

Gulf Coast Mariners Association



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GCMA BULLETIN (November 27, 2002)

Because of an unavoidable delay in publishing the GCMA News, your Board of Directors voted to prepare brief periodic updates of important information for our "Members Only." We plan to issue these bulletins from time to time to pass along timely information.

GCMA Field Director

Kenny Ader

Your Board of Directors:

Penny Adams, President
Captain Ray Adams
Richard A. Block, Secretary
Gwen Block, Treasurer
Captain Mark Duplantis
V.J. Gianelloni, Chief Engineer
Captain Ronnie Lemoine
Captain Nick Mastrodonato
Captain Bill Munson
Captain Wayne Savoie
Captain David Whitehurst

GCMA Members of Federal Advisory Committees

(Appointed by Secretary of Transportation Hon. Norman Mineta)
Glenn Pigott, Chief Engineer, MERPAC
Captain Roland Rodney, NOSAC

Subcommittee/Work Group Volunteers

Richard A. Block, TSAC Regulatory Review and NOSAC Liftboat subcommittees.
Penny and Ray Adams, Merchant Marine Personnel Advisory Committee (MERPAC).

GCMA

Webmaster

www.gulfcoastmariners.org

Captain David Miller (985) 879-3866

GCMA Office Move. The GCMA office is located in the same building as the Lafourche Merchant Marine Training School (LMMTS). Although they are in the same building, we want to point out that the GCMA and LMMTS are now, and always have been, two separate and distinct entities. Penny and Ray Adams founded the school over a decade ago to serve mariners in this area and still own and operate the school.

On Monday, November 25th, both the GCMA office and the school relocated to 4290 Highway 1, Suites 1 & 2, in Raceland approximately 1 mile north of the LA 1/U.S. 90 intersection.

GCMA wants to thank "Dr. Mike" Robichaux for the use of the previous GCMA office and school facilities that served as a convenient meeting place for our members and friends and for all his generous help, guidance and cooperation since GCMA was founded in April 1999. "Dr. Mike" has given much to the people of this area as a public leader and state senator.

Lafourche Merchant Marine Training School moved into larger quarters at 4290 Highway 1 in Raceland. The school's telephone number will remain the same (985) 537-1222 and their FAX will remain (985) 537-1225.

Whistleblower Protection. GCMA received word last week that Congress passed the Maritime Security Act that, among other things, will provide enhanced "Whistleblower Protection" for mariners on a national basis in Section 428 titled "Protection Against Discrimination." Some key phrases are:

- A person may not discharge or in any manner discriminate against a seaman because the seaman in good faith has reported or is about to report to the Coast Guard or other appropriate Federal agency or department that the seaman believes that a violation of a maritime safety law or regulation...has occurred; or
- The seaman has refused to perform duties ordered by the seaman's employer because

**PLEASE VISIT OUR NEW WEBSITE
AT WWW.GULFCOASTMARINERS.ORG**

- the seaman has reasonable apprehension or expectation that performing such duties would result in serious injury to the seaman, other seamen, or the public.”
- Earlier this year, Captain Tommy Winkler, a Louisiana resident and GCMA member, won a landmark case in the Louisiana Court of Appeal when his employer, a Louisiana corporation, forced him to violate the 12-hour rule in Louisiana waters and fired him after he reported this illegal action to the Coast Guard. However, this protection is limited to Louisiana.

GCMA picked up the gauntlet from work previously done by Lee J. (“Jeff”) Bloomfield, Esq., a Memphis labor, admiralty attorney and mariner advocate. Starting in 1994, Jeff, while working on behalf of the American Inland Mariners Association (Captain John R. Sutton, Pres.) prepared a paper citing a need for this whistleblower legislation and presented it to the counsel of the House Merchant Marine and Fisheries Committee. Unfortunately, Congress adjourned before it could take final action on the Bill. Later, Representative Leonard Boswell (D, IA) presented two similar Bills but was unable to secure sufficient support for consideration and passage.

GCMA is “the Voice of Mariners.” As such, with support from four maritime labor unions, we were able to travel to Washington and, after representing our mariners before several federal advisory committees, knocked on many Congressional office doors on Capitol Hill. Our presentations focused on the needs of our mariners and covered a number of different issues. These are OUR issues from the offshore, inland, and rivers environment we operate in within the borders of the Eighth Coast Guard District (8CGD). These issues affect all our mariners. We had complete freedom to present our views and came away satisfied that our views were well received. As part of our job, we reported our results to our members in the GCMA News. Often, technical and political issues make dull reading but are extremely important if our mariners ever expect to receive fair treatment and the respect they work so hard for and deserve. With support from our friends in four maritime unions, our GCMA News has a circulation of

almost 7,000 mariners located primarily in the Eighth District.

