

Understanding Maritime Union History – A Mariners' Guide

Editor's note: In this issue we introduce a new periodic column – Understanding Maritime Union History. Learning about this history is important for all mariners. Why does it matter? Why should you care? Read on.



Andrew Furuseth, known as the Abraham Lincoln of the Sea, played a vital role in paving the way for merchant mariners' rights.

Every American mariner is part of a great maritime history and industry which forged our country into one of the top military powers and trading economies in the world. Your work today upholds this tradition no matter what sector of the industry you work in.

Historian David Crabtree has noted that "it has been said that he who controls the past controls the future. Our view of history shapes the way we view the present, and therefore it dictates what answers we offer for existing problems."

George Santanya, philosopher and essayist is credited with saying, "Those who do not study history are condemned to repeat its mistakes."

By paying careful attention to general history, maritime industry history, the history of the agencies you work for and the employment policy history of ACOE, MARAD SUISUN Bay, MSC and NOAA, the SIU is in a good position to assist mariners in addressing their problems and concerns. We are able to put agency policy changes in a greater context and address these changes, keeping the needs of mariners at the forefront.

SIU representatives take information we have learned from federal mariners, previous negotiations and litigation with employer agencies and bring that knowledge to advocate in the most effective way we can.

A forefather of the maritime labor movement, Andrew Furuseth, was known as the Abraham Lincoln of the Sea. Starting in 1873 until his death in 1938, Furuseth was one of the fiercest, longest serving union activist on behalf of mariners. He summed up the challenges of a seagoing life when he said: "You can put me in jail, but you cannot give me narrower quarters than that as a seaman I have always had. You cannot give me coarser food than I have always eaten. You cannot make me lonelier than I have always been."

But before Andrew Furuseth and other maritime labor leaders hit the scene, even earlier writings and stories described the harsh life seafarers faced.

In ancient tales and literature, we've been told the stories of the sea, sagas of courage and inspiration, be they Homer's *Odyssey* or Melville's *Moby Dick*. Few, however, other than such works as Nordhoff and Hall's *Mutiny on the Bounty* and Dana's *Two Years before the Mast*, have given accounts of what life at sea was really like for the mariners involved. For a crew member, it meant absences from home port for months and years, more danger than any job ashore, more subjection to injury and disease without medical attention, life in a cramped, damp, and unhealthy foc's'le, food that was unfit to eat, being subject to work call at any hour, and defenselessness against the brutality of a mate or captain.

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How to Become an SIU Member

Joining the SIU is easy. The union's website – www.seafarers.org – includes printable PDF versions of forms that mariners may use to request and authorize payroll deductions for labor organization dues. The forms are posted at:

www.seafarers.org/memberbenefits/civmar.asp

Forms are also available under "union forms" in the SIU membership tab.

Contact Information

Asst. Vice President Government Services Chet Wheeler:

Phone: (510) 444-2360, ext. 17

Email: cwheeler@seafarers.org

Government Services Fleet Representative Kate Hunt:

Phone: (201) 434-6000, ext. 223

Email: khunt@seafarers.org

Government Services Fleet Representative Sam Spain:

Phone: (757) 622-1892

Email: sspain@seafarers.org

CIVMAR Note

During the last 12 months, SIU representatives have been advised that some CIVMARS who have been assigned to a higher position aboard vessels (shipboard promotions) have had problems with their wages when the promotions were reviewed at a later date. Grievances were filed on behalf of three CIVMARS who were paid at a higher wage after performing assigned work only to find that some of their wages were clawed back by DFAS.

MSC maintained that although the work was performed, the promoted CIVMARS were not qualified to take the position even though they were assigned by shipboard supervisors. The SIU took the grievances through the appropriate steps of the collective bargaining agreement and spent many hours advocating for these employees. After many months and several productive discussions with MSC representatives, the wages were eventually returned to the mariners.

Unlicensed CIVMARS promoted aboard a vessel should make sure to call or write to Chet Wheeler, Assistant Vice President for Government Services, 510-444-2360 ext. 17 or cwheeler@seafarers.org to receive information to ensure your work rights and wages will be protected in this situation.

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News and Views from the Nation's Capital

As the Republican-led Congress and the new presidential administration assume the leadership of the federal government, this column will be published periodically to keep federal mariners aware of legislation, executive orders, presidential memorandums, government-wide directives, news and trends which impact the federal workforce.

