



# THE FEDERAL MARINER

VOLUME 2 · ISSUE 2  
APRIL - JUNE 2013



MSC \* NOAA \* ARMY COE \* MARAD

OFFICIAL PUBLICATION OF THE SEAFARERS INTERNATIONAL UNION'S GOVERNMENT SERVICES DIVISION

## Suisan Bay Mariners Turn to SIU For Help During Investigation

*Editor's note: This story follows a feature piece in the last issue of the Federal Mariner ("Thorough Knowledge of Weingarten Rights Essential to Federal Mariners" – Volume 2 – Issue 1). That story provided details about protections for employees during investigations when the employee believes he or she may be subject to disciplinary action.*

It began, seemingly out of nowhere, with a frightening email message.

The dozens of federal mariners working with MARAD's Suisan Bay Reserve Fleet in northern California were shocked to receive an email last February informing them they were facing investigatory interviews over alleged wrongdoing. Most of them had no idea what the investigation was about. All they knew was they were looking at some frightening prospects.

"The email said there was a criminal investigation going on and we were subject to arrest and removal from position. Everybody got (the email) in our department and everyone freaked out," said SIU Suisan Bay Delegate Paul Gary. "We were hearing you could get up to five years in jail and lose your job. It was terrifying."

Fortunately, Gary added, lawyers and other officials with the SIU are highly skilled at handling such situations. One of the first things he did after seeing the email was contact the SIU Assistant Vice President Chet Wheeler in the SIU's Oakland office.



A CIVMAR raises the American flag in California's Suisan Bay, where dozens of CIVMARS members work for MARAD.

"Anytime something like that happens it's important to contact your union immediately," Gary said. "You can get some

people who know what they're doing – they know the laws. You can get together and figure out a plan of attack and where to go from there."

Allowing unions to step in and protect workers during investigations are a set of policies known as Weingarten Rights. Established through a 1975 U.S. Supreme Court decision, Weingarten Rights ensure an employer is able to obtain all necessary facts related to an investigation while also allowing unions to protect the interests of bargaining unit employees during the investigation process.

CIVMARS are allowed to ask for union representation during an investigation and a union representative or union delegate is allowed to be present during any interviews. Employers are required by law to allow this to happen and must reschedule an interview if no union representatives are available at the time of the original meeting.

"It's a very good law," Gary said. "I've definitely gotten a lot more familiar with it."

As noted in previous *Federal Mariner* pieces, knowledge of Weingarten Rights is essential to employees facing investiga-



SIU Suisan Bay Union Delegate Paul Gary contacted the SIU's legal officials after receiving notice about CIVMARS facing investigatory interviews.

tory interviews, but employers are not required to inform those being interviewed that they are allowed representation. This can create problems for uninformed workers.



CIVMARS work with vessels in California's Suisan Bay.

Continued on Page 3

## President's Column

### SIU Continues Its Fight Against Federal Furloughs

The SIU and its allies are not sitting idly by as thousands of hardworking federal employees are needlessly sent home for unpaid furlough days. We're fighting to end this unnecessary and ill-advised policy. The SIU is working to keep federal workers where they belong – on the job and supporting our troops.

As many of you know first-hand, furloughs began on July 8 for nearly 700,000 civilian Defense Department employees. They are required to take one unpaid furlough day per week through the end of the fiscal year. It comes to a total of 11 unpaid days off during the next few months, resulting in a pay cut of approximately 20 percent for each employee. That reduction in salary is a great burden for civil service workers to manage. It is especially unfair as government employees carry many additional burdens since



Michael Sacco

they serve their country and protect their fellow citizens.

Among SIU members, 4,200 federal mariners working for the Military Sealift Command are being furloughed. That is unacceptable. The SIU has always fought for its members, and we're fighting for them now. The Defense Department has already reduced the number of furlough days from 22 down to 11 thanks to the lobbying efforts of the SIU and its allies.

We're fighting for you and will continue to do so.

As part of the Federal Workers Alliance (FWA), the SIU is participating in a grassroots campaign to lobby Congress for the elimination of these harmful furloughs. Our coalition is holding in-office Congressional visits, requesting our members write electronic constituent letters to their representatives protesting the furloughs, making phone calls, using social media activism and more. We won't rest, and hopefully Congress and the administration will fix this mess soon.

The Defense Department certainly doesn't want these furloughs taking place. The furloughs are required as a result of across-the-board spending cuts made necessary by the "sequestration" that went into effect following Congress' failure to reach a deal on the federal budget.