One Congressman’s Legislative Assistant made this statement after one of our Washington presentations: “You guys are not asking for anything unreasonable; I am surprised you even have to ask for it.”

Senator Mary Landrieu is one of the co-sponsors of the Maritime Security Act that contains the new “Whistleblower Protection” described above. We believe this is a very positive development that will affect all mariners. Senator Landrieu’s offices both in New Orleans and Washington have always given GCMA the attention we know our mariners’ problems deserve. Although our membership is scattered over 22 states, our mariners who are residents of Louisiana need to keep this lady in mind and return the favor by giving her your vote when you go to the polls on December 7th.

Next Meeting Date: Membership meetings are held at 7:00 PM on the **Third Monday** of each month. There is a (closed) Board of Directors Meeting from 5:00 to 7:00 PM. At 7:00 PM the doors are opened to our members. Because of our recent “relocation” we ask our members to call us at (985) 537-4885 on **Monday December 16th** to determine whether the scheduled membership portion of our monthly meeting will be held after the Board meeting. In any event, the subsequent meeting date will be **Monday January 20, 2003**.

Coast Guard Docket Items. GCMA formally requested the Coast Guard to change five different regulations and have placed these items on the Coast Guard’s docket. The procedure and details of our request are contained in GCMA Report #R-332, Revision 1. Briefly, these items include:

1. Work-hour limitations for all unlicensed crewmembers on uninspected towing vessels. Officers are limited to 12-hour days; why doesn’t the same limitation apply to unlicensed seamen?
2. Travel time to a vessel should be considered “on duty” time. Ever hop on a boat after a long trip and immediately go on duty? We pointed out to the National Transportation Safety Board that

this is an accident waiting to happen. Consider the I-40 bridge accident in Oklahoma last summer.

3. Require logbook entries of time served to reflect the true number of hours you are on duty or on watch.

4. Allow any injured mariner to file a Coast Guard accident report. We proved that Masters or employers often fail to report accidents to the Coast Guard and fabricate stories on some accidents. This paints a false picture of safety in the industry for both the Coast Guard and insurance carriers and hurts the mariner if he makes a claim for his injury at a later date.

5. If the Coast Guard hauls you before an Administrative Law Judge but loses the case (which is rare) they should not be able to appeal the Judge's decision. We believe that one crack at a mariner's license or document is enough. The "Captain Ken" case we reported to you in Report #R-323 is one example.

We have made these formal written proposals to the Coast Guard and are awaiting their replies to each item. We will keep you posted.

Legislative Change Proposals. GCMA formally asked the Coast Guard to consider urging Congress to change two laws. Changing a law (i.e., an Act of Congress) is much more difficult than changing a regulation that is promulgated by the Coast Guard (or other federal agency).

PROPOSAL #1. Inspect all uninspected towing vessels. All tug and towboat personnel should read GCMA Report #R-276, Revision 3, to understand exactly why we believe this is necessary.

PROPOSAL #2. National Whistleblower Protection for Mariners. If the Department of Transportation can do it for the nation's truck drivers, why can't they do it for mariners? (Suddenly and unexpectedly Congress passed "whistleblower" legislation that has just received the President's signature on 11/25/2002.)

"Security" is coming! As a consequence of the war on terror, security is going to be a hot button issue in the weeks and months ahead. If you have any doubts, we suggest our members read the terrorism assessment prepared by one of our Senior GCMA members in GCMA Report **#R-325** (distributed to our members only!).

Next year all mariners will be treated to a blizzard of paperwork, almost as dense as the paperwork surrounding STCW. Vessel security plans, facility security plans, appointment of company security officers and vessel security officers, identification credentials etc.

Reducing Expenses

Early in the new year we will be **Reducing expenses**. Our supporters in four maritime unions have helped us to become "the Voice for Mariners." As such, they have absorbed many of our expenses until we were able to stand on our own feet as an association. They helped obtain federal funds that trained hundreds of mariners to meet the new STCW requirements that went into effect on February 1, 2002. Earlier this year we had to raise our annual dues to \$36 for full members and \$20 for associate members to help defray the costs. Printing and mailing are major expenses, but getting the information out to our members is one of our most important jobs. To save money, we are going to rely more heavily on the internet. To do this we must **ask you some questions**. Please return the attached page to us. Because we are cutting office expenses as well, please use your own envelope addressed to us at P.O. Box 3589 in Houma...or fax or deliver it to us. We would like 100% membership response.

