.00
Karl Anderson .....	25.00	Patrick Flynn .....	100.00	Albert Laurel .....	10.00	Alexandro Romo .....	20.00
Mike Arceo .....	10.00	ledo Forassiepi .....	20.00	Lincoln Lee .....	50.00	Angelo Rossano .....	25.00
Walter Arndt .....	25.00	Michael Fox .....	50.00	Hans Lilledahl .....	25.00	Terrence Ryan .....	25.00
Takayuki Asai .....	25.00	Sylvan Frankel .....	25.00	Maea "Jay" Loe .....	35.00	Stephen Rydberg .....	25.00
Pio Aujero .....	25.00	Manoru Fukano .....	25.00	Angelo Loffa .....	50.00	Edward Sabo .....	25.00
Karl Babl .....	20.00	J. Gladstone .....	25.00	Belfred Lomba .....	25.00	Joel Schor .....	25.00
Robert Bacon .....	20.00	Marvin Glasgow .....	50.00	John Mancilla .....	25.00	Carl Schou .....	30.00
John Ban .....	25.00	Juan Gonzales .....	20.00	Armando Martinez .....	25.00	Charles Schroeder .....	10.00
Paul Barbour .....	10.00	Allen Gonzalez .....	10.00	John Masterson .....	25.00	Chester Sherry .....	10.00
Thomas Basford .....	25.00	George Gooden .....	25.00	Brian McCarthy .....	75.00	Virgil Sieben .....	15.00
Billy Bell .....	50.00	Burnett Green .....	40.00	Gary McDevitt .....	30.00	Andy Simkanin .....	25.00
Ojvind Bernhagen .....	125.00	Robert Greene .....	20.00	Gabriel McDonald .....	20.00	Ray Simpson .....	25.00
Archie Bickford .....	25.00	John Gugich .....	30.00	Joseph McShane .....	25.00	Bruce Smith .....	25.00
Herbert Blake .....	25.00	R. Gumanas .....	10.00	Joseph Meehan .....	25.00	Frank Smith .....	25.00
Richard Blossom .....	20.00	Wilton Gustafson .....	10.00	Rodolfo Menchaca .....	25.00	Martin Smith .....	25.00
Don Bohle .....	25.00	Gus Guzelian .....	25.00	Jack Milano .....	25.00	William Smith .....	50.00
Robert Booth .....	25.00	Herman Hallman .....	25.00	Reynold Minoli .....	25.00	Kai Sorensen .....	25.00
George Boyeas .....	25.00	John Hamann .....	25.00	Joe Moitoso .....	40.00	Eugene Souza .....	25.00
Joseph Bracken .....	25.00	Robert Hampshire .....	100.00	Joseph Moniz, Jr .....	10.00	Gerald Spafford .....	50.00
Stanley Branch .....	25.00	Mark Hargus .....	20.00	Richard Moores .....	25.00	James Springer .....	20.00
Christopher Bright .....	80.00	Rex Harper .....	25.00	David Munroe .....	25.00	Edwin Sugitan .....	45.00
Calin Browning .....	40.00	Franklin Haugen .....	25.00	Dennis Murphy .....	100.00	Vincent Sullivan .....	20.00
Gunther Brummer .....	30.00	James Hearn .....	25.00	Harry Naeole .....	15.00	Leo Surmeian .....	25.00
James Buster .....	30.00	JoAnn Holladay .....	25.00	Kenneth O'Halloran .....	10.00	Thomas Tamblyn .....	25.00
Lyle Calvin .....	100.00	Kim Hoogendam .....	25.00	Charles Oakley .....	25.00	Eleanor Terrell .....	50.00
Eugene Campedel .....	20.00	Krystyna Horden .....	25.00	William Ofsthus .....	50.00	Morris Thibodeaux .....	250.00
George Castege .....	100.00	John Houlihan .....	25.00	Robert Palakiko .....	25.00	William Tice .....	25.00
Joseph Castege .....	25.00	Kay House .....	50.00	David Pangan .....	40.00	Peter Villanueva .....	25.00
Thomas Casynn .....	100.00	Isnin Idris .....	25.00	Ricky Pangan .....	25.00	Loren Voss .....	10.00
Lee Cherry .....	20.00	Anthony Ingegneri .....	25.00	Ed Pardo .....	25.00	Colin Walker .....	25.00
Richard Chung .....	25.00	Steve Itson .....	20.00	Tonni Pedersen .....	25.00	Richard Walsh .....	55.00
Steve Clemens .....	20.00	Arne Jakobsen .....	25.00	John Perez .....	50.00	Carl Walters .....	25.00
Walter Connors .....	25.00	Romero Jalomo .....	30.00	Amund Petterson .....	25.00	Jacob Wanner .....	25.00
George Cooney .....	30.00	Herbert James .....	25.00	James Phelps .....	25.00	Michael Webb .....	25.00
Jennifer Corner .....	25.00	Verness Johansen .....	10.00	Earl Phillips .....	25.00	Charles Weber .....	25.00
Richard Crowell .....	50.00	Art Kardinal .....	20.00	Ronald Pittman .....	25.00	Eric Weintraug .....	20.00
Douglas Crute .....	25.00	James Kawasaki .....	25.00	Milburn Pond .....	25.00	Chester Williams .....	25.00
Cal Cunningham .....	25.00	Brandon Keopukiwi .....	20.00	George Pope .....	30.00	William Williamson .....	25.00
Clarence Curl .....	25.00	Francis Kim .....	100.00	Robert Porteous .....	30.00	William Wood .....	20.00
Colin Dewey .....	25.00	Richard Kingsbery .....	50.00	Jack Post .....	25.00	Roy Yates .....	50.00
Robert Doyle .....	25.00	James Kolm .....	25.00	Greg Presz .....	25.00	John Yee .....	50.00
Frank Dufek .....	40.00	James Kula .....	25.00	Charles Rafael .....	25.00	Carl Ziegeler .....	40.00
James Eggleston .....	50.00	Hannu Kurppa .....	20.00	Larry Kusman .....	100.00	Stephen Zombro .....	10.00
Leo Endries .....	25.00	Norman Kurtz .....	25.00			Edward Zoobrick .....	100.00
Robert Erickson .....	25.00						

