

# MARINE ENGINEERS' BENEFICIAL ASSOCIATION (AFL-CIO)



*"On Watch in Peace and War since 1875"*  
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## **MARAD: TURN OFF AIS IN DANGEROUS WATERS**

In light of the escalating tensions in the Middle East, the Maritime Administration (MarAd) has issued new directives for U.S.-flag commercial vessels traversing perilous waters. MarAd Advisory 2024-004 specifically targets high-risk zones, encompassing the Southern Red Sea, Bab Bab Al-Mandeb Strait, Gulf of Aden, Strait of Hormuz, and adjacent waters. Notably, vessels are advised to deactivate their Automatic Identification System (AIS) transponders, a strategic move intended to minimize the likelihood of hostile targeting, particularly in areas heavily influenced by Houthi forces.

This advisory supersedes previous recommendations, reflecting the dynamic nature of maritime security challenges in the region. The confluence of factors, including Houthi insurgencies, resurgent Somali piracy, and assertive Iranian actions, poses significant threats to vital shipping lanes crucial for global trade.

The recent spate of attacks underscores the urgency of the MarAd advisory. Since November, numerous vessels have fallen prey to Houthi aggression, aligning with their support for Palestinians in Gaza. Moreover, the threat landscape extends beyond Houthi militants, encompassing risks emanating from Iranian forces across the Persian Gulf, Strait of Hormuz, Gulf of Oman, and Arabian Sea.

## **IBF DECLARES RED SEA/GULF OF ADEN A WARZONE; URGES DIVERSION**

The International Bargaining Forum has unanimously agreed to designate the Red Sea and Gulf of Aden 'Warlike,' following the Houthi attack on the M/V TRUE CONFIDENCE that killed three seafarers.

They noted that seafarers' lives are in grave danger in those waters and strongly urged charterers, operators and shipowners to avoid passage through the area until there is no risk to the safety of seafarers from further attacks.

IBF stated, "In the meantime, this body is calling for the diversion of vessels, avoiding the sailing through the Newly Established Warlike Area. The IBF will be asking all employers and union affiliates to lobby their respective governments to intervene and act in the safety of seafarers."

## **HOUTHIS VOW ATTACKS ON DIVERTED SHIPS IN INDIAN OCEAN**

In a declaration made public on Thursday, Houthi spokespersons unveiled intentions to target vessels traversing the Indian Ocean enroute to the Cape of Good Hope.

The announcement follows a series of disruptive assaults by the Houthis on commercial vessels, prompting a diversion of maritime traffic away from the Bab Al-Mandeb Strait and the Red Sea. While ostensibly directed towards Israeli-linked ships, the Houthis have broadened their scope to encompass American and British vessels, citing retaliatory measures against joint military actions undertaken by these nations.

The Houthis' alignment with Iran as a proxy entity not only underscores their capacity to execute aggressive maneuvers but also serves Iran's broader geopolitical objectives. Iran claims it has developed hypersonic missiles, an as-yet unsubstantiated claim, that could allow the Houthis to expand their target reach into the Indian Ocean. Experts believe they could project force into some areas of the Indian Ocean facilitated by strategic launch points within Yemen. However, it is believed that limitations constrain their ability to target vessels navigating the Cape of Good Hope directly.

## **DHS FUNDING BILL CONTAINS MONEY FOR CREDENTIALING PROGRAM OVERHAUL**

As Congressional leaders race to avert a partial government shutdown before funding expires at midnight on Friday, negotiators have reached an agreement on a spending bill for the Department of Homeland Security that includes an important provision lobbied for by the M.E.B.A.

The bill slots \$11 million for a new Merchant Mariner Credentialing System that would modernize the antiquated paper-based system.

The bill also includes numerous other provisions including upgrades to the Coast Guard fleet including the procurement of a polar icebreaker and funding to end sexual assault and sexual harassment within the service.

## **GREAT LAKES SHIPPING SEASON GETS EARLY START**

The Soo Locks in Sault Ste. Marie, Michigan will open the Poe Lock to all marine traffic tomorrow (March 22) at 6 pm, marking the start of the 2024 Great Lakes shipping season.

The shipping industry requested an early season opening upon the urging of major steel producers. “The St. Lawrence Seaway has announced that it will open this spring on March 22. We would like to match that early opening at the Soo,” President of the Lake Carriers’ Association James Weakley said. “We also note that the Seaway strike in 2023 and extreme wind events toward the end of the last operating season left the fleet with undelivered cargo.”

Federal regulation (33 CFR 207.440) establishes the operating season based on the feasibility of vessels operating during typical Great Lakes ice conditions.

The locks officially closed after the last vessel of the 2023 season on January 16, to undergo critical repairs and maintenance during the 10 week-long winter shutdown. Maintenance crews performed a variety of critical tasks on the Poe Lock, including structural inspections, maintenance, and

installation of lifting lugs on the upstream miter gate. On the downstream miter gates crews installed anchorage components and completed critical structural repairs. Major rehabilitation continued on the Poe Lock's upstream and downstream ship arrestor systems.

The MacArthur Lock, located south of the Poe, will remain closed for maintenance until April 24.

