

MARINE ENGINEERS' BENEFICIAL ASSOCIATION (AFL-CIO)

"On Watch in Peace and War since 1875"



M.E.B.A. TELEX TIMES

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M.E.B.A. WINS RIGHT TO REPRESENT WSF PORT ENGINEERS FOLLOWING ORGANIZING EFFORT; COMMISSION DECISION

A hard fought effort to bring Washington State Ferry Port Engineers (six positions) under the M.E.B.A. banner has been rewarded after the employees' bargaining status was affirmed by a State Commission in a recently released decision.

M.E.B.A. already represents the engineers and oilers in the WSF fleet, but had sought to bring the Port Engineers and Senior Port Engineers into the fold as well. Following an M.E.B.A. organizing effort early last year, members in the affected positions signed pledge cards and were onboard with becoming a part of the Union. However, the employer contended that the Port Engineers and Senior Port Engineers, as part of the Washington Management Service, were ineligible to exercise collective bargaining rights under the Marine Employees Act. M.E.B.A. disagreed with the State's interpretation asserting that the governing statutes do not exclude Port Engineers and Sr. Port Engineers from union representation. This sparked a time-consuming legal process begun in the fall of 2016 with the State's Public Employment Relations Commission. The Commission weighed the matter carefully and released its decision this month affirming the M.E.B.A.'s position that the petitioned-for employees are not excluded from collective bargaining under the Revised Code of Washington.

The Union can now begin working toward a new CBA covering the six positions which include: Senior Port Engineer Fleet Maintenance, Port Engineer Digital Systems, three Fleet Maintenance Port Engineer positions and the Vessel Maintenance Program Analyst.

The M.E.B.A. organizing effort and subsequent process with the State Commission were headed up by Seattle Branch Agent Jeff Duncan and M.E.B.A. WSF Representative Isaac Seidman. Attorney Mike McCarthy and WSF Sr. Port Engineer Wesley Sweet were instrumental in the effort and M.E.B.A. was also supplemented with valuable assistance from others including Seattle Patrolman Kevin Cross.

MAGIC PIPE WHISTLEBLOWER GETS PAYDAY

A Miami District Court awarded \$1 million to the whistleblower in a "magic pipe" case that led to a plea agreement by Princess Cruise Lines. The case involved to a \$40 million criminal penalty – the largest-ever for crimes involving deliberate vessel pollution. Aside from the fine, the company will

stay on probation for five years and its related cruise ship companies trading in the U.S. are required to implement environmental compliance plans that include independent audits and oversight. As a result of the government's investigation, Princess has already taken various corrective actions, including upgrading the oily water separators and oil content monitors on every ship in its fleet and instituting many new policies.

The British engineer, who reported the illegal discharges will receive \$1 million as ordered by the court. The newly hired engineer on the CARIBBEAN PRINCESS reported that a magic pipe had been used on Aug. 23, 2013, to illegally discharge oily waste off the coast of England without the use of required pollution prevention equipment. The evidence gathered by the whistleblower, including photographs of the magic pipe, led to an inspection of the cruise ship both in England and then when it reached New York on Sept. 14, 2013. During each of the separate inspections certain crew members concealed the illegal activity by lying to the authorities in accordance with orders they had received from Caribbean Princess engineering officers. According to papers filed in court, the CARIBBEAN PRINCESS had been making illegal discharges through bypass equipment since 2005, one year after the ship began operations. The August 2013 discharge 23-miles off the coast of England involved approximately 4,227 gallons within the country's Exclusive Economic Zone. At the same time as the discharge, engineers ran clean seawater through the ship's monitoring equipment in order to conceal the criminal conduct and create a false digital record for a legitimate discharge.

The case against Princess included illegal practices which were found to have taken place on five Princess ships – CARIBBEAN PRINCESS, STAR PRINCESS, GRAND PRINCESS, CORAL PRINCESS and GOLDEN PRINCESS. One practice was to open a salt water valve when bilge waste was being processed by the oily water separator and oil content monitor. The second practice involved discharges of oily bilge water originating from the overflow of gray water tanks into the machinery space bilges. Waste was pumped back into the gray water system rather than processed as oily bilge waste, then pumped overboard anytime the ship was more than four nautical miles from land.

ACOSTA CONFIRMED FOR DOL POST

Alexander Acosta was confirmed as the new Labor Secretary following a Senate vote earlier today. The President's first nominee for the post, CKE Restaurants CEO Andy Puzder withdrew from consideration much to the relief of many labor unions who viewed him as an adversarial choice for working families. Acosta has garnered endorsements from several unions including the Firefighters and Laborers, among others. The new DOL boss attended Harvard Law School, is a former member of the National Labor Relations Board, served as a judge and U.S. attorney in Florida, and headed up the civil rights division at the Justice Department.

YOUR CHANCE TO BE A STAR – PHOTOS NEEDED

We are always looking for photos from any of the M.E.B.A. bargaining units to better illustrate upcoming editions of the *Marine Officer* and to keep our Facebook site current. Members are urged to send in your photos to marco@mebaunion.org. Any photos with an M.E.B.A. connection, at sea or a shore, are appreciated. Digital pictures should be taken at the highest resolution setting. In all cases, make sure you I.D. the photos. Check out the M.E.B.A. Facebook site which is usually updated daily.

