

MARINE ENGINEERS' BENEFICIAL ASSOCIATION (AFL-CIO)



"On Watch in Peace and War since 1875"
M.E.B.A. TELEX TIMES
The Official Union Newsletter – "The Word to the Wise"
Number 52 – December 29, 2022



In this issue//NLRB Funding Bump; Labor-Friendly Provisions in New Law are Hailed//NDAA Ushers in Important Maritime Provisions//SI Ferry Crew Heroic in Response to Fire Outbreak//CG Cutter Signals Start of Operation Deep Freeze with Increased M.E.B.A. Presence//

NLRB FUNDING BUMP, LABOR-FRIENDLY PROVISIONS IN NEW LAW HAILED

On Friday, Congress finalized passage – and the President signed - a huge \$1.7 trillion spending bill for fiscal 2023 beating a deadline that would have resulted in a partial Government shutdown. The omnibus spending bill, the Consolidated Appropriations Act of 2023, consisted of 12 Government Department appropriations bills for FY '23. The 4,155-page bill contained \$858 billion in defense funding, aid for Ukraine, disaster aid, and dollars for childcare, food assistance, mental health and a huge array of other projects and programs.

As detailed in last week's issue, it also fully funds the Maritime Security Program and Tanker Security Program for Fiscal Year 2023 and provides much needed funds for the National Oceanic and Atmospheric Administration (NOAA) fleet and recapitalization plan.

It also included \$25 million of new funding for the National Labor Relations Board (NLRB) after ten years of flat-level funding. The agency's past lack of funding has led to major staffing shortages and delays and has helped hobbled Board enforcement. The NLRB has shed 30% of its workforce in the last dozen years. Even though the funding bump was less than what was sought by labor unions and the Administration, AFL-CIO President Liz Shuler hailed the additional agency money. She said, "This critical funding will help ensure that the NLRB can do its job by protecting workers' fundamental right to form or join a union. In 2022, the NLRB's caseload grew by 23%, the single largest increase in 46 years. It could not be clearer that this agency needs a boost in resources to match the demand."

She noted that the additional funds would allow the agency to avert staffing furloughs, hold union-busting corporations accountable and protect workers' rights.

She also welcomed several other labor-friendly provisions encased in the new law. President Shuler said the Pregnant Workers Fairness Act and the PUMP for Nursing Mothers Act, both included in the new law, will set clear standards requiring employers to engage with and provide reasonable accommodations to workers with pregnancy-related limitations and the need to pump while on the job.

“Workers should never have to choose between their health and a paycheck, and these overdue protections will give pregnant and postpartum workers the security to ask for what they need without the fear of retaliation.”

NEWLY-SIGNED DEFENSE AUTHORIZATION BILL USHERS IN IMPORTANT MARITIME PROVISIONS

Another piece of legislation, that establishes important maritime industry provisions, was finalized by lawmakers and signed into law last week. The National Defense Authorization Act authorized \$857.9 billion in defense spending for Fiscal Year 2023.

There is a tidy sum of maritime-related provisions in the NDAA, which incorporates the Coast Guard and Maritime Administration authorization bills, including the inauguration of new reforms to prevent sexual assault and sexual harassment in the maritime industry. It provides the Coast Guard the authority to revoke credentials of a mariner who commits certain sex crimes, defines sexual harassment and establishes a process for mariners to report crimes to the Coast Guard. The new law strengthens Coast Guard policy to ensure that victims of sexual assault are provided care as soon as possible when deployed upon a vessel or serving in a remote location. It also expands penalties for failure to report a sexual assault or harassment at sea.

It also reforms the Jones Act waiver process in response to two unlawful waivers that were recently granted for diesel and LNG shipments to Puerto Rico. Specifically, the new law gives the Maritime Administration the sole authority to make a non-availability determination, mandates that all waiver requests be made public, establishes a 48-hour holding period after publication, prohibits any ship with goods on waterways from obtaining the waiver, and requires a presidential determination that the waiver is needed for national defense.

With regards to cargo preference, the NDAA requires MarAd to issue a final rule to enforce cargo preference regulations to make sure civilian agencies are complying with the 50% minimum requirement that all government-impelled cargo must be transported via a U.S.-flagged vessel.

It also includes the Military to Mariners Act, to improve the application and credentialing process for veterans transitioning to join the maritime industry. It requires federal officials to outline current regulations and simplify documentation requirements for veterans. It also authorizes a study to improve merchant mariner processing and credentialing.

It included a 4.6% pay increase for Coast Guard members and funding for ships, aircraft, health care and other benefits to support Coast Guard members and their families. It authorized \$167.2 million to continue acquisition of a third Polar Security Cutter, along with \$1 million to establish the Arctic Security Cutter program office to support the future of maritime commerce, climate research and environmental protection in the Arctic. In addition, it authorized \$150 million for a new U.S.-built commercially available icebreaker that will be operated by the Coast Guard and support NOAA research missions. Importantly, it also authorizes NOAA to increase shore leave for civilian mariners to “4 days per pay period.”

The new law also grants the Coast Guard temporary authority to allow for autonomous vessels to be used for space recovery operations in certain limited circumstances.

Among many other items, it authorized new investment in the maritime workforce, strengthens maritime infrastructure and expands research and development into new technologies to advance fleet sustainability and innovation. It also launches a study of cybersecurity threats posed by foreign manufactured cranes at US ports. That report is required within a year.