### **Dues-Paying Pensioners**

Robert Copeland	Book #4763
Romaine Dudley	Book #2593
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Stanley Lane	Book #4106
James K. Larsen	Book #4055
John McKeon	Book #6456
Keith Miller	Book #6497
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Alex Romo	Book #3193
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323
Richard Sexton	Book #203

### **Bargaining rights denied to 8,600 federal workers**

In a final-days attack on workers' rights, President Bush on December 1, issued an executive order that denies collective bargaining rights to about 8,600 federal employees who work in national security, law enforcement and intelligence.

Nearly 1,000 of the workers currently are represented by a Union, and some have been for more than 30 years. The biggest group affected by the order is the 5,000 employees of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which is now part of the Justice Department.

Peter Winch, national organizer for American Federation of Government Employees (AFGE), the largest federal employee Union, says the Union is determined to fight the executive order. "Bush's actions are within his legal discretion, but he has abused that discretion. There is no reason for this action. Nothing has happened from yesterday to

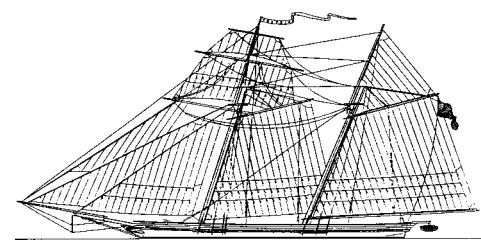
today to change the national security situation to require such a change. We're asking President-elect Obama when he takes office to review all exclusions [from collective bargaining] since 1978. Several exclusions by this president were not done for national security reasons, but to stop Unions."

In the executive order, Bush said it would be inconsistent with "national security requirements" to allow the employees to engage in collective bargaining over the conditions of their employment. This is the same rationale the White House used in 2003 to deny bargaining rights to workers at the Transportation Security Agency (TSA) in one of the first shots in the Bush administration's war on federal workers.

Although transportation security officers (TSOs) remain deprived of the freedom to bargain collectively, AFGE has 10,000 TSA members in 22 locals na-

tionwide and regularly represents these employees before the TSA Disciplinary Review Board, the Equal Opportunity Commission, Congress and in the courts. And that number is growing. More than 100 TSOs at Dallas-Fort Worth International Airport and Dallas Love Field joined AFGE Local 1040 in August.

The latest executive order also covers certain workers in the Energy Department, Immigration and Customs Enforcement, the Federal Air Marshal Service, the Federal Emergency Management Agency, the U.S. Coast Guard and the Federal Aviation Administration.





# SUP President's Report

December 8, 2008

## PATRIOT CONTRACT SERVICES

### LMSR Vessels

On November 7, the Military Sealift Command issued a Request for Proposal (RFP) N0003-08-R-5302 for the operation of 11 Large, Medium-Speed, Roll-On/Roll-Off (LMSR) vessels. The vessels in question were previously operated by Patriot from 1999-2003.

