

# EDITORIAL OPINION

## **The Shame of the American Maritime Unions: The Untold Story**

As a proud and thankful "American" merchant mariner, I had been reading for years about the unfair and exploitive employment practices by many of the world's "flag of convenience" (FOC), shipping and cruise line companies. I would read with interest and disdain about the horrors wrought by the "FOC" international menace in article after article on the pages of *American Maritime Officer*, *SIU Seafarers Log*, and *Professional Mariner* magazine. I didn't realize then that I would become a future victim of these same exploitive practices, but with a rather ironic twist ... active participation and collusion by a well known but unnamed American maritime union.

This is a mostly untold story. It includes lies, deception, ironies, bait-and-switch tactics, and breach of contract. It should be heard by every American worker, politician, taxpayer, and merchant mariner. It is a story of compromise and shame and it has to be told!

My maritime vocation started with a four year stint in the US Navy followed by four years with the USCG. I then started my merchant marine career – first as an electronics technician-tanker for the Military Sealift Command-Pacific onboard a 950 foot LMSR in the capacity of the Electronic Maintenance Officer. This was followed by employment with a major international cruise line.

I was in the employ of this unnamed line for seven months and really looking forward to the renaming and reflagging of the ship on which I was currently training. I was expecting to take over dual positions as her Communications/Electronics Officer and Electronics Engineer. This is just one week before she was to be reflagged as a United States vessel. The ship was scheduled to sail off to her new homeport of Honolulu where she would make weekly cruises of the Hawaiian Islands. But I get ahead of myself.

I was originally hired by this company to serve as a crewmember of their brand new and nearly completed cruise ship. The ship already had quite a history of starts and stops and was originally subsidized by US taxpayers to the tune of \$80 million. The ship was eventually auctioned off and bought by my employer – a Chinese billionaire with offices in Hong Kong and who resides in Malaysia. The ship was towed to the Lloyd Werft shipyards in Bremerhaven, Germany for lengthening and completion.

I flew to Germany on the 13th of January 2004 to join her, however the ship was sunk next to her dock very early in the morning of the 14th of January by a combination of factors, including a freak windstorm from the North Sea

I remember getting up very early on the 14th, and was really excited to get to the shipyard and check out my new ship. Upon turning on my hotel room radio to hear some good German music, I was shocked to hear the announcer repeatedly mention the name of my ship! Not being able to understand German, I rushed downstairs to the front desk and enquired of the lovely frauline on duty what was up? I knew instinctively it was not good when her face immediately morphed from a rather nice smile to a most serious poker face. She promptly

and courteously informed me that the ship had sunk! My hometown preacher told me later that this unfortunate convergence of events should have conveyed to me that perhaps it was time to call it a day and move on. I was too dumb though and stuck it out for another couple of months until the real hammer came down.

Bremerhaven crew stayed in Germany another five weeks until being reassigned to the designated replacement ship for the Hawaii cruises. The new ship was now scheduled to leave Germany sometime in June 2005 and join her premature replacement in Hawaii. I was in training on her replacement for seven weeks trying to come up to speed and eventually assume two distinct positions, which on the international side of the company were held by two separate officers. I was being tasked with dual positions and double workload and responsibilities, but without double remuneration. The company informed me about this change in my status just before I left Germany, however I decided at the time, due to the amount of my yearly salary, that it would still be worth it despite my extra duties. What I didn't realize at that time was how corporate headquarters was renegotiating my pay with a well known engineer's union with whom the newly chartered American subsidiary signed a contract. I was not told in my hire letter that I would have to join a maritime union and to add insult to injury was never consulted by my company as to which maritime union I would prefer.

I went on a small vacation in April of 2004 and when I checked back aboard ship in San Francisco (California) I noted some major changes. Some of the original American crew had been replaced. When I inquired why I was told they were being forced to join a union which would ultimately mean their pay would be slashed. They decided to quit instead. I heard from workers that the union reps had a cavalier attitude – workers were told how privileged they were to be offered the opportunity to join this union and told that if they were not happy about the prospects they could hit the road. I ask any reasonable person what kind of labor practices are these? Something is drastically wrong in this situation and I for one don't feel that these crew were dealt with fairly by the company or the union.

Some of the international crew warned me that I too would soon be offered the same deal offered my fellow American crewmembers. Although I felt sorry for the others, I felt that surely my salary would be safe and maybe I would even warrant a raise due to my dual position status. I must have been in shock because I still couldn't believe that it was possible to be better off under an "FOC" contract then under an American maritime union contract. The whole situation was strictly untenable. I had always thought unions were for the worker and as a union member workers would be much better off.

I now believe my former employer was playing both ends from the middle and that they probably had this whole travesty cooked up from the beginning, but the really shocking part for me was that an American union would collude with a company that was now cheating American mariners of their fair share of pay. I observed what I believe were other unfair union practices: arbitrarily levying \$4,000 fines on members for alleged infractions of union laws without a fair and impartial hearing to establish guilt; negotiating mandatory 56 hour work weeks for members; negotiating pay or benefits down simply to ensure a contract; and not listening to members -- their real bread and butter, the rank and file! In the end my

workload doubled and my salary was slashed by a whopping \$33,000 per year; more than one third less of the salary cited in my original offer letter. As soon as I received my first paycheck from the US subsidiary of this international cruise line I ran the numbers and saw I had no option other than to resign and fly home.

Here is another irony. I now have a new job ashore working as an instrumentation technician for a local chemical company. I work four, ten hour days and have three day weekends every week, am home with my family every night, have a lot less duties and responsibilities on the job, and make more money than my last pay from the cruise line. I say it's time for mariners to hold their unions and companies up to a higher standard. The rank and file need better representation from the unions and a better deal from their employer.

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