

GCMANews

The Voice for Mariners

Number 17

September 8, 2003

TABLE OF CONTENTS

ALL THE REASONS NOT TO GIVE A STATEMENT WHEN YOU ARE INJURED	1
HINTS OF PROGRESS ON HOURS OF SERVICE ON TOWING VESSELS	3
EMPLOYMENT AT WILL	4
STRAIGHT POOP	3
FEDERAL ADVISORY COMMITTEES	4
RECENT GCMANews REPORTS	5
PROPOSED REGULATIONS	6
IN THE NEWS....	6
WE RELY ON OUR MARINERS TO REPORT PROBLEMS	6
PROBLEMS AT REC's	7
EMPLOYER INTER-FERENCE BY THE NUMBERS	7

ALL THE REASONS NOT TO GIVE A STATEMENT WHEN YOU ARE INJURED

By C. Arlen Braud, II, Esq.
 Braud & Gallagher, LLC
 Attorneys at Law
 506 Water St., Suite A
 Madisonville, LA 70447

Phone: (985) 845-0372 Fax: (985) 845-9908

TIMING OF THE STATEMENT

Employers like to get the statement as soon as possible.

There are several reasons you do not want to give a statement to an adjuster or an attorney after you've been injured. In a commercial boat accident, the insurance adjuster or maritime adjuster is going to want to get a statement from you as soon as possible. I have seen them try to get statements from people on stretchers with IV's in their veins dripping morphine with a life threatening injury.

It is in the adjuster's or attorney's best interest to get your statement as soon as possible. Primarily, they want get a statement from you when you are at a disadvantage. You are at a disadvantage because you have nobody there to represent your interests. Moreover, the person taking your statement is likely to be a trained professional who is trained in taking statements and gaining evidence to support their cause, which is to give you the least amount of money possible and even to destroy your case before it begins.

The sooner you give a statement the more likely it will be in favor of your employer or the insurance company. This is true because you normally know what the person taking the statement wants to hear. You are eager to please him since you would like to return to work as soon as you are cured with no hard feelings towards your employer. Also, you are often

anxious to minimize the claim, minimize the extent of your injury and minimize the fault of the employer.

Finally, you are less likely to point a finger at your fellow employees at this point and in your situation. An injured person quite often believes that his fellow employees who may have played a part in his injury feel very badly about the injury and you do not want to make them feel even worse about it.

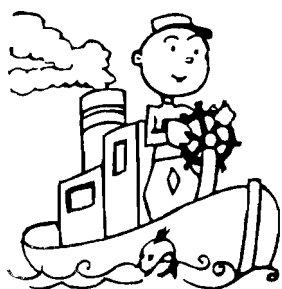
TACTICS

Tactics they use to get the statement from an injured employee.

Quite often the employer or his insurance adjuster will say that he needs to take your statement "...to protect both of us." This is nothing more than an empty promise. Your statement at that point can do nothing but benefit your employer, while at the same time will absolutely do nothing to advance your cause. As an injured party, you will not be protected in any way if you give a statement to the "opposing side" immediately after you are injured. At very best your statement could be neutral. At worst, it could completely ruin your case for adequate care and compensation for the injury. This is true even when the employer is totally at fault in causing the injury.

Another tactic that an employer may use is to use medical treatment as a bargaining tool. An employer may say that in order for him to authorize medical treatment, he must first obtain a statement before treating you.. In reality the law requires an employer to provide and authorize medical treatment to the employee re-

(Continued on page 2)



(Continued from page 1)

ardless of whether or not he or she gives a statement.

An employer often says that it is normal to ask an injured employee to give a statement. The employee then believes that it is part of a normal course of events for the employer to obtain his statement at that point. This is anything but normal. This is a bonus that the employee sometimes unwittingly gives to his employer.

One of the most common of tactics is to use the "nice guy" routine. They'll buy you lunch or dinner, act like they are on your side, and act like your best friend when, in reality, all they are after is a statement that will ruin your case and in some cases ruin your life.

The adjuster or attorney uses leading questions while taking an injured person's statement. After using the "nice guy" technique to get in and take your statement he continues with the "nice guy" routine and leads you into situations and answers that you may not mean to give. Since you may be easily manipulated into making troublesome statements, that is why it is important to be represented anytime you give a statement or any sort of deposition or information to the defendant that is recorded in any way.