S.I. FERRY CREW HEROIC IN FIRE RESPONSE

The 16 crewmembers on the Staten Island Ferry SANDY GROUND responded heroically last week after a fire aboard the vessel led to a prompt evacuation keeping all 868 passengers safe. An engine room fire erupted shortly after 5 pm last week on Thursday aboard the newly-built vessel which has only been in operation since June. As the crew began the systematic and efficient evacuation of passengers, engine officers sealed off the engine room and deployed the Novac system to snuff out the flames. The crew acted quickly, strictly adhered to protocol, and had extinguished the fire even before first responders arrived on the scene. All passengers were delivered to safety though a few minor cases of smoke inhalation were reported. Many were transferred to other boats and ferries that assisted on scene.

M.E.B.A. Secretary-Treasurer Roland Rexha was heavy on praise for our expert officers aboard the vessel that demonstrated their professionalism and expertise in this sudden emergency. “We are beyond proud of our Staten Island Ferry crew for their rapid, lifesaving frontline actions...Our ferry officers deserve full recognition and accolades for saving lives and performing their professional mariner job instilled in them through years of education, experience and training required by the United States Coast Guard.”

New York Fire Department Deputy Assistant Chief Frank Leeb lauded the crew’s response to the fire and said luck was not a factor in the crew’s response and the successful evacuation. “This is years and a long time of preparation and training with the different stakeholders,” he said. “The crew acted as the crew was supposed to act...The crew of the vessel was very quick to act, and they acted appropriately by notifying the Coast Guard of an emergency on board. They were also very quick to make sure they sealed the engine room, evacuated the area and followed the protocol to put the [flames out].”

The cause of the fire is under investigation by the National Transportation Safety Board (NTSB) and Coast Guard officials. But early indications are that it was caused by a fuel leak that reached the engine exhaust manifold.

The City has been driving away Staten Island Ferry crews by requiring them to work for much less than industry wages. They haven’t had a pay increase in 12 years as management continues to offer below-market compensation for fleet mariners who are expected to work high-stress positions with huge responsibilities without adequate support from the City.

Secretary-Treasurer Rexha said that, “It is essential to the future safety of the Staten Island ferry that the DOT maintain a fully qualified and staffed crew with United States Coast Guard training and licensing. We have been short-staffed for years because the maritime industry has become highly competitive and we cannot compete with the current stagnant wages. It is abundantly clear with the massive number of DOT Staten Island ferry cancellation and delay announcements this year, the City has much work to do to make these mariner jobs desirable and equitable to encourage crew retention and recruitment to meet their legally mandated obligations to run the ferry on time and safely.”

“Thirteen years without an updated labor contract denying the crew equitable wages and benefits is no way to run...an essential city transportation service. It is time to turn the tide on City Hall and we call on all New Yorkers to make waves and blow their horns to support our ferries and crews by telling Mayor Adams to get onboard and hand our crews the contract they deserve.”

CG CUTTER DEPARTS FOR DEEP FREEZE PREP WORK; M.E.B.A. HAS EXPANDED ROLE IN SOUTH POLE RESUPPLY MISSION

The almost 47-year old Coast Guard Cutter POLAR STAR is enroute to the South Pole in support of Operation Deep Freeze 2023, an annual mission to resupply U.S. Antarctic stations in support of the National Science Foundation. The cutter began its mission on November 16 and has already traveled approximately 7,675 miles with stops in Honolulu, Sydney, and Hobart. The vessel will help cut through the ice to allow a clear path for Military Sealift Command-contracted vessels to deliver critical supplies to sustain scientists’ year-round operations at the Pole’s McMurdo Station.

The Waterman-managed heavylift vessel M/V OCEAN GIANT, crewed with M.E.B.A. Engine Officers, annually takes part in this important mission and 2023 will be no exception. But they will also be joined by another M.E.B.A.-crewed Waterman heavylift – the OCEAN GLADIATOR – which will be participating in the mission for the first time ever. MSC has supported the mission since 1955, the year the station was established.

Operation Deep Freeze is one of the more challenging U.S. military peacetime missions due to the harsh environment in which it is conducted. Antarctica is the coldest, windiest, most inhospitable continent on the globe, and each trip requires careful planning and coordination.

NEXT MONTHLY MEMBERSHIP MEETINGS *(All times are local)*

Monday, January 2 – Halls Closed (*New Years Day Observed*)

Tuesday, January 3 – Boston@1200; CMES@1430; Charleston@1400; Houston@1315; Oakland@1230; Seattle (Fife)@1300.

Wednesday, January 4 – Jacksonville@1300; New Orleans@1315; **Online HQ “Town Hall” Meeting@1300 (No Voting) – Register by emailing mebahq@mebaunion.org**

Thurs. January 5 – L.A. (San Pedro)@1230; NY/NJ@1300; Norfolk@1300; Tampa@1300.

Friday, January 6 – Honolulu@1100.

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



*M.E.B.A. does not tolerate assault, or harassment of any kind.
If you see something, say something – The M.E.B.A. Emergency Hotline
can be reached at 1-888-519-0018.*

The M.E.B.A. is the nation's oldest maritime labor union, established in 1875. M.E.B.A.'s expertise and demonstrated 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 (and to send photos & hot news tips) contact Marco Cannistraro, M.E.B.A. Special Projects & Communications – marco@mebaunion.org. Visit us on Facebook, follow us on Twitter and check us out on Instagram.