If Congress were to allow federal departments more flexibility in implementing these cuts, however, then furloughs could be reduced drastically or eliminated entirely.

Put simply, the attacks on federal workers must stop. They have already given more than their fair share. Over the last three years federal workers sacrificed more than \$103 billion in pay and benefit cuts to help reduce the nation's deficit. Enough is enough.

When FWA Chairman William Dougan said recently that, "Behind every good soldier is a team of dedicated Defense civilian employees," he couldn't have been more right. And that's especially true for the federal mariners who have always been there to support our country's defense and meet the needs of other maritime objectives. The SIU is proud to have you among our ranks.

As federal workers face these painful furloughs, the SIU remains solidly in your corner fighting to ensure you are able to perform your important duties and receive the compensation you deserve. That is what the SIU – and the labor movement – is all about. We'll always be there fighting to give workers a fair shake and the protection they need and deserve.

### Seafarers International Union Directory

Michael Sacco, President

Augustin Tellez, Executive Vice President

David Heindel, Secretary-Treasurer

George Tricker, Vice President Contracts

Kermett Mangram,  
Vice President Government Services

Chester Wheeler,  
Asst. Vice President Government Services

Brian Ahern, editor <bahern@seafarers.org>

## Are You Clear? Keeping Security Clearances and Your Job

They may not realize it, but the economic troubles of recent years may hurt a federal mariner's ability to obtain and keep a government security clearance.

Security clearances – which are issued following an extensive background check – are often required before a federal mariner can work on a government vessel. While many people think of criminal activity when they think of background checks, government investigators also look into a candidate's financial history. Financial issues actually play a larger role than criminal ones when it comes to a security clearance denial.

In fact, financial problems are the most common factor in terminating a security clearance.

According to recent data by the U.S. Department of the Navy – which encompasses the Military Sealift Command (MSC) – financial problems are the single largest barrier to obtaining and keeping a security clearance. Approximately 40 percent of the Navy's security clearance denials were due to financial problems. That was more than the percentage of personal conduct- and criminal conduct-related denials combined.

William Henderson, a retired federal clearance investigator writing for ClearanceJobs.com, noted that the number one concern for clearance investigators is delinquent debt. And when it comes to a troubled economy, the amount of delinquent debt inevitably increases among those applying for clearances.

"High debt-to-income ratio and excessive indebtedness are listed as a potentially disqualifying condition, but this rarely comes into play absent any past or present delinquent debt or obvious signs of unexplained income," Henderson wrote. "Low credit scores are not listed as a potential disqualifying condition, because factors unrelated to debt affect credit scores."

When it comes to debt, Henderson said investigators generally look at three factors: the cause of debt, the response to debt and the amount of debt.

"Cause of debt is generally more important than the amount of debt, because it reveals more about a person's reliability, trustworthiness and judgment," Henderson wrote. "If the debt was caused by irresponsibility (including reckless behavior) that is likely to continue, the problem is magnified. If the debt occurred due to situations beyond the applicant's control and the applicant is handling the debt in a reasonable manner (including, medical bills, bankruptcy or debt consolidation), the significance of the problem is substantially reduced."

While delinquent debt is detrimental to a security clearance investigation, the response of a candidate or employee is especially important when looking at accumulated debt. The response to the situation says a lot about a person.

"Response to a debt is evaluated by the things people do (or don't do) about delinquent debt," Henderson wrote. "How people deal with debt is often a decisive consideration. Those who ignore their financial responsibilities may also ignore their responsibility to safeguard classified information."

He added that signs of irresponsibility and unethical behaviors include: changing addresses without notifying creditors, failing to take responsible measures to reduce debt, knowingly issuing bad checks and increasing credit card use immediately before filing for bankruptcy.

Though a troubled financial past can create problems with security clearances, there are strategies to dealing with those financial difficulties. In another piece appearing on ClearanceJobs.com, writer Martha Donley offered a variety of tips for people hoping to obtain or keep a clearance.

"If you have delinquent debts you should review your financial situation and begin taking corrective action as soon as possible," she wrote.

Some of those actions included obtaining credit reports from the three credit bureaus and reviewing them for errors, paying at least the minimum due each month on all debts and ending the use of any credit card that is in the process of being paid off. Checking your credit report twice a year is one of the most protective actions you can take for several reasons.