In the current solicitation the vessels are broken down into three "lots." Lot #1 consists of the *USNS Bob Hope*, *USNS Benavidez*, *USNS Brittin*, *USNS Fisher*, *USNS Mendonca*, *USNS Pililaau* and *USNS Seay*. Lot #2 consists of the *USNS Gordon* and *USNS Gilliland*. Lot #3 consists of the *USNS Shughart* and *USNS Yano*. This means the vessels could be awarded to three different operators.

The five-year contract will commence in January/February 2010. The tentative homeports (layberths) for the vessels are: Bremerton, Washington—*Brittin*; Vancouver, Washington—*Pililaau*; San Diego—*Fisher*; Jacksonville, Florida—*Gordon* and *Gilliland*; Violet, Louisiana—*Shughart* and *Yano*; Corpus Cristi, Texas—*Benevidez* and *Bob Hope*; Baltimore—*Seay* and *Mendonca*.

According to the RFP, the deck department manning scale in Full Operating Status (FOS) is one Bosun, six ABs and two OSs. In Reduced Operating Status it's one Bosun, one AB and one OS.

Patriot notified the Union that it intends to bid for these vessels. In conjunction with Vice President Dave Connolly have had preliminary discussions with the company and the MFOW and SIU-A&G on the RFP and formulating what is hoped to be a successful bid. APL and Matson indicate they will not bid on these ships.

### Woods Hole Vessels

Since April 2007, the SUP and MFOW have been signatory to a crewing services agreement with Patriot to provide relief mariners operated by the Woods Hole Oceanographic Institution vessels: The *r/v Atlantis*, *r/v Knoor* and *r/v Oceans*. While the agreement has provided the MFOW with a limited amount of work, the SUP hasn't received a call as of this date.

On November 21, the SUP, MFOW and Patriot signed an extension of the agreement, subject to membership approval, through September 30, 2009. The wage and benefit rates were increased by 3%.

For the SUP, the rates are:

	Daily Wage	Vacation (Daily)	Money Purch.	Health & Welfare	Daily Trng.	Daily JEC	Spec. Med. Ben.	Pens. OT Rate	Hourly OT Rate
AB	\$105.35	52.68	10.93	47.62	4.37	2.19	3.09	26.62	
OS	\$72.21	36.11	10.93	47.62	4.37	2.19	3.09	15.92	
GVU*	\$72.21	36.11	10.93	47.62	4.37	2.19	3.09	15.92	

(\*General Vessel Utility)

Recommend membership ratification of the Patriot/Woods Hole Agreement.

### Cape Gibson

The *s/s Cape Gibson* (ex-*President Jackson*, ex-*India Mail*), a Ready Reserve Force vessel operated by Patriot and crewed on deck by the SUP, was deactivated last month and towed to the National Defense Reserve Fleet at Suisun Bay. She joins her sister-ship the *s/s Cape Girardeau* (ex-*President Adams*, ex-*Alaska Mail*).

Laying these multi-purpose, self-sustaining breakbulk C-5 Class ships is shortsighted at best as they can be used for any type of national emergency or international sealift. The Union has made this point to the Maritime Administration and the MSC on numerous occasions, which obviously fell on deaf ears.

## APL

At the request of APL, SUP Vice President Connolly and your secretary attended a meeting on November 25, at company headquarters in Oakland. The MFOW was represented by President Anthony Poplawski and Acting Business Agent "Cajun" Callais; the MM&P by Pacific Coast Vice President Don Marcus and Wilmington Representative Dave Boatner; and the MEBA by Executive Vice President Mike Nizetich and Oakland Patrolman Jim Straats. In attendance for the company were: APL, Ltd. Labor Relations Vice President Bob Stephens, APL Maritime Vice President and Chief Operating Officer Brian Constable; APL Maritime Ltd's Liner Technical Manager Frank Angelacci and Senior Labor Relations Consultant Jerry Carbiener.

The primary purpose of the meeting was for the company to inform the Unions of the agreement signed in 2005 between APL and the American Radio Association (ARA). Under that agreement the collective bargaining relationship between the company and the Union on Maritime Security Program vessels terminates at midnight on December 15. Radio operators who are at sea on or after December 16 shall be terminated on arrival at the first U.S. port.