GCMA Website. Captain David Miller has completely reworked the GCMA website and has posted past newsletters, investigative reports etc. If you have any suggestions, questions or answers call him at (985) 879-3866 during normal business hours.

Lafourche Merchant Marine Training Services, Inc.



Offers you the courses you need!

License upgrades, radar and celestial endorsements help you stay at the top of your career!

Let Lafourche Merchant Marine meet your training needs. Here's a sample of our courses:

- 100 Gross Ton Master/USCG-approved (testing done on site)
- 200 Gross Ton Master/USCG-approved (testing done on site)
- 100 Gross Ton Master/200 Gross Ton Mate/USCG-approved (testing done on site)
- Radar Observer Unlimited/STCW-approved/USCG-approved (testing done on site)
- Radar Renewal/STCW-approved/USCG-approved (testing done on site)
- Radar Renewal Rivers/USCG-approved (testing done on site)
- Able Bodied Seaman/USCG-approved (testing done on site)
- *****Celestial Navigation 200 Gross Ton/USCG-approved (testing done on site)*****
- *****Celestial Navigation 500/1600 Gross Ton/STCW-approved/USCG-approved (testing done on site)*****
- Basic Safety Training/STCW-approved/USCG-approved (testing done on site).
The following modules are available: Elementary First Aid and CPR, Personal Safety and Social Responsibility
- Visual Communications (Flashing Light)/STCW-approved/USCG-approved (testing done on site)
- Shipboard Coordinator (Fishing Industry)/USCG-approved (testing done on site)
- American Red Cross First Aid and CPR/USCG-approved
- 500/1600 Gross Ton Master or Mate Prep Class
- Master of Towing Vessels License Prep Class
- and more...

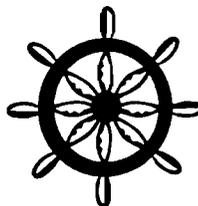
**** *Celestial Navigation Special: Classes Registered by January 31, 2003 \$695.00* ****

We can also assist you with your U. S. Coast Guard paperwork. Paperwork assistance is usually \$75.00 per consultation. *This service is only \$20 for those enrolled in LMMTS courses.*

The Lafourche School will work with you on scheduling courses. We understand that rotations in this business don't make training time easy. Lafourche Merchant Marine offers specialized classroom instruction and practical training to prepare mariners to obtain the necessary documentation required by the U. S. Coast Guard. Whether you live in the area and drive to class every day from home or if you stay in one of the near-by reasonably priced motels, you'll enjoy learning at Lafourche Merchant Marine!

Call us and enroll now.

Lafourche Merchant Marine Training Services, Inc.
4290 Hwy. 1 Suite #1
Raceland, LA 70394
(985) 537-1222 phone
(985) 597-1225 fax



GCMA members get a 10% discount on courses under \$500 and a 20% discount on courses above that. And, USCG paperwork assistance is \$20 for GCMA members!

WE NEED EACH MEMBER TO ANSWER THESE QUESTIONS

[Please mail, fax or deliver this to our new office so we can correct our records.]

NAME: _____

MAILING ADDRESS: _____

PHONE #: () _____

E-MAIL: _____

License: Type/Tonnage/Route?

Z-Card rating: _____

Circle one:

1. Yes No Is your address correct as it appears on your address label? *[If not, please correct it and tell us of any address change.]*

2. Yes No Do you have a home computer with an internet connection?

3. Yes No Can you send and receive e-mail? *[What is your e-mail address?]*

4. Yes No Can you access our new website at www.gulfcoastmariners.org?

5. Yes No Have you visited our website yet? *[If so, please comment.]*

6. Yes No Would you rather receive GCMA information by mail than by e-mail? *[If your answer is "NO" we may contact you in the future by e-mail.]*

7. What type of vessels do you work on? *[This will help us target areas of interest.]*

Uninspected towing vessels

Offshore Supply Vessels

Liftboats

Other: Explain. _____

GCMA REPORT ORDER FORM

[Most of these reports are posted on our website. Only circle the reports you want us to mail to you. "R" documents contain information we believe is of interest to our members. Please share them with other mariners.]