When it comes to obtaining a credit report, Donley said it's best to go to the three credit bureaus: Equifax, Experian and Transunion. Applicants may be eligible for a free annual report, and if not, there is a fee, though it's considered a small price



to protect your credit and employment. Once those reports are obtained, Donley recommended reviewing them for errors and ensuring all the accounts listed on the reports belong to you.

"If you determine an account is not yours, you should file a police report for identity theft that specifies each suspect account and keep a copy of the police report," she wrote. "You should also notify the creditor in writing to inform them that you are disputing the account and that it does not belong to you."

As for legitimate debts that you are sure belong to you, Donley recommended paying at least the minimum monthly payment and putting as much extra money as possible toward the debts or credit cards with the highest interest rates. That way, the borrower pays less interest over time.

"Most people want to pay off their small debts first and if a small debt has a high interest rate, that's fine," Donley wrote. "However, you should be aware that if the interest rate on a small delinquent debt is less than the interest rate of a larger debt, you will ultimately pay more interest over time."

And when it comes to those cards you're attempting to pay off, stop using them, Donley said. Many times, she added, you can even get that debt reduced.

"If you contact the lender, they will often work with you to help you pay off the delinquent debt by setting up a payment plan with smaller payments or by settling for a smaller amount than is actually owed," she wrote. "Make sure you continue to make the payments on time and as agreed on the plan."

To ensure you can prove you are trying to address your indebtedness and pay your creditors, follow these steps:

1. Seek credit counseling if necessary, and keep a file of the times you have met with credit counselors and the actions you are taking to address the problems. Do not get caught in scams or companies that promise what they can't deliver.

Make sure you use a non-profit agency with counselors who are certified and work for credit counseling agencies who are accredited by the Council on Accreditation. The National Foundation for Credit Counseling ([www.nfcc.org](http://www.nfcc.org)) is a site where you can search for NFCC accredited agencies. The website is full of educational information about debt management; financial literacy, and counseling referral services. The site also has consumer tips, podcasts, calculators, worksheets and a financial self-assessment tool. This site can help if you currently face financial problems or are actively looking to avoid problems down the road.

2. Keep a log of the credit card companies you have contacted and the names of the people you have spoken with, along with the dates and times and any agreements you have reached to reduce your debt to that lender.

3. Make a chart of all the loans you owe with the name of the lender, the amount and the interest rate on the loan. Pay the most you can to the credit card with the highest interest rate. Continue to pay the minimum amounts on all the other cards you have each month. Once the card with the highest rate is paid, pay the same amount, plus more if you can to the card with the next highest interest rate.

Keeping your job means keeping your security clearance. Don't wait to address this important part of your career.

# Understanding Your Benefits And How to Secure Them

## Long-Term Care Insurance Can Be a Vital Tool for Elders and Those with Disabilities

For federal mariners, the benefits offered by your government agency employer can go far beyond standard health and pension-related benefits offered in the private sector. It's important to know what is available to you or a family member should the need arise.

Long-term care is care for individuals who cannot perform daily activities such as transferring from a bed to a chair, preparing meals, bathing, using the bathroom, shopping and house cleaning.

While the need for this type of care can seem far off, long-term care needs can result from a chronic illness or a disability arising from an injury. That includes many younger people as well. This type of care can be extremely expensive and exhaust your savings quickly.

According to the federal government's 2013 long-term care handbook, around 70 percent of Americans who live to retirement age will need long-term care at some point in their lives. About 40 percent of people receiving care are between the ages of 18 and 64. The need for care among younger people could be due to an accident, stroke, multiple sclerosis or other illnesses.

Many individuals who require care after they reach the Medicare eligible age of 65 believe that Medicare or regular health insurance will cover this type personal care, but in fact taking care of

personal day to day needs is not covered by Medicare, the government insurance that covers the elderly population.

Purchasing this type of benefit is a big decision. It's impossible to know what the future may hold concerning health care needs for ourselves and our family members. This type of insurance can be quite expensive.

But it is worth taking a look at, and federal mariners have a choice when it comes to purchasing long-term care insurance. Long-term care policies can be purchased through the government's program administered by the U.S. Office of Personnel Management or through the private long-term care insurance market.

People who are eligible to use the federal government program includes current federal employees, annuitants (retirees receiving government annuities including federal workers), retired members of the uniformed services receiving retirement or retainer pay and retired "gray" reservists, even if they are not yet receiving retired pay, and qualified family members.

