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Sen. Kelly: Ships for America Act Will Revitalize Industry

A strong U.S. maritime industry is essential to the nation, and the Ships for America Act is a timely, viable way to bolster it.

Pro-maritime U.S. Sen. Mark Kelly (D-Arizona) delivered those messages Nov. 21 at an industry gathering in the nation's capital. Attendees included SIU Vice President Contracts George Tricker, Assistant Vice President Pat Vandegrift, Director of Manpower Mark von Siegel, Political and Legislative Director Brian Schoeneman, and Political Consultant Terry Turner.

Kelly is a co-sponsor of the Ships for America Act, the most comprehensive maritime legislation put together in decades. The bill was expected to be formally introduced Dec. 17 (just before press time). The SIU worked with industry allies for more than a year to help craft the legislation.

A former merchant mariner, astronaut and a Navy veteran, Kelly also is the grandson of a World War II U.S. Merchant Mariner. He told the audience in Washington, D.C., that his lifelong familiarity with, and support for, American maritime has led him to firmly conclude "we need to seriously and urgently reorient our maritime industry.... It's an issue that Congress and multiple administrations, Republican and Democrat, have tried to grasp, but also sort of ignored for decades. Now, we can't afford to ignore this any longer."

The senator compared U.S.-flag fleet data from the mid-1980s, when he graduated from the U.S. Merchant Marine Academy, to today. He pointed out that the size of the U.S. fleet is dwarfed by China's. Kelly also lamented the gradual decrease in the number of U.S. shipyards.

"Despite the decline in size of our maritime industry, we're still facing a shortage of mariners that we need to man and crew these vessels, and the consequences of these failures are serious," he



Gathering for a photo immediately following the senator's remarks are (from left) SIU Director of Manpower Mark von Siegel, U.S. Sen. Mark Kelly (D-Arizona), SIU Asst. VP Pat Vandegrift, (rear) SIU Political and Legislative Director Brian Schoeneman, SIU VP Contracts George Tricker, and SIU Political Consultant Terry Turner.

stated. "With oceans to the east and west, America has always been a maritime nation. More than 80% of goods imported into this country come by sea, making the maritime domain critical to our economy, and just as importantly, maritime transportation logistics are critical to our national security in a prolonged conflict overseas. We're going to have to rely on the U.S. Merchant Marine to provide the sealift we need to support overseas operations, and we need a more robust maritime industrial base here at home to make sure we have the shipbuilding and ship repair capacity to meet the needs of the Navy and other government shipbuilders. We don't have that now."

Kelly said that such a broad and complex set of challenges "requires us to comprehensively rethink our national maritime strategy, and so over the past

year, my team and I and others on Capitol Hill have worked with many of you and countless others throughout the maritime industry to develop comprehensive legislation to rebuild the U.S. maritime industry. For months now, I've worked closely with (co-sponsor) Rep. Mike Waltz (R) of Florida, who will be the incoming National Security Advisor for the president-elect."

The senator described four main components of the Ships for America Act.

"First, it works to make sure that U.S.-flag vessel costs are competitive in international commerce," he explained. "We provide tax incentives for private companies to consider shipping cargo on U.S.-flagged vessels and restore the cargo preference and agency reimbursement requirements that Congress undid in 2012. We also propose regulatory reforms, like

looking for efficiencies to improve the way that the Coast Guard regulates vessels, and evaluate whether there are ways to allow vessels to flag into the fleet more efficiently. Lastly, we established a new program called the Strategic Commercial Fleet, which would complement the existing Maritime Security Program by bringing 250 new U.S.-flag vessels into the fleet over the next 10 years, by providing financial support to offset operating differences for the ocean carriers who provide the best value to our economic and national security. And I believe these efforts can bend the cost curve and make it possible for American-flagged, American-crewed carriers to not just survive, but to thrive."

He then turned to the importance of domestic shipbuilding capability, and outlined how the Ships for America Act will promote it.

Finally, Kelly described methods to attract and retain maritime personnel.

"We need to make sure that American workers realize that working at sea or in an American shipyard is a great-paying job, a job you can raise a family on," he said. "This starts with raising awareness of these careers, and it may also require added incentives for students like public service loan forgiveness or additional tax benefits for mariners who go to sea. Our legislation does those things. It also does more.... I believe that we have a real opportunity to advance this legislation next year, and it also presents a win-win situation. Rebuilding our domestic maritime industry will supercharge our economy and create great-paying jobs, while also enhancing our military readiness and allowing us to more strategically compete with China."