WHAT THEY WILL DO WITH YOUR STATEMENT

And why it cannot help you!

If you give a statement it is quite probable that this will be the most important, the most prominent and the most damaging exhibit when you go to trial with your case. If you say anything that is unfavorable or give information that the employer was not at fault in causing your accident, they will use this statement to discredit you at trial. This can easily diminish any chance at a making a decent settlement before the trial on the merits.

Quite often in an attempt to please your employer, you may specifically say that a fellow employee rather than your employer was at fault. This

later becomes an extraordinarily difficult problem for your attorney as the litigation ensues and it is discovered that the employer and/or a fellow employee was at fault in causing the accident. Furthermore, an employer quite often will withhold a copy of your statement until later after you have given your deposition on the matter. The attorney that represents you is not able to see or read the statement before the deposition. This puts you and your lawyer at an extraordinary disadvantage.

The Federal Rules of Civil Procedure Rule 26 (b)(3) state that "A party may obtain without the required showing a statement concerning the action or its subject matter previously made by that party." This is a good rule for the injured seamen except that it does not address when that statement has to be given. Some judges have held that a party can only get the statement after the deposition.⁽¹⁾

The Louisiana Code of Civil Procedure Art. 1424 mirrors that of FRCP Rule 26 (b)(3). It states that a party may obtain his/her statement. The timing once again, however, is crucial. In this situation, you must try to remember exactly what you said, sometimes a couple of years earlier, about the accident, and risk contradicting your earlier statement with your sworn testimony. If there are any contradictions, be it from memory or the fact that you want to clear up earlier, favorable testimony that you gave out of good will for your employer, you can bank on the fact that your employer can make an absolute mountain out of a mole hill on any discrepancies there are between your original statement and your deposition testimony.

[⁽¹⁾Smith v. Central Linen Service Co., 39 FRD 15 (D.Md.1966); McCoy v. General Motors Corp., 33 FRD 354 W.D. PA. 1963].

At that point there is no way out. There is your original statement that is on tape, that is inconsistent with the deposition testimony that you gave; and your employer will make maximum use out of these discrepancies. He will blow up this testimony word

by word and put it on poster paper for the jury to see. You will be discredited and shown to be a liar in front of the jury.

Whether the discrepancies are large or small often does not matter. It often results in a verdict for the defense because the jury may not believe you as a result of the discrepancies they have been forced to sit through.

CONCLUSION

Obviously, it is of paramount importance that you have the discipline to say "No" when asked to give a recorded statement. If the adjuster or company representative persists in wanting to take a recorded statement, you are put on notice that the employer is trying to diminish the claims and only has the company he represents or the insurance company's interests at heart even though he claim to be trying to help you. Nothing could be further from the truth. The only reason the employer is trying to get the statement is to work on behalf of the company that gives them their paycheck.

Therefore, it is **NEVER, NEVER, NEVER a good idea to give a statement** to the employer or his agent's investigators or insurance adjusters at any time **before you are represented by counsel**. If you do so, be prepared to lose your case, and put your attorney at a serious disadvantage should your injury require later litigation.



STRAIGHT POOP

The Gulf Coast Mariners Association is your voice, and we exist to represent your views and the views of all our members. Our focus is upon what we can do to keep you informed so you can spread valid information about what is happening in many different areas to assist all our mariners.

Over the years, our mariners have suffered from a conscious policy of "divide and conquer." To overcome this, we need to get all "lower-level" mariners to cooperate and work together. To do that, we all have to be on the same page! There are sixteen major problems affecting our mariners that we identified in GCMA Report #R-350; we have worked on them constantly for the past four years. We need your input on the major problems we are trying to solve as well as areas you feel we may have overlooked.

Don't forget that we have a regular monthly meeting every third Monday of the month. Mark your calendar now and try to attend these meetings. We meet at the Lafourche Merchant Marine Training School at 4290 LA Highway 1, Raceland, LA 70394 at 6:00 PM. The school is about half a mile north of the intersection of U.S. 90 and LA. 1. Head toward Raceland; the school is in a storefront building on the left hand side of the road.