R-273. PRETIEM FORM. *[Find out if your employer "blackballed" you!]* (1 pg).

R-276. GCMA Document—Towing Vessel Inspection Standards (8 pgs).

R-279. Engineroom Manning on Offshore Supply Vessels (OSV). (4 pgs).

R-282. GCMA. CTVEP - Survey of Coast Guard boardings of Uninspected Towing Vessels. (June 2000)

R-287A. GCMA. Towing Officer Assessment Record (Near Coastal/Oceans) Performance Assessment Criteria. (10 pgs.)

R-287B. GCMA. Towing Officer Assessment Record (Great Lakes/Inland) Performance Assessment Criteria. (8 pgs.)

R-287C. GCMA. Towing Officer Assessment Record (Western Rivers) Performance Assessment Criteria. (10 pgs.)

R-287D. GCMA. Towing Officer Assessment Record (Limited) Performance Assessment Criteria. (8 pgs.)

R-291. GCMA Document—Establishing Logbook Standards for Lower-Level Mariners. (4 pgs).

R-292. GCMA Document—Enforcement of Existing Accident and Injury Reporting Requirements. (4 pgs).

R-293. GCMA Document—Towing Vessel Bridge Allisions and Related Background Issues. (12 pgs).

R-294. GCMA Document—45 Musts for Effective Watchkeeping. (4 pgs.)

R-295. GCMA Document—Offshore firms to settle wage suit for \$75 million. (2 pgs.)

R-299. GCMA Document—The Seabulk Georgia Case (Allision of OSV with fixed platform). (10 pgs.)

R-300. GCMA Report—CHAO, Secretary of Labor vs. Mallard Bay Drilling, Inc. (10 pgs.)

R-303. GCMA. In Wake of OSHA Decision, (Towing) Industry Looks at Inspections. (3 pgs.)

R-305. GCMA Report—Betrayed — A Call for Increased Congressional Oversight of the United States Coast Guard. (16 pgs.)

R-308. GCMA Report—Violation of the 12-Hour Rules; The Lake Washington SR-520 Bridge Allison. (7 pgs.)

R-309. GCMA Report—Stacked Deck. *[How seriously injured mariners are treated]* (2 pgs.)

R-311. GCMA Report—The Loss of the OSV CHERAMIE BOTRUC 26 with Two Fatalities. (6 pgs.)

R-315. GCMA Report—Drug Testing: Urine Specimen Collection. *[The drug rules from 49 CFR that trip many mariners (with comments)]*(12 pgs.)

- R-316. GCMA Report—USCG closes eyes to real fix for fatigue. [*ILWU Report*] (1 pg.)
- R-320. GCMA Report—The "Gulf Pride" Case. [*Crewboat loses man overboard and never looks back!*] (8 pgs.)
- R-321. GCMA Report—Using U.S. Near-Coastal Licenses in Foreign Waters. (2 pgs.)
- R-322. GCMA Report—Mariner Fatigue is an Accident Waiting to Happen. (2 pgs.)
- R-323. GCMA Report—The Tale of Two Mariners Who Took on the Coast Guard When Unfairly Accused of Drug Use. (12 pgs.)
- R-324. GCMA Report—Assessor's Manual for Conducting Mariner Assessments. (16 pgs.)
- R-325. GCMA Report—An Alternative Maritime Terrorist Threat Assessment for the New Orleans Area. [*Restricted to GCMA members.*] (9 pgs.)
- R-326. GCMA Report—Autopilots, Watchkeeping, and Route Planning. [*OSV Autopilot accidents.*] (4 pgs.)
- R-327. GCMA Report—Labor, Money, and the Mind Game. (2 pgs.)
- R-328. GCMA Report—Two Offshore Supply Vessels Collide One OSV Sinks; 3 Men Die, 1 Man Injured. [*The Bass River/C-Captain Accident near Port Fourchon, LA.*] (12 pgs.)
- R-330. GCMA Report—International Labor Organization (ILO) Convention #147 Merchant Shipping (Minimum Standards). (4 pgs.)
- R-331. GCMA Report—The ILWU West Coast Lockout. (6 pgs.)
- R-332. GCMA Report—GCMA Regulatory and Legislative Agenda. (6 pgs.)
- R-333. GCMA Report—Corporate Compassion: Simply Ignore an Injured Mariner. (6 pgs.)
- R-334. GCMA Report—Are Illegal Vessel Crews Working in the Gulf? (2 pgs.)