He concluded, "The stakes here are too high for us to fail. Working together, we can rise to the challenges that we face today. I look forward to continuing this work alongside all of you to get this done."

U.S. Navy Launches MSC 'Workforce Initiative'

Secretary of the Navy Carlos Del Toro approved a plan Oct. 30 to "restore the health of the Military Sealift Command (MSC) workforce and generate more logistics support for fleet operations worldwide," the agency reported.

In a news release, MSC noted that it "consists of 5,500 civil service mariners and 1,500 contracted mariners operating 140 logistics supply ships that support the replenishment and transport of military cargo and supplies for U.S. forces and partners. The command's new workforce initiative addresses civil service mariner recruitment and retention challenges by restoring the health of the MSC workforce for the next several decades.

"The initiative will also include crew reassignments to higher priority vessels and the placement of some MSC logistics support ships into extended maintenance periods," the release continued. "Rotating crews to higher priority vessels will minimize overdue reliefs and provide a more predictable work environment for civil service mariners."

"Our civil service mariners play invaluable roles providing continuous logistics support to our deployed naval forces, and they are working overtime to sustain that mission globally," said Del Toro. "This initiative will not only address operational logistics challenges we face now, it will ensure that Military Sealift Command has policies, programs and incentives it needs to recruit and retain future generations of civil service mariners."

In a news report, MSC Commanding Officer Rear Adm. Philip Sobeck said of the possibility of laying up 17 vessels, "That number's based on again the number of mariners that we need to get us to 95 percent [man-

ning]. It is aligning the force so that we are most ready and that we are getting after the fleet requirements."

MSC crews the Navy's logistics and support vessels, with 4,500 billets across the command. There are about 5,500, or 1.27 mariners per billet, to fill positions on an MSC ship. The manpower challenge isn't unique to MSC or even the broader U.S.-flag fleet. It is a global situation that seemingly was exacerbated by the pandemic.

"Addressing the recruiting and retention challenges in MSC's civil service mariner workforce will take time," said Sobeck.

According to the Navy, the types of ships for the workforce initiative include Fleet Replenishment Oilers (T-AO), Dry Cargo/Ammunition Ships (T-AKE), Expeditionary Fast Transports (T-EPF), and Expeditionary Sea Bases (ESB).

President's Column

Wins - and More Work Ahead - in D.C.

While I wouldn't describe it as a Christmas present, the Dec. 17 introduction of the Ships for America Act in Congress is a great boost to the U.S. Merchant Marine as we navigate the winter holidays.

The bill's co-sponsors are realistic about its path for advancement in the New Year – it'll take a lot of work, and passage won't happen overnight. But there is strong bipartisan backing for the bill, along with a growing awareness of our industry's importance to national, economic and homeland security.

As you may have seen online, the SIU publicly supported the Ships for America

Act upon introduction (very close to our press time). We are one of dozens of organizations and individual stakeholders that helped shape the bill as it went through draft revisions for more than a year. Personally, I find it an extraordinary piece of legislation that stands to revitalize, strengthen and sustain our nation's maritime industry.

The Ships for America Act addresses critical gaps in shipbuilding, maritime workforce development, and the modernization of our commercial fleet. It is a bold step toward ensuring that the United States maintains a robust and competitive maritime presence, which is essential for both economic and national security.

In my 51 years of working in this industry, whether at sea or ashore, I have not seen any maritime legislation as comprehensive and impactful as the Ships for America Act. I have urged labor and industry to join us in supporting this long-overdue bill, as it not only honors the legacy of our maritime industry but also paves the way for its future growth and sustainability.

At the same time, and as original co-sponsor Sen. Mark Kelly – a former U.S. Merchant Mariner – said shortly before the bill was introduced, I also remind everyone that this will be a process rather than an instant victory. Those of you who were sailing or otherwise following the industry back in the mid-1990s may remember how many pushes it took for us to help get the Maritime Security Act across the finish line. Similarly, and although this one was slightly before my time, the Merchant Marine Act of 1970 required a sustained and lengthy effort.

Notwithstanding those caveats, this is a huge opportunity for our industry. I sincerely thank Sen. Kelly, Rep. Mike Waltz, Sen. Todd Young, and Rep. John Garamendi for introducing the bill, and I look forward to working for its passage.