In order to continue in business we had to downsize so we only have one phone line available to reach us. That number is (985) 537-4886. You can also send faxes to us at that number.

* MEMBERSHIP *
* MEETING *

September 2003

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

HINTS OF PROGRESS ON HOURS OF SERVICE ON TOWING VESSELS

Ever since its founding, GCMA has made the connection between the abuse of existing work-hour laws, fatigue and accidents. When our complaints to the Coast Guard fell on deaf ears, we approached Congress directly on the matter.

In 1989, the National Transportation Safety Board made three recommendations:

- 1) Expedite a coordinated research program on the effects of fatigue, sleepiness, sleep disorders, and circadian factors on transportation system safety. (Recommendation #I-89-1). The Coast Guard conducted a vigorous scientific research program during the past 10 years that GCMA followed closely.
- 2) Develop and disseminate educational material for transportation industry personnel and management regarding shift work; work and rest schedules; and proper regimens of health, diet and rest. (Recommendation #I-89-2). The "educational material" that the Coast Guard created is called the "crew endurance program." Putting such a program into effect will involve considerable training and changing bad habits and goes far beyond simply reading a pamphlet.
- 3) Review and upgrade regulations governing hours of service for all transportation modes to assure that they are consistent and that they incorporate the results of the latest research on fatigue and sleep issues. (Recommendation #I-89-3). This is the goal and it has not been reached yet.

In 1999, after watching progress on this issue grind to a halt, the NTSB offered additional guidance in Recommendation #M-99-1 that stated: "Establish within two years scientifically based hours-of-service regulations that set limits on hours of service, provide predictable work and rest schedules, and consider circadian rhythms and human sleep and rest requirements."

The Coast Guard Chief of Staff, Vice Admiral Josiah, objected to this NTSB recommendation and forward movement ceased. Admiral Pluta ignored the letters of 58 of our mariners in the GCMA "Yellow Book" that related the work-hour abuses our mariners face. When the Coast Guard turned a deaf ear, GCMA turned to Congress. We now see signs of some forward progress.

On July 24, 2003 the House of Representatives approved Report #108-233 to "...authorize appropriations for the Coast Guard for fiscal year 2004..." containing Section 410, Hours of Service of Towing Vessels. Legislation initiated in the House, including the sections cited below, must survive in a conference with the Senate before it becomes law. If it does survive in its present form it will mean that the professional recommendations of the National Transportation Safety Board concerning hours of work for not only mariners but also for all transportation workers will take a step forward.

(a) Regulations. - Section 8904 of title 46, United States Code, is amended by adding at the end of the following:

"(c) The Secretary may prescribe by regulation requirements for maximum hours of service (including recording and record-keeping of that service) of individuals engaged on a towing vessel that is at least 26 feet in length measured from end to end over the deck (excluding sheer)."

(b) DEMONSTRATION PROJECT. - *Prior to prescribing regulations under this section the Secretary shall conduct and report to the Congress on the results of a demonstration project involving the implementation of Crew Endurance Management Systems on towing vessels. The report shall include a description of the public and private sector resources needed to enable implementation of Crew Endurance Management Systems on all United States-flag towing vessels.*

The Coast Guard studies show that the human body requires 7 to 8 hours of uninterrupted sleep each day to function properly. The Coast Guard has a bad record in its treatment of their own enlisted personnel at various seagoing and shoreside installations, a fact that came to the attention of Congress a few years ago following the S/V MORNING DEW sinking and drownings at the entrance to Charleston, SC, harbor on December 29, 1997.⁽¹⁾ The Coast Guard also has a rotten record of ignoring the needs of our mariners by not asking Congress for authority to regulate the work hours of seamen and by utterly failing to enforce the existing "12-hour" statutes. ⁽¹⁾ Refer to GCMA Report #R-305, Revision 1, Oct. 2002]

EMPLOYMENT AT WILL

Thanks to Attorney Aub A. Ward of Baton Rouge we now have the wording from Louisiana's "at will employment" statute, La.C.C. Article 2747:

"A man is at liberty to dismiss a hired servant attached to his person or family, without assigning any reason for so doing. The servant is also free to depart without assigning any cause."