While no one wants to see a fellow worker lose their job, the radio operators have been living on borrowed time since the Telecommunications Act of 1997 was passed. Under the legislation radio operators are not required aboard ship. The ARA tenaciously held on to radio "work" with APL and current "work" with Matson —on a part-time basis— often to the consternation of the SUP and particularly the MFOW.

If the ARA attempts to renege on their agreement by picketing APL vessels on or after December 16, SUP members are advised that such action will not be considered bona fide in accordance with Section 7 of the General Rules.

Also discussed was piracy in the Gulf of Aden and the APL C-10 Class vessels which transit the area. APL representatives stated that the company continuously monitors the situation, performed a threat assessment and established counter-measure protocols. The C-10s are high-speed, high-freeboard vessels and, therefore, considered to be low risk targets for pirates. However, the masters of these vessels are trained to take evasive action and are in frequent contact with U.S. and British forces when in the high risk area. It should be noted that the International Transport Workers Federation (ITF) and the International Bargaining Forum, comprised of many foreign-flag shipowners, recently signed an agreement providing for double base wages for vessels transiting the Gulf of Aden. As of today's meeting, President Bush nor the Defense Department has designated the area a war zone or imminent danger zone for U.S.-flag ships.

## MATSON NAVIGATION COMPANY

As first reported in the December 2007 issue of the *West Coast Sailors*, the Shipbuilders Council of America and Pasha Hawai'i Transport Lines sued the Department of Homeland Security, the Coast Guard and the Coast Guard's National Vessel Documentation Center alleging that Matson's C-9 Class vessel *Mokihana* was "rebuilt" foreign—in violation of the Jones Act—when she was retrofitted to add roll-on/roll-off capacity in a Chinese shipyard and at Atlantic Marine's shipyard in Mobile, Alabama. For this alleged violation the suit asked the court to ban the *Mokihana* from the domestic (Jones Act) trades.

On September 30, Judge T.S. Ellis of the U.S. District Court for the Eastern District of Virginia granted a motion for summary judgment in favor of the Shipbuilders and Pasha that the *Mokihana* had been rebuilt foreign and that its coastwise endorsement should be revoked. Judge Ellis also denied a motion of Homeland Security, et.al., and Matson, which joined the case as a defendant-intervenor, to dismiss the suit and stated that he would issue a final opinion within two weeks.

However, that opinion was not forthcoming.

On November 6, Judge Ellis cancelled the preliminary order and stayed the matter until an appeal in another Jones Act related case is heard and ruled upon in federal appellate court in Virginia. In that case the Shipbuilders Council, Crowley Maritime and Overseas Shipholding Group sued Seabulk Energy Transport, Inc. over the work done on the tanker *Seabulk Trader* in a foreign shipyard. In his decision Judge Leonie Brinkema of the U.S. District Court for the Eastern District of Virginia remanded the case to the Coast Guard with instructions to revoke the *Seabulk Trader's* coastwise endorsement. A ruling by the appellate court is expected some time next year.

Matson, understandably, wants this issue resolved quickly as the fate of the *Mokihana* and the jobs that her continued operation in the Hawai'i trades represent.

On December 1, Representatives Neil Abercrombie and Mazie Hirono of Hawai'i wrote Speaker of the House Nancy Pelosi on the *Mokihana* issue. That letter in part states:

*We are writing to ask your support for inclusion of a provision in the Economic Stimulus package that will correct an inequitable situation faced by a company in our district. This provision would ensure that the containership, *Mokihana*, owned by Oakland, California-based Matson Navigation Company, will be able to continue transporting cargo between the Pacific Coast states of California, Oregon, and Washington and the State of Hawaii. This vessel is presently operating that route, and has been for the last several years. The language we are seeking is extremely narrow in scope, and only applies to this particular vessel.*

*Under the Merchant Marine Act of 1920, Section 27, part of what is known as the "Jones Act", requires all vessels that move cargo between points in the United States be U.S. built, rebuilt, crewed, and owned. As you know, we are strong supporters of the Jones Act, and believe it is essential to the maintenance of a strong domestic merchant marine and shipbuilding industry. Likewise, Matson Navigation has an indisputable record of Jones Act support, not only here in Washington, D.C., but operationally, as well. Matson started its business in San Francisco in 1882 and has operated a fleet of American-built ships for 126 years. Since 2001 Matson has spent \$506 million on new ship construction in American shipyards -more than any other company in the world - while at the same time spending more than \$78 million on U.S. ship repairs.*