We've got other good news to report from the nation's capital, too. As part of this year's Defense bill, both the Maritime Security Program (MSP) and the Tanker Security Program (TSP) will be extended five years, to 2040, when the bill passes (it has not yet done so as of press time), which is expected before the end of the year. I am proud to note that the SIU helped make it happen, particularly regarding the MSP. The MSP has been a foundational component of the U.S.-flag fleet since we helped secure passage of the aforementioned Maritime Security Act in 1996. The much-newer TSP promises to be a vital component moving forward."

Collectively, these are timely examples of why we're a politically active organization and always will be. Your jobs are directly dependent on federal laws (among other factors), and that's why we're always on the front lines in Washington, as well as staying active at the state and local levels of government.



David Heindel



Gathering to help honor CIVMARS are (from left) SIU Government Services Division Asst. VP Sam Spain, VP Government Services Joe Vincenzo, and retired VPs Kermet Mangram and Kate Hunt.

CIVMARS, SIU Official Among AOTOS Honorees

The SIU enjoyed some time in the spotlight Oct. 25 in New York City, as personnel from throughout the U.S. maritime industry gathered for the 55th Annual Admiral of the Ocean Sea (AOTOS) Awards, hosted by the United Seamen's Service (USS).

Receiving the AOTOS Awards were SIU Executive Vice President Augie Tellez; TOTE Group President and CEO Tim Nolan; and Fairwater CEO Daniel J. Thorogood. SIU crews from the G&H Towing boat *George M* and the *USNS William R. Button* (Crowley) received Honored Seafarer Awards for heroic actions on the job, as did SIU CIVMARS from the *USNS Brunswick*.

A Special AOTOS Recognition Plaque was awarded to ILWU Local 142 and the Hawaii Longshore Division for their heroic response to the Maui wildfires.

The well-attended dinner brought together nearly 800 of the who's who in maritime, plus special guest Elaine L. Chao, former U.S. Secretary of Labor, U.S. Secretary of Transportation, and longtime friend of the SIU.

"This event underscores the strength and unity of our maritime community. We are proud to honor those who work tirelessly to advance our industry and protect our seafarers," said USS President Edward Morgan.

The program began with a welcome and introduction from retired U.S. Army Lt. Gen. Kenneth R. Wykle and the presentation of the colors by the SUNY Color Guard. Following that, Reverend Fr. Sinclair Oubre (an active SIU member) led the invocation.

Major Gen. Daniel H. Tulley, USAF, followed with remarks about the USTRANSCOM and commercial maritime industry partnership. Then, U.S. Maritime Administrator and retired Rear Adm. Ann Phillips, USN, took the stage to discuss opportunities for the maritime industry. She emphasized a focus on improving shipboard life, which would help attract and retain mariners over time and build a stronger more sustainable workforce. She went on to cite legislation in the works that would help strengthen the maritime industry.

"The maritime industry ... and maritime policy are indeed the focus of a tremendous amount of positive, bipartisan, and bicameral work and action on the bill in Congress," said Phillips, referring to the Ships for America Act. "We thank the many Congress members and senators who are involved in this legislation and other activities and across a range of stakeholders. We know this assessment of the criti-

cal role and the understanding of that role that the maritime transportation system plays in the lives of all Americans. We now have an opportunity to carry this industry forward into the future to build our national security and to ensure our economic security. So collectively, let's seize the day."

Chao, herself a 2019 AOTOS Award recipient, presented the Honored Seafarer Awards, which recognized the mariners' acts of heroism and highlighted inspiring stories of bravery and courage. The honorees each received AOTOS Mariner Plaques for their achievements. Among the recipients were SIU boatmen Master **Jordan Ward**, Mate **Stayton Sartor**, Mate Trainee **Tyler Walker**, Chief Engineer **Richard Zyvloski**, and Wiper **Hunter Legge**.

Tellez thanked his family and his mentors, while also challenging his industry peers and colleagues to work tirelessly to promote and grow the U.S. maritime industry. He described the SIU's successful, ongoing recruiting efforts and noted the industry-wide manpower challenges that were exacerbated by the pandemic.

Proceeds from the AOTOS event benefit USS community services abroad for the U.S. Merchant Marine, seafarers of all nations, and U.S. government and military members overseas. SIU President David Heindel was this year's dinner chairman.



SIU Executive VP Augie Tellez (center) receives a 2024 Admiral of the Ocean Sea (AOTOS) Award, presented in New York City by the United Seamen's Service. Pictured with him at the Oct. 25 awards dinner are fellow honorees Daniel J. Thorogood (left), CEO of Fairwater; and Tim Nolan, TOTE Group president and CEO.