3-DAY QUALIFIED ASSESSOR CLASSES ADDED TO 2017 CMES SCHEDULE

Due to membership needs, the Calhoun M.E.B.A. Engineering School has added three Qualified Assessor classes to their 2017 schedule. The three day courses have been set for June 5–7; July 31–August 2; and September 11-13. Each three-day course begins on a Monday morning and ends on the

Wednesday. Applications may be sent via the CMES website (www.mebaschool.org), fax (410) 822-7220, or email to applications@mebaschool.org

SOMALI PIRATES ACTING OUT AGAIN

Somali pirates are reemerging as a threat to shipping after a virtual five-year hiatus as a rash of recent attacks has prompted the government to issue a shipping advisory. In March of this year, pirates off the north coast of Somalia hijacked an oil tanker which was the first time since May 2012 that Somali pirates successfully struck. Since then, there have been several other incidents and indications are that an East African drought that could escalate into widespread famine has driven the rise in attacks. The Maritime Administration issued an advisory to U.S.-flag commercial vessels operating within those high risk areas and urged them to comply with U.S. Coast Guard MARSEC Directive 104-6 which provides counter-piracy guidance and mandatory measures to counter acts of piracy and armed robbery against ships. MarAd can be contacted about the latest Advisory at MARADSecurity@dot.gov.

AFL-CIO REPORT: 150 WORKERS DIE EVERY DAY

As we ready for tomorrow's observance of Workers' Memorial Day with the theme "Safe Jobs. Every Worker's Right," the AFL-CIO released its annual report cataloguing continued dangers in the workplace. The Federation's 2017 edition of its "Death on the Job: The Toll of Neglect" is the 26th year that AFL-CIO has issued the report based on Department of Labor injury and fatality data – for which 2015 is the latest available year. The report notes that 150 workers die each day from hazardous working conditions and industries with increasing dangers include construction, transportation, agriculture, forestry and fishing (especially those in logging, fishing, roofing, truck driving and landscaping). Latino workers have a fatality rate 18% higher than the overall working population; people 65 and older are dying on the job at a higher rate than the overall workforce population; and workplace violence injuries is also a growing problem, particularly in health care. The study credits the Occupational Safety and Health Administration (OSHA) – despite being underfunded and understaffed – for making workplaces safer resulting in fewer job fatalities. But the report worries about what the future holds now that the current administration is proposing to repeal and delay worker safety rules, slash job safety research funding and to eliminate worker safety and health training programs. It says "we must defend the worker safety and health protections we have won, and we must move forward. We will continue working for safe jobs for our union brothers and sisters, as well as fighting for protections and representation for all working people. The nation must renew its commitment to protect workers from injury, disease and death."

REMINDER: INCLUDE ALL DOCS WHEN FILING FOR VACATION PAY

Members are reminded to be thorough when submitting an application for Vacation Pay at the halls and/or with the Plans Office and include all required documents, including Coast Guard Discharges and pay vouchers. Pay vouchers are used to track Social Security Tax maximums, to track wages as Medicare Tax increases when they reach \$200,000 in wages for the year, and to check for any overlap days that can be identified. As detailed on the application itself, the following documents must be submitted along with your application:

- A copy of the stub portion of your last vacation benefit check.
- Coast Guard discharges and pay vouchers covering all employment since your last vacation.
- Pay vouchers must cover the entire period of employment and show all wages and tax deductions.

- Pay vouchers covering any periods of unearned wages since your last vacation.

Failure to submit proof of all accumulated work performed to the date of application could result in the permanent loss of vacation benefits earned on the employment not submitted.

You may also need to submit:

- A Carry Over Vacation Form from your last vacation – if applicable.
- An original copy of the Converted Overtime Worksheet, if applicable, regardless of whether or not you are applying for converted overtime vacation.
- A letter from an authorized Union official granting permission for early return or excess sailing, if applicable.

If prior written permission is not obtained and an Officer returns to work early, they will be subject to a penalty which is loss of vacation benefits for the next six months of employment (180 days).

You can contact the Vacation Plan staff in Baltimore prior to sending an application. They can be reached at 800-811-6322 or 410-547-9111.

SIGN UP FOR M.E.B.A. VACATION PLAN DIRECT DEPOSIT

Designed for convenience, M.E.B.A. members can help themselves by taking advantage of the Vacation Plan Direct Deposit that will help save them time and ease Plans processing costs. Authorization forms are available from the Plans Office, Plans Outport Offices and at the Plans' website – www.mebaplans.org (Forms, Vacation). Complete details are available on the Plans' site as well. Contact (800) 811-6322 or vacation@mebaplans.org for more info.

REGULAR MONTHLY MEETINGS

Monday, May 8 – Boston@1200; Seattle (Fife)@1300;

Tuesday, May 9 – CMES@1430; Charleston@1400; Houston@1315; Oakland@1230;

Wednesday, May 10 – Jacksonville@1300; New Orleans@1315;

Thursday, May 11 – L.A.@1230; NY/NJ@1300; Norfolk@1300; Tampa@1300;

Friday, May 12 - Honolulu@1100.

-----FINISHED WITH ENGINES-----



The M.E.B.A. is the nation's oldest maritime labor union, established in 1875. M.E.B.A.'s expertise and proven track record of readiness, safety, and loyalty in answering America's call to action in times of both peace and war is unrivaled in the world. M.E.B.A. HQ – Phone: (202) 638-5355; mebahq@mebaunion.org. For publication and related inquiries contact: Marco Cannistraro, M.E.B.A. Special Projects & Communications – marco@mebaunion.org