The SIU represents federal mariners at four government agencies: Army Corp of Engineers (ACOE), Military Sealift Command (MSC), National Oceanographic and Atmospheric Administration - Office of Marine and Aviation Operations (NOAA), and Maritime Administration, SUI SUN Bay Reserve Fleet (MARAD).

As federal employees working for different agencies, your pay systems and work rules may be somewhat different; however, legislation passed by Congress and executive orders signed by the president and implemented government-wide will impact you.

The PAGE Act

The PAGE Act (Promote Accountability and Government Efficiency), H.R. 6276, has been introduced by Representative Todd Rokita (R-Indiana). The bill has been referred to the House Committee on Oversight and Government Reform. This legislation would make federal employees hired after the legislation passes, "employees at will". Employees designated as "at will" have no collective bargaining protections. Employees may be removed or suspended for cause, for no cause, or for bad cause – meaning a supervisor does not have a valid reason for removing or suspending an employee, but does it anyway.

If an employee believes that she or he has been dismissed as a result of discrimination or whistle blowing activities, that person may appeal to one agency (not through a collective bargaining grievance procedure). Under this legislation, an "at will" employee could seek a review of his or her termination through either the Merit Systems Protection Board or the Equal Employment Opportunity Commission. These appeals usually mean hiring a lawyer who is familiar with the rules of the agency appeals process. These can be very expensive, time-consuming and lengthy legal processes. Employees would not have access to free union representation.

The bill also allows an agency head to immediately suspend, with or without pay, an employee who is charged with misconduct or poor performance. The employee would have to be told the reason of the suspension within 10 days of the action and would be required to respond within 10 days.

The legislation as drafted would allow pay raises only to those employees scoring higher than a fully successful rating on their evaluation. The evaluation scoring would be decided by the individual agency.

The bill also limits the amount of official time union delegates may use. Official time is generally used by union delegates during work hours to help fellow workers pursue grievances, attend disciplinary meetings for employees in their workplace or to attend negotiation sessions. The legislation also limits the use of government property (such as phones and computers) for union delegates performing work to help to represent employees in the bargaining unit.

Currently this legislation would not impact workers already serving in government agencies. It would have a tremendous impact on future employees, denying them fundamental collective bargaining rights. The ad-

ditional concern is that in the future, Congress might introduce another law taking away rights of current federal employees. We will continue to track this legislation as it winds its way through the legislative process and will update mariners of its progress.

Revival of the Holman Rule

During the first week of the new January 2017 legislative term, Republican Representative H. Morgan Griffith moved to reinstate the Holman rule, a legislative procedural rule enacted in 1876.

The rule enables lawmakers to use a legislative budget procedure to amend an appropriations bill which may reduce the pay of an individual federal worker to \$1 (one dollar) or cut a specific federal program. The House and Senate would have to approve an amendment seeking to do this.

Democratic lawmakers and unions representing federal employees made their voices heard when they argued that more than 2 million workers across the federal government are not supposed to be the targets of political or arbitrary actions. Unions noted at length that dedicated civil service workers are supposed to be protected from political retribution of elected officials who might decide to use this type of procedural rule to impact employment policies.

Unions representing federal employees sent letters and statements protesting the resurrection of this arcane rule.

Democratic representatives including Steny Hoyer, a high-ranking Congressman from Maryland, wrote, "Federal employees work in every congressional district to provide vital services that help keep our nation healthy, safe, and strong, but with this rule House Republicans would instead treat these civil servants like political pawns and scapegoats. We urge the GOP leadership to withdraw this harmful provision and show support for the federal workforce."

Presidential Memorandum Calling for a Federal Employee Hiring Freeze

President Trump signed a presidential memorandum on January 23, 2016 stating that all civilian employees in all federal departments and agencies are subject to a hiring freeze. The memorandum is currently set to last for 90 days. There is an exemption for national security or public safety responsibilities, but specific positions included in the exemption were not identified. The memorandum applies to all federal civilian jobs, no matter which funding source is used to pay employees. Using contractors to do the work is also forbidden, making it even harder for federal employees to keep up with ever-expanding workloads. On January 30, 2017, the U.S. Naval Institute (news.usni.org) reported: "When sequestration first went into effect, a Defense Department civilian hiring freeze in 2013 – coupled with furloughs for civilians – caused a major readiness crisis for the service, which no longer had the right sized workforce on any given day to get through the required amount of maintenance and modernization work. The Navy is still digging out from that now at its shipyards, aircraft depots and other locations that rely on civilian employees to keep the Navy platforms modernized and running reliably."