SIU Directory

David Heindel, *President*

Augustin Tellez, *Executive Vice President*

Tom Orzechowski, *Secretary-Treasurer*

George Tricker, *Vice President Contracts*

Joe Vincenzo,

Vice President Government Services

Sam Spain,

Asst. Vice President Government Services

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How to Become an SIU Member

Joining the SIU is easy and an important step in protecting your workplace rights. 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:

<https://www.seafarers.org/news/labor-maritime-news/civmar-news/>

Forms are also available under "SIU Forms" in the ABOUT tab.

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AFL-CIO Applauds NLRB Decision to Ban Captive Audience Meetings

The National Labor Relations Board (NLRB) on Nov. 13 issued a ruling that should help protect workers' rights.

Specifically, the board concluded that "an employer violates the National Labor Relations Act by requiring employees under threat of discipline or discharge to attend meetings in which the employer expresses its views on unionization."

Overruling a decision from many years ago, the board explained that such gatherings – commonly known as captive-audience meetings – violate the law "because they have a reasonable tendency to interfere with and coerce employees in the exercise of their ... rights."

In a news release, the NLRB added that the board "made clear that an employer may lawfully hold meetings with workers to express its views on unionization so long as workers are provided reasonable advance notice of: the subject of any such meeting, that attendance is voluntary with no adverse consequences for failure to attend, and that no attendance records of the meeting will be kept."

Reacting to the decision, AFL-CIO President Liz Shuler stated, "The NLRB again demonstrated its commitment to working people with the decision to ban captive-audience meetings, a coercive tool bosses regularly use to gain an unfair advantage before union elections. As part



AFL-CIO President Liz Shuler

of well-funded and aggressive anti-union campaigns – regularly involving threats of discipline, site closure, wage and job cuts, and threatening immigrant workers with deportation – employers force employees to listen to anti-union speeches,

often multiple times, preventing employees from asking questions or even politely leaving the meeting. These coercive meetings are well-known union-busting tools, and the practice has no place in America's workplaces or in our democracy. Thanks to the NLRB, that ends today."

She added that the board "has affirmed that captive-audience meetings are an affront to worker freedom and that companies will finally be held accountable for this anti-worker behavior. Corporations may pour millions in their efforts to union-bust, but the AFL-CIO won't rest until every worker is free to organize and fight together for a better workplace. We applaud the board and General Counsel Jennifer Abruzzo for their leadership in ending this predatory practice."

The board articulated several reasons why captive audience meetings interfere with employees' rights under the National Labor Relations Act, thus violating Section 8(a)(1). First, such meetings interfere with an employee's right under Section 7 of the Act to freely decide whether, when, and how to participate in a debate concerning union representation, or refrain from doing so. Second, captive audience meetings provide a mechanism for an employer to observe

and surveil employees as it addresses the exercise of employees' Section 7 rights. Finally, an employer's ability to compel attendance at such meetings "on pain of discipline or discharge lends a coercive character to the message regarding unionization that employees are forced to receive," the board noted. "The employer's ability to require attendance at such meetings demonstrates the employer's economic power over its employees and reasonably tends to inhibit them from acting freely in exercising their rights."

The board made clear that this change in the governing standard will be applied prospectively only.

"Ensuring that workers can make a truly free choice about whether they want union representation is one of the fundamental goals of the National Labor Relations Act. Captive-audience meetings – which give employers near-unfettered freedom to force their message about unionization on workers under threat of discipline or discharge – undermine this important goal," said NLRB Chair Lauren McFerran. "Today's decision better protects workers' freedom to make their own choices in exercising their rights under the National Labor Relations Act, while ensuring that employers can convey their views about unionization in a noncoercive manner."

International Transport Workers' Federation Updates Flag-of-Convenience Campaign

SIU officials helped map out vital strategies for the world's seafarers during the International Transport Workers' Federation's (ITF) 46th Global Congress, which took place Oct. 13-19 in Marrakech, Morocco.

During the gathering, SIU President David Heindel was re-elected as Chair of the ITF Seafarers' Section. Among the SIU personnel joining Heindel for the conference were Secretary-Treasurer Tom Orzechowski, Vice President Atlantic Coast Joseph Soresi, Assistant Vice President Pat Vandegrift, and ITF Inspectors Ricky Esopa, Shwe Aung and Jordan Esopa.

The SIU is a longtime ITF affiliate.

In one of the most noteworthy developments from the conference, the federation updated its flags-of-convenience (FOC) campaign via a document named the Marrakech Policy. The ITF described the policy as a "major step forward with new standards for international seafarers' rights and working conditions," and noted that it "now forms the governing framework for the global union's campaigning work on FOCs."