*It is ironic, indeed, that the necessity of our requesting your assistance stems from a project involving the *Mokihana*, for which Matson paid approximately \$25 million to Atlantic Marine for work performed in their Alabama shipyard. More specifically, in 2004, Matson forecast a need to expand the roll-on/roll-off capacity of the *Mokihana*. Matson then requested a preliminary determination from the Coast Guard (the relevant regulatory agency) that having part of an auto garage built on the stern of the vessel in a foreign shipyard would not result in a Coast Guard determination that the vessel had been "rebuilt" overseas, so long as certain work to complete the garage was performed in the United States. The Coast Guard concluded that the proposed foreign work would not exceed permissible limits and Matson proceeded accordingly, paying approximately \$10 million to a foreign shipyard to start the job, and \$25 million to Atlantic Marine to complete it.*

*With her completed stern garage, *Mokihana* departed Atlantic Marine's Alabama shipyard on November 3, 2007. On December 10, 2007 the Shipbuilders Council of America filed suit in U.S. District Court against the Coast Guard, together with their member company, Atlantic Marine. The Shipbuilders Council alleged that the foreign work amounted to an impermissible foreign "rebuilding",*

*continued on next page*

## President's Report continued

*and that the vessel should, accordingly, be barred from further operation in the domestic waterborne trade of the United States. The District Court issued a preliminary order granting summary judgment in favor of the Shipbuilders, but vacated that order on November 6, 2008 and stayed all further proceedings until the U.S. Court of Appeals rules on another "foreign rebuild" case, which is expected in 2009.*

*We would ask that language that ensures the continued coastwise eligibility of the Mokihana be included in the Economic Stimulus package. It would be unconscionable if the coastwise trading eligibility of a multi-million dollar asset is revoked after the government assured its owner that the overseas work would not result in the loss of domestic trading privileges. Rebuild determinations involve highly technical evaluations in which the conclusion often reflects a subjective determination, rather than empirical facts. Moreover, this vessel has carried cargo in the West Coast/Hawaii trade for the last several years, and its continued operation is essential to maintaining the lifeline that the citizens of Hawaii depend on for food and daily necessities. Moreover, this provision is strongly supported by seafaring unions, whose members crew the Mokihana and whose livelihoods depend*

*on the continued operation of this vessel. Finally, there is no revenue implication associated with this request.*

As previously reported, the SUP notified Matson that the Union was ready to assist to maintain the coastwise endorsement for the *Mokihana*.

### SAN FRANCISCO BAR PILOTS

In accordance with the 2007-2009 collective bargaining agreement between the Sailors' Union and the San Francisco Bar Pilots covering marine personnel, the following increases in wages and overtime will become effective on January 1, 2009:

- Dock Bosun, Station Boat Operators, and Run Boat Operators: 5% increase
- AB/Deckhands (Licensed): 4% increase
- AB/Deckhands (Unlicensed): 1% increase
- Stewards/Cooks: 3% increase

In accordance with the agreement between the Union and the Pilots covering Regular Dispatchers and Assistant/Relief Dispatchers, the following wage increases will become effective on January 1, 2009:

- Chief Dispatcher: 5% increase

- Dispatcher: 5% increase
- Assistant/Relief dispatcher: 4% increase

### HONOLULU BRANCH

Branch Agent Mike Duvall is off the binnacle list and is back to work. It is reported that he is in training for the Iron Man Triathlon.

Brother Patrick Weisbarth did an outstanding job as Acting Agent during the four-month period Mike was not fit-for-duty.

### SHIPPING RULE PROPOSAL

At last month's Headquarters' meeting, after input from a cross-section of the membership, your secretary proposed to temporarily amend Shipping Rule #8 to state that Class "A" members be entitled to work 120 days aboard ship instead of 200 days, with all "trips off" eliminated.

The intent of the proposal was to ascertain if a 120-day employment period would cause a greater turnover in jobs so that more members would have the opportunity to be employed with less than Class "A" seniority in light of the fiscal crisis the country is experiencing.

Under Shipping Rule #50, which deals with emergency situations, the Shipping Rules can be changed on a temporary basis by a Emergency Clarification Committee.

Upon the recommendation of your secretary, all members who attended the November Headquarters meeting comprised the Committee, which in turn voted to recommend the proposed amendment to Shipping Rule #8.

In accordance with Shipping Rule #50, the recommendation was forwarded to the Branches and disseminated through the *West Coast Sailors* for membership discussion with the understanding —also in accordance with Shipping Rule #50—that

the proposed change would be temporary until voted on in the next secret referendum ballot scheduled to begin in December of 2009.

However, in the intervening month, the reaction to the proposal received by your secretary has generally been negative. Therefore, as the one who initiated the proposal, the proposal is hereby withdrawn.