Qualified family members include spouses of annuitants listed above; surviving spouses of active and retired members of the uniformed services who are receiving a federal survivor annuity. Parents, parents-in-law, stepparents of living employees listed above and adult children (at least 18-years-old, including adopted

stepchildren) of living employees or annuitants listed above are also qualified.

Purchasing long-term care insurance is a complicated decision, but this insurance can help people who find themselves in need of care for themselves or their eligible family members who might not be able to afford it.

What are the factors you should consider when purchasing long-term care insurance?

There are many factors to consider when evaluating a long-term care policy, but here are some of the most important to review:

- The amount of daily benefit for care in a facility or care at home;
- The length of the benefit period (the number of years the benefit will last);
- An important policy provision that allows an increase in the benefit rate to rise with inflation;
- Whether the benefit will be payable for your care while you are in your home, in an assisted living facility or a skilled nursing facility;
- Whether the policy is guaranteed to renew as long as you pay the premiums on time;
- Whether the long-term care insurance company is reputable and has the financial health to ensure that it will be able to pay future claims.

To learn more about this benefit, you can receive information on the Federal Long-Term Care Insurance Program from [www.ltcfeds.com](http://www.ltcfeds.com). You can also read the 2013 Long-Term Care Handbook available for free at [www.federalhandbooks.com](http://www.federalhandbooks.com).

To read more about private long-term care insurance and how the costs and policy provisions compare to the Federal Long-Term Care Policy Program you can check with AARP and Consumer Reports. These are independent organizations that advocate for consumers. The Guide to Long-Term Care Insurance is a free publication published at [publications.usa.gov](http://publications.usa.gov).

The American Association for Long-Term Care has free, comprehensive information on its website; however, this organization represents the insurance companies who provide long-term care policies.

The decision about whether to purchase long-term care insurance should be made carefully. Federal mariners should evaluate their overall financial situations to see whether they will have the funds to purchase the care they may need without this type of insurance. Speak to knowledgeable financial advisors, make sure you understand the details and compare policies carefully prior to making a decision.

## Second Quarter CIVMAR Notes

### Comp Time for Work-Related Travel

The SIU and Military Sealift Command (MSC) are in the process of negotiating procedures, eligibility for payment and other issues which will apply to CIVMARS who are on official travel that has been authorized outside of CIVMARS' regular working hours. CIVMARS should keep a log of their travel during these periods and keep any logs or proof of time already traveled during past years. The SIU will be keeping CIVMARS advised of these negotiations at the CSU and via CIVMAR-GRAMS. If you have not signed up to receive CIVMAR-GRAM messages send an email to [siufedmariner@seafarers.org](mailto:siufedmariner@seafarers.org) with your private email address to be added to the list.

### Benefits Offered to Same-Sex Couples

In light of the recent Supreme Court decision overturning turning the Defense of Marriage Act (DOMA), the Office of Personal Management (OPM) has released guidance about how the federal government will offer benefits to legally married same-sex spouses of federal employees covered under the Federal Employee Health Benefit Program.

Currently, same-sex couples can be married in 13 states and the District of Columbia.

For health care benefits to be available to their spouses and families, employees will have 60 days from June 26 for the initial enrollment period for the spouse of the enrolled employee, their children, adopted children and stepchildren.

OPM is requesting that agencies be flexible with this deadline. To learn more about this change you can read the OPM's FEHB Program Carrier Letter No. 2013-20 Coverage of Same-Sex Spouses. It can be found at [www.opm.gov/healthcare-insurance](http://www.opm.gov/healthcare-insurance) in PDF form.

The Thrift Savings Plan (TSP), which handles federal employees' pension plan and survivor benefits, is reviewing its rules and procedures to determine what changes will be made to the TSP program.

This change will also impact Social Security benefits, life insurance eligibility and may have tax consequences for employees. Speak with knowledgeable benefits advisors and accountants who understand how changing your benefits will impact your financial situation.

**Tips Offered to Protect Personal Information**

### Tips Offered to Protect Personal Information

We all know that personal identity information (PII) can be compromised by hackers who steal information from credit card companies, insurance companies and other large entities which retain critical financial and personal information about you.

But this information can be mistakenly released by your employer as well. In the last three years there have been several breaches of CIVMAR personal identity information at the Military Sealift Command (MSC). The SIU and MSC are negotiating what protections mariners will receive should they fall victim to this mistake.