The wording of this law, especially the term "hired servant" fits well with the "Plantation Mentality" prevalent in much of the area. Note that this definition is contained in a state law; and if you think that law is unfair, you must work to bring political change at the state level. However, not only Louisiana that

has "at will" employment. Mississippi, Texas and many other states have similar laws.

If you believe that "at will employment" is unfair or does not recognize your investment in time and effort on behalf of your employer above and beyond the call of duty, your alternative is to join a union and work to negotiate a collective bargaining agreement that guarantees your employment rights under a contract signed with your employer. First, however, any union (unlike our Association) must represent a majority of your fellow workers in the company. Unfortunately, the weak point demonstrated by many mariners has been their inability to work together to attain any goal. One Coast Guard official calls it the John Wayne attitude. Now, John Wayne was a fine American and of-

ten played the role of a rugged individual that could meet and beat any problem he faced against all odds.

Many boat Captains have the same outlook but their script often has a different ending. **Ask yourself why!**

If you believe you were discriminated against in your job or were fired unfairly there may be a possibility that some law was broken in the process. If you believe this is the case, you should consider approaching the Equal Opportunity Employment Commission (EEOC), an independent federal agency with 51 regional offices throughout the United States. You can find their web page at www.eeoc.gov. For those without computers, ask for GCMA Report #R-376 containing EEOC information. EEOC will look into any legitimate complaint of discrimination for you.

FEDERAL ADVISORY COMMITTEES

The Towing Safety Advisory Committee (TSAC) will meet at USCG Headquarters in Washington on September 9th and 10th. GCMA will bring up several matters including pilot-house visibility issues (based on GCMA Report #R-275) and manning issues on towing vessels that use a "call watch" (based on GCMA Report #R-375). We are still discussing the matter of inspecting towing vessels in the "Towing Vessel Regulatory Review" work group although we are also pursuing this matter directly with Congress (based on GCMA Reports #R-276 and R-350).

GCMA also presented a paper to the TSAC/NAVSAC Recreational Boating Interface Working Group. The problem involving recreational boaters "interface" with tows and other large vessels cries for a solution other than the "usual" fix of blaming every accident on our licensed officers. These are issues GCMA brought up that never would have seen the light of day. Do you have any additional information to bring to the attention of TSAC?

The Merchant Marine Personnel Advisory Committee (MERPAC) has scheduled a meeting in Houston, TX, on September 18th and 19th at the Port of Houston Authority Building. The announcement in the Federal Register indicates that new working groups may be formed to discuss the practical competency demonstrations needed to obtain STCW certification as an Able Seaman and as Master and Chief Mate on "ships" of between 500 and 3000 gross tons on both international and near coastal voyages. GCMA members who are OSV Masters and Mates should do their best to attend this meeting and participate in these "working groups" to bring a touch of reality and common sense to the proceedings. Much of the work of these committees is done in "working groups" where all attendees are invited to participate. The problem is that the average working mariner has a great deal of meaningful practical advice to offer that, if presented, could and should change the course of a number of programs. For more complete information on both meetings contact Richard Block at (985) 879-3866 or FAX at (985) 879-3911.

RECENT GCMA REPORTS

R-275. (Revision 1, July 20, 2003). Navigation Bridge Visibility. GCMA brought this matter to the attention of the Towing Safety Advisory Committee (TSAC) in 2000 and 2001. It is risky, difficult, and often impossible to see around certain tows that are being pushed ahead. This matter is one of those sacred cows that the industry greeted with a profound silence when Captain David Whitehurst presented it at TSAC meetings in Memphis and Washington. By updating our report, we submitted it to a joint TSAC/NAVSAC meeting in August in light of the danger that this poses to recreational boaters. We also sent a copy of our report to BOAT-US, a group representing over 600,000 recreational boat owners. We asked that a solution to the problem be "tasked" to TSAC. We also made a small addition to GCMA Report #R-276 on Towing Vessel Inspection Standards to emphasize that "pilothouse visibility" is one more reason (added to 70 other reasons already in the report) to convince Congress to require that towing vessels be inspected. We cancelled GCMA Report #R-211 since it is now included in #R-275.