According to the ITF, the policy is the culmination of five years' work by union representatives from ITF maritime affiliates to examine, plan and develop a new strategy in line with the shifting reality faced by mariners since 2010 – when the preceding Mexico City Policy was adopted at the ITF's 42nd Congress in Mexico City.

The Marrakech Policy identifies the minimum conditions the ITF and its affiliated unions will accept on FOC merchant ships, "incorporating the new understanding of the critical importance of global supply chains that emerged out of the Covid-19 pandemic, as well as the central role for shipping and seafarers in combating climate change through a just transition. The Marrakech Policy will now form the baseline for the ITF's Collective Bargaining Agreements, which set the wages and working conditions for crews on FOC vessels, irrespective of nationality."

Heindel, who also co-chairs the ITF Fair Practices Committee, said, "There is a lot of focus in shipping on the need for sustainability, and we warmly welcome this. But shipping can never be truly sustainable if it does not respect the labor rights of the seafarers without whom shipping and global trade can't function. As we have done for so many years, the ITF will continue to fight for a better future for seafarers on FOC ships, and we won't rest until we've secured it – and I'm proud that the new Marrakech Policy now sets the framework for this crucial work."

The policy also highlights the importance of cooperation and solidarity between dockers and mariners that ensures seafarers are not forced to do dockers' work and protects dockers from the erosion of their jurisdiction over their work. ITF Dockers' Section Chair and Co-Chair of the ITF's Fair Practices Committee, Paddy Crumlin, emphasized the importance of these considerations.



SIU officials helped map out vital strategies for the world's seafarers during the International Transport Workers' Federation's (ITF) 46th Global Congress, which took place Oct. 13-19 in Marrakech, Morocco. Pictured at the gathering are (from left) SIU ITF Inspector Shwe Aung, SIU Asst. VP Pat Vandegrift, SIU Secretary-Treasurer Tom Orzechowski, ITF General Secretary Steve Cotton, SIU President David Heindel, ITF President Paddy Crumlin, SIU VP Atlantic Coast Joseph Soresi, and SIU ITF Inspector Ricky Esopa. As previously reported, Heindel was re-elected to his post as Chair of the ITF Seafarers' Section.

"For dockers, the inclusion of the Non-Seafarers' Work Clause in the CBAs isn't just about job security, it's about safety – both for dockers and for seafarers," he said. "Companies are trying to cut corners, making seafarers do lashing, putting them at serious risk. We've fought against this before, and we'll continue to fight against any shipowner who puts seafarers' lives in danger."

The ITF's campaign against FOCs is governed by the Fair Practices Committee – a joint committee made up of docker and seafarer unions.

Earlier during the congress, officials and delegates from the Seafarers' Section identified additional ways to safeguard mariners and improve their working conditions. Much of the dialogue and planning focused on the use of new fuels in maritime.

"We will continue to build a future in which seafarers are recognized, valued, respected, protected," said Heindel. "Let there be no doubt that the ITF and all its

affiliated unions will always stand shoulder to shoulder with unjustly treated seafarers, wherever they may be and whatever they may be facing."

The handling of potentially dangerous new fuels is already being addressed by the ITF in collaboration with industry and international organization partners – a mutually beneficial effort enhanced through joint work during the pandemic. A key example of this effort is the Maritime Just Transition Task Force, which brings together the ITF, the International Chamber of Shipping, the United Nations Global Compact, the International Labor Organization, and the International Maritime Organization. When the group met last year in Dubai, it launched the "Baseline Training Framework for Seafarers in Decarbonization" project to begin providing the skills an estimated 800,000 mariners worldwide will need to acquire, including for work involving potentially dangerous fuels such as ammonia and hydrogen.

Seafarer Snapshots



In photo directly above, CIVMARS meet with SIU VP Government Services Division Joe Vincenzo (far right) aboard the *USNS Washington Chambers*. The vessel is pictured directly below, left, while the CIVMAR crewed *USNS Earl Warren* is pictured below, right. The next two photos were taken aboard the *USNS Grasp*; they include CIVMARS and Vincenzo (third from right in photo at right). Remaining photo was taken near Baltimore at a labor-management meeting that included representatives from the SIU and other unions, and the Military Sealift Command. Among those pictured are (from left) Vincenzo, SIU Counsel Jon Madden, and SIU Government Services Division Asst. VP Sam Spain.