The SIU and many other federal unions strongly oppose the hiring freeze. The federal workforce is not bloated with excess workers. The number of federal workers has stayed relatively the same since 1962, de-

spite information that is released to have people believe the federal government has expanded its workforce.

Historically, these freezes have been shown to be ineffective at saving money, needlessly slowing down the work and efforts of federal employees, and producing unsafe working conditions when there are not enough workers to do jobs correctly. Hiring freezes also slow down essential services to the public from agencies working on such things as Social Security, Medicare, food inspections etc.

If you have an opinion about the above or about any actions which take place as a result of presidential or legislative action you have a right to weigh in with your president, senators or congressional representatives:

To speak directly to your representative in Washington, you can call the U.S. Capitol Switchboard at 202-224-3121 and ask to be transferred to your senator or representative.

If you are unsure of who your senators or congressional representatives are you can look it up by entering your zip code at these websites:

<http://www.aflcio.org/Legislation-and-Politics/Your-Elected-Officials>

<https://www.usa.gov/elected-officials>

You can look up your senator or congressperson's contact information on their website. Calling the state office is also very effective.

If you are ashore, it can be more effective to call your representative rather than email. Emails may not be counted as consistently as calls or written letters. Even if you do not get a response from your senator or representative, you will most likely reach a staff person who logs your concerns and opinions and to make sure they are shared. But if email is the only way you can make contact, use that process.

If submitting a letter, address as follows:

For Senators

The Honorable (Full Name)
[Room #] [Building Name] Senate Office Building
United States Senate
Washington, D.C. 20510

For Congressional Representatives

The Honorable (Full Name)
[Room #] [Building Name] House Office Building
United States House of Representatives
Washington, D.C. 20515

When writing to the chair of a committee or the speaker of the House, it is appropriate to begin letters with "Dear Mr./Madam Chairman/woman" or "Dear Mr./Madam Speaker."

For the President of the United States

President Donald Trump

The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500
Comment Line: 202-456-1111
Fax: 202-456-2461
Email: president@whitehouse.gov

American Maritime Labor History Still Shapes Current Endeavors

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Untold numbers of sailors set out from port never to return, as they became victims of storms, collisions, and that most dreaded foe of the ocean voyager: fire at sea. In the pages of old shipping journals, there is a recurrent notice beside the name of a ship: "missing and presumed lost with all hands."

When the United States emerged from the Revolutionary War, its merchant ships were also preyed upon and crew members kidnapped, forced to serve aboard British naval vessels. Even earlier, in 1757, when America was a colony, British troops cordoned off New York City and plucked it clean of more than 800 merchant seamen ashore at the time, forcing all into their navy. In America, service aboard merchant ships was often undesirable, leading to the practice of shanghaiing, wherein seamen in waterfront bars and lodgings were drugged and spirited aboard ship, only to

recover as the vessel headed out to sea. The "crimps" who plied this trade were agents of the vessel owners or free agents offering their victims to shorthanded vessel officers at a price.

While many bored youths were tantalized by the possibility of a voyage to far-off lands, most soon found themselves disenchanted and returned home. Those who remained suffered a harsh life and abuse, living from voyage to voyage with little or no savings, and, in a few years, no family ties. Given this, it was the rare man who sought a career at sea, particularly if he did not become a ship's officer. Due to the low pay, the uncertainty of re-employment between voyages and the long periods at sea, the number of seamen who married and raised families was small.

During the long voyages, crew members often spoke of their shipboard conditions, pay, and ruthless officers. However, the fear of imprisonment or death was a strong enough deterrent enough against mutiny. Fur-

thermore, a seaman with a reputation for protesting his lot would soon find it difficult to get a ship.

As much as they wanted to better their conditions, seamen had little chance to express their dissatisfaction in any effective way. Maritime laws of all nations gave absolute authority to the captain at sea. Many protests by crew members during a voyage against poor food, overwork, brutality, or unsafe conditions were branded as mutinies and suppressed by fists, guns, belaying pins, and the dreaded whip.

The next column will describe how these conditions pressed seafarers into organizing for their own protection.

Postscript: Next year, the SIU will turn 80 years old. Continuous, persistent advocacy on behalf of mariners in the federal and private sectors, built on the work life improvements of the seafaring unions before it, spark SIU's work each day. Greater progress and protection for all mariners is always the goal.