### **INDIA WILL PROSECUTE 35 SOMALI PIRATES**

India will prosecute 35 Somali pirates captured by its navy following the hijacking of a vessel off the coast of Somalia. Departing from its recent protocol of merely rescuing hijacked vessels and crews while allowing disarmed pirates to go free, India announced it will turn the pirates over to law enforcement agencies to face legal repercussions on Indian soil. The accused pirates are part of a group responsible for the hijacking of the Malta-flagged commercial ship MV RUEN on December 14. This had been the first instance of a merchant ship seized by Somali pirates since 2017.

During the peak of Somali piracy in 2011, the global economy incurred substantial losses amounting to an estimated \$7 billion, with significant sums paid in ransom. While India previously prosecuted and imprisoned pirates involved in major attacks, recent months have seen a shift towards leaving pirates at sea. However, with the capture of the RUEN pirates, India is reverting to its former strategy of actively pursuing legal action against maritime criminals.

In the aftermath of the RUEN's hijacking, the Indian navy has maintained vigilant surveillance through aerial platforms and intelligence gathered from ongoing investigations. This led to the interception of the hijacked vessel on March 15, preventing further attacks by the pirates who had transformed the RUEN into a mothership for launching assaults on other vessels.

### **STATE MARITIME ACADEMIES AT M.E.B.A. HQ DISCUSS FUNDING INITIATIVES**

A meeting between most of the state maritime academies and officer unions took place on Monday at M.E.B.A. Headquarters for a discussion of a number of important issues including workforce shortages. Together, the six State maritime academies provide about 75% of new licensed maritime officers in the U.S. each year.

M.E.B.A President Adam Vokac and Secretary-Treasurer Roland Rexha hosted the meeting which included Academy Presidents/Superintendents RADM Michael Alfultis (SUNY), RADM Francis X. McDonald (Mass Maritime), RADM Jerry Paul (Maine Maritime) VADM Michael Dumont (Cal Maritime), and RADM Jerry Achenbach (Great Lakes). Representatives from the AMO, MM&P and the AFL-CIO's Union Veterans Council were also in attendance. M.E.B.A. Government Affairs Director Erick Siahaan as well as American Maritime Congress President Fair Kim took part in the meeting as well.

Among other funding topics discussed by the group were the military to mariner program, shore-side infrastructure and the Student Incentive Payment program which provides stipends to students in exchange for an obligation to maintain a merchant mariner officer's license for at least six years following graduation.

### **WEINGARTEN RIGHTS RESTATED**

Weingarten rights guarantee an employee the right to union representation during an investigatory interview. These rights, established by the Supreme Court, in 1975 in the case of J. Weingarten Inc.,

must be claimed by the employee. The supervisor has no obligation to inform an employee that he or she is entitled to union representation. This brief summary of your Weingarten rights could prove beneficial, especially for those serving in the Government fleet:

*What is an Investigatory Interview?* An investigatory interview is one in which a Supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend his/her conduct. If an employee has a **reasonable belief** that discipline or discharge may result from what s/he says, the employee has the right to request union representation.

An employee must state to the employer that he/she wants a union representative present; the employer has no obligation to ask the employee if she/he wants a representative. When an investigatory interview occurs, the following rules apply:

**Rule 1** - The employee must make a clear request for union representation before or during the interview. The employee can't be punished for making this request.

**Rule 2** - After the employee makes the request, the supervisor has 3 options. They may either: a) Grant the request and delay the interview until the union representative arrives and has a chance to consult privately with the employee; or b) Deny the request and end the interview immediately; or c) Give the employee a choice of having the interview without representation or ending the interview.

**Rule 3** - If the supervisor denies the request and continues to ask questions, this is an unfair labor practice and the employee has a right to refuse to answer. The employee cannot be disciplined for such refusal but is required to sit there until the supervisor terminates the interview. Leaving before this happens may constitute punishable insubordination.

*An employee has NO right to the presence of a union representative where:* 1) The meeting is merely for the purpose of conveying work instructions, training, or communicating needed corrections in the employee's work techniques. The employee is assured by the employer prior to the interview that no discipline or employment consequences can result from the interview. 3) The employer has reached a final decision to impose certain discipline on the employee prior to the interview, and the purpose of the interview is to inform the employee of the discipline or to impose it. 4) Any conversation or discussion about the previously determined discipline which is initiated by the employee and without employer encouragement or instigation after the employee is informed of the action.

Even in the above circumstances, the employee can still ask for representation. Most employers will permit a representative to attend even when not required.

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

Monday, April 8 – **Boston@1200; Seattle (Fife)@1300.**

Tuesday, April 9 – **CMES@1430; Charleston@1400; Houston@1315; Oakland@1230.**

Wednesday, April 10 – **Jacksonville@1300; New Orleans@1315; Online HQ “Town Hall” Meeting@1300 (No Voting) – Register by emailing [mebahq@mebaunion.org](mailto:mebahq@mebaunion.org)**

Thursday, April 11 – **L.A. (San Pedro)@1230; NY/NJ@1300; Norfolk@1300; Tampa@1300.**

Friday, April 12 – **Honolulu@1100**

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