If members desire to amend either the Shipping Rules or the SUP Constitution, proposals must be submitted in writing to the Committee on Constitution by the June 2009 meetings as per Article XXVIII of the Constitution. This committee will then review the proposed amendments and report its recommendations to the membership at the July 2009 coastwise Union meetings. If a proposed amendment is endorsed by a majority at Headquarters and the Branches, it will appear on the 2009-2010 ballot.

### HOLIDAYS

As a reminder all SUP halls will be closed Christmas Eve, Christmas Day, New Year's Eve and New Year's Day.

The Honolulu Branch will be closed on Friday, January 2, in observance of an ILWU Local 142 holiday (Jack Hall Day).

All SUP halls will be closed on Monday, January 19, in observance of Martin Luther King, Jr.'s birthday, a holiday under all contracts except those with Chevron and Foss. Due to the holiday, the Branch meetings will be held on Tuesday, January 20, 2009.

### ACTION TAKEN

M/S to approve Patriot/Wood Hole Agreement. Carried unanimously.

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

*Gunnar Lundeberg*

## Vice President's Report

December 2008

### Ships Checked

**USNS Waters:** Harold Uriarte, delegate. Crew change out in Hawaii and San Diego. Scheduled for two more missions off southern California before deployment to the East Coast.

**Cape Jacob:** Mike Henderson, delegate. Tim Hill relieved Mark Reed as bosun. Call from the delegate indicates most things okay in Gwangyang, South Korea. Clarification on cargo operations and lookout procedures.

**APL Korea:** William De Benedictis, delegate. Clarification on Section 40 Time Back.

**APL Singapore:** Chris Bujnowski brought the ship in clean. Delegate to be elected on departure from Oakland. New gang from SF and Seattle.

**President Polk:** Dave Eriksen, delegate. Acted on crew meeting notes including among other things improving the shore leave shuttle bus rules in Norfolk and Singapore. Gangway security watch duties do not qualify for Deck Port Watch pay under Section 55.

**Washington Voyager:** Will Williamson, delegate. Acted on crew complaints regarding HVAC system detritus. Company quickly responded by scheduling cleanup maintenance in advance of the next shipyard.

**California Voyager:** delegate Chad Avellar. In at SFO Pier 80 before the loading at RLW for El Segundo and Texas via Panama Canal. In good shape.

**Moku Pahu:** Rhonda Benoit, delegate. Clarification on lifeboat davit maintenance jurisdiction. Issue will be pursued with the Company on payoff.

**San Francisco Bar Pilots:** delegates Steve Ross and Louie Urbano. Evaluations are important to the success of our training program. All operators are to be commended for their dedication to the continuous training of relief operators.

Also worked in the Front Office at SUP Headquarters. Congratulations to all the sailors at sea and ashore for making it through another year. Good luck in 2009.

*Dave Connolly*

## Record of SUP Shipping

### November 2008

Hdqs .....	Seattle .....	Wilm .....	Hono .....	Total
Bosun .....	2 .....	3 .....	5 .....	13
Maint. Man .....	5 .....	0 .....	0 .....	7
A.B. Dayworker .....	0 .....	0 .....	3 .....	6
A.B. .....	9 .....	6 .....	8 .....	27
O.S. .....	1 .....	1 .....	0 .....	2
Standby .....	4 .....	4 .....	41 .....	6
<b>TOTALS .....</b>	<b>21 .....</b>	<b>14 .....</b>	<b>57 .....</b>	<b>113</b>

# SUP Branch Reports

## Seattle

November 17, 2008

Shipped during the period: 1 Boatswain relief job shipped and filled by an A-card; 5 Able Seaman jobs filled by 2 A-cards and 3 B-cards; and 8 standbys shipped to 4 A's, 2 B's, 1 C member and 1 MFOW member.

Registered during the period: 8 A cards for a total of 17; 9 B cards for a total of 29; and 0 C cards for a total of 11.

### Ships Checked

Matson vessels *Maui* and *Manoa* called twice in Seattle with little or no problems. The *President Truman* called in New York with no beefs. And the *Moku Pahu* called for an AB while docked in Portland, Oregon, loading grain for Pakistan.

I represented the SUP at the following meetings: the Seattle Master Shoreline Advisory Council; the Puget Sound Area Maritime Security Committee; the Puget Sound Ports Council, Maritime Trades Department AFL-CIO meeting; a meeting with Foss management and all of its employee bargaining units including their shipyard metal trades Unions. Foss is a Seattle-based company; a meeting with Seattle Mayor Greg Nichols, ILWU Local 19 President Herald Ugles, Building Trades President Chris Elwell, Carpenters rep John Little and Dave Freiboth Executive Director of the King County Labor Council on the City's traffic plan for freight mobility along the waterfront.