R-361. Bayou Sorrel Lock Improvements. GCMA Director Captain David Whitehurst speaks out on proposed lock improvements on the Morgan City-Port Allen Route.

R-362. Crew Endurance. "Crew Endurance" (also called "Crew Awareness") is a buzz-word that means different things to different people. You should know the full story behind it so you can develop an informed opinion. This issue is closely related to the "12-hour rule" and has been a GCMA issue from Day 1.

R-363. Report on Liftboat Operations. If you work on a liftboat, you should read this informative report assembled by industry experts.

R-364. Remarks of Captain Roland Rodney to NOSAC. Roland is the mariner representative on the National Offshore Safety Advisory Committee appointed by the Secretary of Transportation. He is also a GCMA Director. The information he presented to NOSAC should be of importance to all lower-level mariners working in the offshore industry. We think that industry would rather ignore it.

R-365. Notification of Arrival in and Departure from U.S. Ports. New regulations effective April 1, 2003 many Masters to make reports.

R-366. The Plight of Towing Vessel Personnel. A review of towing vessel personnel issues.

R-367. Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes (CDC). These are temporary regulations in the Eighth District in effect until October 31, 2003...at which time they will be replaced with permanent regulations now under construction. The time to comment on these regulations is NOW. Captain David Whitehurst has been handling this issue for GCMA.

R-368. Fire Suppression Systems and Voyage Planning for Towing Vessels. These new regulations for towing vessels go into effect on August 27, 2003. (We prepared and first offered this report on April 29th.)

R-369. 12-Hour Rule Violations: The Winkler Case. Louisiana state law protected a tug captain who refused to violate the 12-hour rule.

R-370. 12-Hour Rule Violations: The Verret Case. Law-suit reveals Louisiana-based Delta Towing overworked the master of an anchor-handling tug bringing on a paralytic stroke. We mailed this report to all active GCMA members in July.

R-371. IOMM&P's Richard Plant discusses the background of the Webbers Falls, OK, bridge allision that killed 14 people.

R-372. Questions and Answers About Towing Vessel Officer Licensing and Manning.

R-373. GCMA Response to USCG-AWO Bridge Allision Report.

R-374. If You are Involved in an Accident, Don't Expect to be Read Your Rights. A reprint of an important article by Captain Tuuli Messer, author of the Master's Handbook on Ship's Business, 3rd Edition (MET Stock #BK-173).

R-375. Crew Endurance: The "Call-Watch" Cover-up. As defined by the AWO, the "call watch" are those crewmembers who do not stand a regular watch. These crewmembers are subject to being "called" to make tow and perform other duties such as maintenance on the boat and barges as needed. Reality, however, involves a little more than that. A deck-hand assigned to the "call watch" must also stand his regular watch and perform many regular duties. As the report shows, the situation is particularly desperate on a linehaul towboat on the river between Baton Rouge and New Orleans...a situation outlined in detail. It also occurs in other places as will be detailed in future revisions. GCMA detailed the extent of the problem in this report and sent it to over 100 Congressmen and Senators to bring attention to a need for establishing statutory work-hour limits for unlicensed crewmembers on the western rivers. Since the Coast Guard claims it does not have the authority to do this, we asked Congress to give them the authority and the direction to do so!

R-376. Federal Laws Prohibiting Job Discrimination - Questions and Answers. This information taken from the internet explains the workings of the U.S. Equal Employment Opportunity Commission, an independent federal agency established to enforce federal laws prohibiting job discrimination. Several of our mariners sought help from the EEOC.

MAIL THIS FORM TO:
GULF COAST MARINERS ASSOCIATION
P. O. BOX 3589
HOUMA, LA 70361-3589

Name _____

Address _____

Phone _____

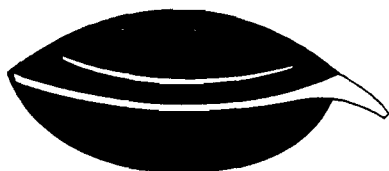
PROPOSED REGULATIONS

(Post-Accident Alcohol/Drug Testing)

The NTSB reminds us that "...the potential effects of alcohol or drug abuse as a causal factor in major marine accidents cannot be ruled out because testing is often not done correctly or in a timely manner. Also, breath or blood samples, which are the prescribed specimens for alcohol testing, are not always obtained. This is usually attributable to lack of knowledge of the testing requirements for alcohol because Coast Guard regulations for alcohol and drug testing are unclear."