If you learn you are victim of this type of mistake or crime, act now. Make sure you notify the credit bureaus to lock down access to your credit availability to ensure you are notified before anyone checks your credit or applies for new credit. Make sure you check your credit reports at least once a year or at least every four months if your PII has been previously compromised. To learn more, check the following websites: [www.idtheft.gov](http://www.idtheft.gov); the Federal Deposit Insurance Corp. at [www.fdic.gov](http://www.fdic.gov); the Helping Victims page at the Federal Trade Commission [www.ftc.gov](http://www.ftc.gov).

## Suisan Bay Mariners Praise SIU Officials

*Continued from Page 1*

In Suisan Bay, Gary said, the vast majority of the mariners had no idea they were allowed representation during the interviews. Once they learned the SIU would be there to protect them, however, their initial fears regarding the interviews began to recede.

"Everyone felt a lot better knowing the union was there having our back," Gary said. "You have to look at it for what it is – the union is there to protect you."

Many interviewed during the investigation decided to use the union representation. Gary attended the interviews with the mariners and an SIU lawyer participated in the proceedings over the phone.

"Everything went off without a hitch," Gary said.

Following the interviews, it was determined that nothing a foul had occurred. No one lost their job and no one went to jail. The fear felt by the mariners after seeing that first frightening email turned out to be unfounded.

While unpleasant, Gary said the ordeal was a valuable learning experience. The mariners got a first-hand lesson in what to do when facing some scary circumstances and they were also reminded of why belonging to the SIU is so important.

That situation, Gary said, even convinced some non-union mariners to become dues-paying members of the SIU. In fact, those membership dues are what support the kind of legal representation and expertise that has helped the mariners in Suisan Bay and others like them. While the legal aid is provided to the mariners free of charge, it is important for federal mariners to join the SIU and become dues-paying members as a way of ensuring that legal support is available for all mariners in the future.

"Five more people signed up for the union after (the investigation) – just because of the way they handled everything," Gary said. "The SIU was absolutely fantastic."



MSC CIVMARS work in California's Suisan Bay.

## Federal Workers, CIVMARS Furloughed

Thousands of federal workers, including 4,200 SIU CIVMARS working for Military Sealift Command (MSC), are now taking mandatory unpaid furlough days due to Congressionally mandated budget cuts.

Beginning July 8, nearly 700,000 civilian employees working for the Defense Department must take 11 unpaid days off – one per week – until the end of the fiscal year. During this time, workers will face a pay cut of approximately 20 percent.

The furloughs are the result of across-the-board spending cuts enacted when Congress and the administration failed to reach an agreement on the federal budget in 2012. While 22 furlough days were originally scheduled, the number was cut in half following the lobbying efforts of the SIU and its allies.

The Federal Workers Alliance – a coalition of unions of which the SIU is a member – announced



in July it would fight to have the furloughs eliminated. It has established a grassroots campaign that includes in-office visits, electronic constituent letters, phone calls and social media activism.

In a statement just before the furloughs began, FWA Chairman William Dougan said it was vitally important to the country that these federal workers stay on the job.

While he praised the Defense Department's ability to reduce the

number of furlough days, Dougan said the FWA would not stop until they were eliminated entirely.

"Eleven furlough days are 11 days too many, and we will continue to speak out so long as these workers are threatened by this senseless policy," he said.

The SIU has completed negotiations with MSC regarding the furloughs. MSC has also published furlough information and frequently asked questions documents. Copies may be requested from the CSU or your union representative. The SIU will keep CIVMARS notified of any change to the furlough policy via meetings at the CSU's and CIVMARGRAMS. If you have not signed up to receive CIVMARGRAMS, send an email with your private email address to [siufedmariner@seafarers.org](mailto:siufedmariner@seafarers.org).

## CMPI 610 Inquiry System Undergoes Changes

In October 2013, after lengthy and hard-fought negotiations, the new CMPI 610 Instruction covering hours of work and premium pay for Military Sealift Command (MSC) mariners went into effect.

As was published in previous issues of the *Federal Mariner* and during CSU and shipboard meetings, at the start of the implementation, the CMPI 610 team set up an email mailbox to answer CMPI 610-related questions. The mailbox was widely used and the CMPI 610 team received and answered hundreds of questions. Feedback from the fleet has been incorporated into the CMPI 610 revisions which will be sent out later this summer. After six months there were so few questions that the team determined mailbox had served its purpose and a new system for reviewing inquiries could be developed.