I represented the SUP at a meeting with United States Senator Maria Cantwell, maritime industry leaders and all seagoing Union executive officers, briefing the Senator on our collective grievances including medical examinations, TWIC card problems, Merchant Mariner Document renewal delays and the cost of continuing training.

The Seattle Branch membership sends a Holiday greetings to all of our brothers and sisters at sea and ashore and may we all have a safe voyage in this next New Year!

Vince O'Halloran, Branch Agent

## International protest after *Hebei Spirit* officers convicted by Korean court

A South Korean court has sentenced the master and chief officer of the *Hebei Spirit*, a Hong Kong flagged-crude carrier that was struck last year by a runaway barge, to jail terms and hefty fines. Captain Jasprit Chawla was sentenced to 18 months and Chief Officer Syam Chetan was sentenced to eight months for alleged criminal negligence in a decision that the International Transport Workers Federation (ITF) has branded "incomprehensibly vindictive." The court found that the master did not do enough to prevent the oil spill, including failing to go full astern to drag the anchor, while the chief officer was found to have been "insufficiently vigilant."

Further, the court found that the ships' officers should have listed the vessel by 10 degrees to prevent spillage. Both were also criticized for use of inert gas, which the court said increased spillage. In addition, the officers and the shipowner were fined.

The two men have been refused permission to leave Korea since the December 2007 incident, despite an international campaign of support and despite their having been cleared of all charges of breaking Korea's anti-pollution laws when their anchored ship was hit by a Samsung Heavy Industries-owned barge.

The National Union of Seafarers of India and the Maritime Union of India reacted to the December 10 verdict with the following plan of action:

- To appeal to more than 200,000 seafarers, their family members, and other Indians to boycott Korean products, especially Samsung's;
- To appeal to Indian shipowners to review the orders placed for new ships being built in Korean shipyards, which runs into billions of dollars;
- To appeal to shipowners to stop operating ships, particularly tankers, to Korea;
- To appeal to seafarers worldwide to seriously reconsider before entering Korean waters and ports, as they might meet the same fate as seafarers of *Hebei Spirit*.

## Wilmington

November 17, 2008

Shipping: 5 bosuns, 8 ABs, 3 ABDS, 41 standbys, for a total of 57 jobs.

Registration: 17 Class A cards, 13 Class B cards, and 1 Class C card.

### Ships Checked

*Matsonia, Mahimahi, Manulani, Philippines, APL China, Maunawili, Manukai, Singapore, R.J. Pfeiffer, APL Thailand, APL Korea, Maunalei.*

As always attended many meetings with the MTD and L.A. County Federation of Labor. Worked with the Punta Vista project to create a Union outreach to the locals and standing in solidarity with many other Unions to bring Union jobs to the Southland. On the ships any security watch you stand on overtime hours is payable as overtime. If this is not clear, email me at [imithada@aol.com](mailto:imithada@aol.com).

Due to circumstance out of my control we did not have a pro Union or Union history movie this month but we will be on every last Friday of the month after the new year. Brothers, once again I want to remind you that the 2009 Labor Day Parade will be our 30th annual parade. This is your opportunity to let the politicians know what we want as working class taxpayers also to show them the working class is the biggest voting block and our vote will put them in office. If they stand with us and work against those who want to divide us they will win. During the Obama campaign I saw that Obama was not standing strong behind the liberal agenda that plagues democratic candidates. He sounded more like a man of the working class than just another liberal. And for that he set new records in campaign funds. It was as if he was a third party. The working class spoke not only with their votes but more important with their small donations of money. This is our chance brothers/sisters to help to bring in the changes we need. It's your turn to fight, so where will you be on Labor Day 2009?

As always yours in struggle,  
Paul Calais, Branch Agent

## Honolulu

November 17, 2008

During the month of October, dispatched the following: 2 ABDS, 2 ABD reliefs, 3 ABWs. These jobs were filled by 4 A members and 3 B members.

Also shipped 14 standby jobs filled by 5 B members, 7 C members, 1 D registrant and 1 MFOW, for a total of 21 jobs shipped.

Registered during the month of October: 5 A members, 5 B members, 1 C member and 1 D registrant. To date, registered are: 10 A members, 8 B members, 4 C members, and 3 D registrants for a total of 25 members registered.