The Coast Guard proposes to change the alcohol testing requirements for commercial vessels following a serious marine incident. The 1998 Coast Guard Authorization Act requires the Coast Guard to establish procedures ensuring that alcohol testing is conducted within two hours of a serious marine casualty. The Coast Guard proposes to expand the existing requirements for commercial vessels to have alcohol testing devices on board, and to authorize a wider variety of testing devices. There would also be some changes to 46 CFR Part 4 including a time limit for conducting drug testing following a serious marine incident. The Docket was recently re-opened for comments. [Source: 68 FR 9622-9727, Feb 28, 2003.]

"It appears that IF enacted into regulation, this change will address most of the safety recommendations in this issue area." - NTSB



CLAMS

GCMA member **M.C. Durand** in a recent letter to us investigated raising clams to supplement your income. The details are in his letter. For further information call for a copy of the letter.

IN THE NEWS....

[Source: *Baton Rouge Advocate*, August 15, 2003.]

"...Captain David Whitehurst of the Gulf Coast Mariners Association urged the (Assumption Parish) Police Jury to support a resolution to increase funding for the U.S. Coast Guard.

"There are Coast Guard checkpoints from Pittsburgh at the headwaters of the Ohio River, to St. Paul and St. Louis to check 'certain dangerous cargoes', but the Homeland Security (Inland) River Vessel Movement Center stops at Mile 235 above Baton Rouge," Whitehurst said. "This is where there is grave danger because of the petrochemical industry."

Whitehurst said he supports a plan by Ascension Parish President Harold Marchand to increase Coast Guard presence in the River Parishes.

"The Coast Guard in Baton Rouge has no vessels. They can drive down to the riverbank or to the canal bank, but to get on the boat, they have to swim," Whitehurst said.

(Assumption Parish President Martin) Triche said the Police Jury would contact Marchand about his specific plan because "the Homeland Security program is causing a lot of competition for funding - including the Coast Guard, the state and everybody." The (Police) Jury will vote on the resolution when all of the information is collected, officials said.

WE RELY ON OUR MARINERS TO REPORT PROBLEMS

GCMA received a number of complaints from mariners regarding "**Blacklisting**" as reported in GCMA Newsletter #16. Unfortunately, there is little we can do about it unless there is an adequate "paper trail." Therefore, simply griping about receiving a notation of "would not rehire" or "ineligible for rehire" from a former employer will give you very little satisfaction. Fortunately, our "paper trail" was built on our mariner experiences.

The Fair Credit Reporting Act (FCRA), an Act of Congress amended several times in the past 30 years, deals with Consumer Reporting Agencies such as HireCheck (aka Pretiem, Marine Index Bureau, etc). The Federal Trade Commission (FTC) has jurisdiction to enforce laws that prohibit business practices that are anticompetitive, deceptive or unfair to consumers. You may be a "mariner" but you are ALSO a "consumer."

FCRA allows Credit Reporting Agencies to prepare and sell your "Credit Report" to a potential employer under certain conditions. Among other things, you must give a potential employer your written permission to see your report.

The "Congressional findings and

statement of purpose" at 15 USC 1681 (a)(4) state: "There is a need to insure that consumer reporting agencies exercise their grave responsibilities with fairness, impartiality, and a respect for the consumer's right to privacy."

GCMA's concern lies principally with the law and the interpretation that permits one particular practice to occur. The Credit Reporting Agency appears to be operating within the bounds of the law. We are not convinced, however, that what we have seen reflects the fairness that Congress envisioned.

Congress will consider the Fair Credit Reporting Act this year. The House Committee on Energy and Commerce chaired by Louisiana Congressman Billy Tauzin and his Subcommittee on Commerce, Trade and Consumer Protection are most directly involved in oversight of the Federal Trade Commission, an Executive Branch agency.

GCMA drafted a letter to Congress reflecting the issues that mariners brought to our attention. If you experienced the frustration of being unfairly "**blacklisted**" by one or more employers, we suggest that you write to Representative Clifford Stearns, Chairman, House Subcommittee on Commerce, Trade and Consumer Protection, 2370 Rebyurn House Office Building, Washington, DC 20515. Mention GCMA, and send us a copy of your letter.