Any questions regarding the CMPI 610 Instruction should now be submitted through the normal chain of command aboard each vessel for submission to MSC Labor and Employee (LER) at [msfsc\\_ler@navy.mil](mailto:msfsc_ler@navy.mil).

MSC LER is responsible answering these questions sent through the chain of command.

CIVMARS are welcome to also forward copies of their submitted questions to their union representatives. To do this, you may email or call your representative or send your question to [siufedmariner@seafarers.org](mailto:siufedmariner@seafarers.org).

Please remember, it is the CIVMARS's responsibility to ensure that he/she is compensated correctly in accordance with new provisions of CMPI 610. Make sure you review the CMPI 610 and learn the provisions which apply to your work. If you feel that you have been incorrectly denied pay which should be compensated under the new instruction, or feel that you were incorrectly compensated, you must file a premium pay dispute (PPD) in accordance with the time limits set forth in CMPI 610 and your collective bargaining agreement. More on this topic will be sent to CIVMARS via an SIU CIVMARGRAM.

Questions? Contact your SIU representative or write to the SIU at [siufedmariner@seafarers.org](mailto:siufedmariner@seafarers.org).

## How to Become An SIU Member

Joining the SIU is easy. The union's website – [www.seafarers.org](http://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: <http://www.seafarers.org/memberbenefits/civmar.asp>

### Contact Information

#### Asst. Vice President Government Services Chet Wheeler:

Phone: (510) 444-2360, ext. 17  
Email: [cwheeler@seafarers.org](mailto:cwheeler@seafarers.org)

#### Government Fleet Representative Kate Hunt:

Phone: (718) 499-6600, ext. 223  
Email: [khunt@seafarers.org](mailto:khunt@seafarers.org)

#### Government Fleet Representative Maurice Cokes:

Phone: (757) 622-1892  
Email: [rcokes@seafarers.org](mailto:rcokes@seafarers.org)

#### For contact with SIU:

[siufedmariner@seafarers.org](mailto:siufedmariner@seafarers.org)

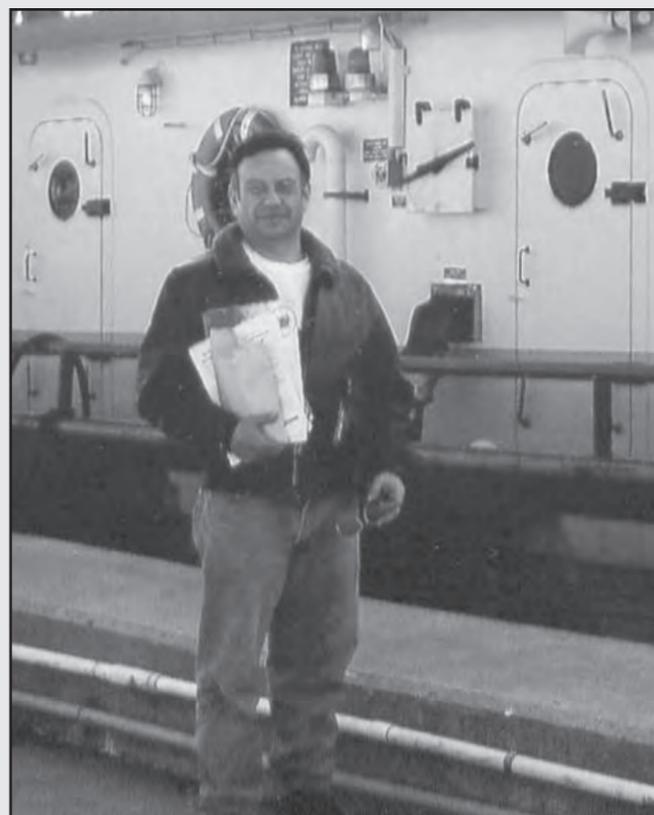
**Find us on Facebook:** Click on the icon at [www.seafarers.org](http://www.seafarers.org)

#### Find us on Twitter:

[www.twitter.com/seafarersunion](http://www.twitter.com/seafarersunion)

## Army Corps of Engineers Mariners Lend a Helping Hand

### New York-Area Federal Mariners Do Their Part to Help Victims of Hurricane Sandy



SIU members working for the Army Corps of Engineers (ACOE) have done their part to help the New York-New Jersey area recover from the effects of Hurricane Sandy. In the above left photo are various crew members from the ACOE's New York District in Caven Point, NY. Pictured above right is SIU Delegate Johann Aguilera.