### Ships Checked

*Manulani, Mahimahi, Maunawili, Mokihana, Matsonia, Manoa and the Maunalei*, all with few or no beefs. Paint & Rigging gang running smooth with Monte Kalama as bosun.

On November 15, along with John Lindsey attended the funeral of Michael "Whit" Whitman. Large turnout for this well respected Honolulu waterfront old timer.

On November 19, Patrick Weisbarth and I attended the Hawai'i Ports Maritime Council meeting with discussion on upcoming labor events.

Mike Duvall, Branch Agent



## America still strongly supports Unions

Despite the best efforts of corporate-backed anti-Union groups and anti-worker politicians demonizing Unions, most Americans continue to approve of Unions, as they have the past seven decades.

The latest update from the Gallop poll on Union support shows 59% of those surveyed back Unions, while 29% disapprove of them. According to Gallup: "Americans have generally held a favorable view of Unions for decades—with no less than 55% of Americans saying they approve of labor Unions in Gallup polls conducted from 1936 to 2008."

Not surprisingly, most of the support comes from Democrats and independents. Seventy-two percent of Democrats approve of labor Unions, compared with 63% of independents but only 38% of Republicans.

Also, most respondents said Unions should have more influence (35%) or the same amount of influence (28%), which 32% want to see less Union influence.

The results reflect what other pollsters have found about public support of Unions. More than three-quarters of Americans (77%) support strong laws, such as the Employee Free Choice Act, that would give employees the freedom to make their own choice about whether to have a Union in their workplace without interference from management. Also, some 60 million workers say they would join a Union today if they could.

## San Francisco Business Agent

December 8, 2008

Visited and paid off the following ships:

**Mahimahi**—Manny Roxas, delegate; Mark Hurley, Bosun: Last trip in San Pedro. Question on jurisdiction on void spaces around swimming pool. No disputes.

**Manoa**—Rolando Mendoza, delegate: In from Seattle. Good shape. No disputes.

**Maui**—Tom Koppel, delegate; Relief Bosun Robin Colona: Cleared away question with mate and delegate about Saturday and Sunday dayman overtime. **Mokihana**—Phil Howell, delegate: Car and van carrier. New Bosun Izzy Idris will do a good job. Lots of cars this trip to Honolulu.

**APL Korea**—William DeBenedictis, delegate: Voyage pay off. Lots of overtime. No disputes.

**APL Philippines**—New delegate Hannu Kurppa; In from San Pedro. New Relief Bosun also full new gang from Pedro-Frisco. No disputes.

**San Francisco Bar Pilots**—Visited Pier 9. Had to wait for a member to pay dues. I don't understand how members let their dues fall behind.

**Steam Rack**—Bosun Bob Greene. No disputes. The new wash machine is broken; washing the vans with a hand hose.

Bill Berger

## SUP members join pension ranks

The following SUP members joined the rank of pensioner, bringing the total number of SUP members to 594:

**Jose Alves**, 70, Book No. 3905, joined SUP in 1977, 15 years seafaring.

**"Red" Bell**, 85, Book No. 4315, joined SUP in 1941, 45 years seafaring.

**Julio Nunez**, 64, Book No. 2564, joined SUP in 1981, 26 years seafaring.

**Newell Robinson**, 65, Book No. 18333, joined SUP in 1997, 5 years seafaring.

**Paul Wuestewald**, 65, Book No. 3633, joined SUP in 1968, 12 years seafaring.

## Dispatcher's Report

Headquarters—Nov. 2008

<b>Deck</b>	2
<b>Bosun</b>	0
<b>Carpenter</b>	5
<b>MM</b>	9
<b>AB</b>	1
<b>OS</b>	4
<b>Standby</b>	21
<b>Total Deck Jobs Shipped</b>	5
<b>Total Deck B, C, D Shipped</b>	5
<b>Engine/Steward</b>	
<b>QMED</b>	0
<b>Pumpman</b>	0
<b>Oiler</b>	0
<b>Wiper</b>	0
<b>Steward</b>	0
<b>Cook</b>	0
<b>Messman</b>	0
<b>Total E&amp;S Jobs Shipped</b>	0
<b>Total E&amp;S B, C, D Shipped</b>	0
<b>Total Jobs Shipped - All Depts.</b>	21
<b>Total B, C, D Shipped-All Depts.</b>	5
<b>Total Registered "A"</b>	47
<b>Total Registered "B"</b>	41
<b>Total Registered "C"</b>	5
<b>Total Registered "D"</b>	10