PROBLEMS AT REC's

We have heard reports of serious problems occurring at Regional Exam Centers. Mariners have put up with these problems for years. It appears that the Coast Guard is determined to continue to enmesh itself in bureaucratic nightmares such as STCW and towing vessel licensing issues without hiring enough of people with the necessary expertise to handle the situation. Some recent stories have moved beyond the "serious" stage to approach "unbelievable." However, to take any action that will benefit all mariners, we need to have your story in writing. Unless we bring the problem out into the open, it will probably remain unsolved or will reoccur to plague another mariner. You are the voice of one mariner; GCMA is the voice of many mariners.

A number of years ago, Captain John Sutton of the American Inland Mariners Association made considerable progress that finally obtained the services of one Coast Guard officer to coordinate all the REC's in the Eighth District. Before that, each REC went its own merry way. We suggest that GCMA should follow Captain Sutton's lead and identify and fix any problems the REC's have – to benefit ALL mariners.

EMPLOYER INTERFERENCE BY THE NUMBERS

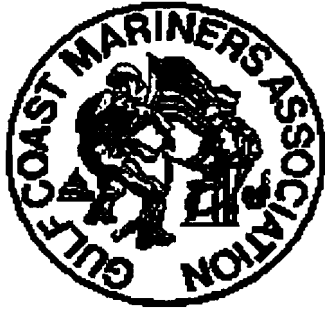
[Source: America @ Work, Aug. 2003, p.12]

- * Employers that illegally fire at least one worker for union activity during organizing campaigns. 25%.
- * Employers that hire consultants or union-busters to help them fight union organizing drives. 75%.
- * Employers that force employees to attend one-on-one meetings with their own supervisors against the union. 78%.
- * Employers that force employees to attend mandatory closed-door meetings against the union. 92%.
- * Employers that threaten to call the Immigration and Naturalization Service during organizing drives that include undocumented employees. 52%.
- * Companies that threaten to close the plant if the union wins the election. 51%.
- * Companies that actually close their plants after a successful union election. 1%.
- * Percent of elections in which workers vote to have a union but still have no contract two years after the election. 32%.
- * Proportion of the public who says laws protecting the freedom to join unions are important. 74%.
- * Proportion of the public who knows what happens in America's workplaces when workers try to form union. 44%.
- * Non-union workers who say they want to join a union. 42 million.

[GCMA COMMENT: Does all this sound familiar to river mariners that joined Pilots Agree or to offshore mariners that chose to join Offshore Mariners United? Based upon our experiences over the past 4 years, the time is long overdue for serious labor law reform in Washington. We are the voice for mariners and need your active support.]

GULF COAST MARINERS ASSOCIATION
P. O. BOX 3589
HOUMA, LA 70361-3589
PHONE: 985-537-4885
FAX: 985-537-4860
Email: info@gulfcoastmariners.org

Presorted Standard
 U. S. POSTAGE
PAID
 Permit No. 275
 Houma, LA

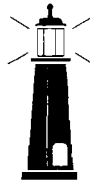


The Voice for Mariners

WE'RE ON THE WEB
WWW.GULFCOASTMARINERS.ORG



MARINE EDUCATION TEXTBOOKS, INC.
 124 North Van Avenue
 Houma, LA 70363-5895
 Phone: (985) 879-3866
 24 Hr. Fax: (985) 879-3911
 E-Mail: namenet@triparish.net



INFORMATION CENTRAL

We Publish License Study Books

- Master, Mate & Operator (up to 1600 Tons)
- Able Seaman & Lifeboatman
- Workboat Engineer
- Tankerman
- Towing Vessel Officer's Guide
- QMED General, Oiler, Electricity, Boiler & Machine Shop
- Marine Safety Markings and Signs

GCMA Members are always welcome.
 Get a 20% discount
 Just Show us your membership card.

Would you like to sponsor our next newsletter?

This spot can be yours.

Would you like to help us mail a GCMA report to our mariners?

Is so Call GWEN BLOCK at (985) 879-3866 to seal the deal.