



In case of reproduction, please mention source (ITF) · En cas de reproduction, veuillez mentionner la source (ITF) · Nachdruck bei Quellenangabe gestattet (ITF) · Var god ange källan vid eftertryck (ITF)

No. 9

September 1979

IN THIS ISSUE

Page

News and Views from the ITF

<i>ITF transport unions boycott Chile</i>	94
<i>ITF Management Committee highlights repression of trade unionists in Tunisia</i>	95

Transport

<i>German rail union calls for end to nil recruitment policy</i>	96
<i>London Transport to introduce single-manning on two tube lines</i>	96
<i>Rail union seeks to protect London Transport Underground staff against assaults</i>	96

Social and Industrial News

<i>Higher rates for Danish navigating officers</i>	97
<i>Better pay for Danish radio officers</i>	97
<i>Danish ships' engineers win more pay</i>	98
<i>Bornholm ferry service resumed</i>	98
<i>Danish charter companies seek right to fire pregnant stewardesses</i>	98
<i>Sterling Airways re-instates dismissed shop steward</i>	99
<i>French railway unions strike over single-manning issue</i>	99
<i>No new basic agreement for German long-distance lorry drivers</i>	99
<i>British seafarers' unions halt sale of Blenheim</i>	100
<i>British offshore catering workers end strike</i>	100
<i>British officers' union opposes cuts in manning levels</i>	101
<i>Air India strike over</i>	101
<i>Spanish oil tanker crews strike for shorter working week</i>	101
<i>Finnair refuses to re-employ Swedish office worker despite court ruling in her favour</i>	102
<i>Three-year pact for US Great Lakes tanker crews</i>	102
<i>US Machinists strike Flying Tiger</i>	103
<i>Unions hit Rock Island Railroad</i>	103
<i>Strike against Union Pacific halted</i>	103

News in Brief

104

Obituary

105

Personalia

105

Forthcoming Meetings

105

Supplements: (1) NAWALA affair takes a new turn
(2) Panamanian flag MARABU PORR

NEWS AND VIEWS FROM THE ITF

CHILE

=====

ITF transport unions boycott Chile

Following the Executive Board decision in March of this year that affiliates should be asked to boycott transport to and from Chile, agreement was reached with the International Confederation of Free Trade Unions that both organizations would cooperate closely in arranging a week of action against Chile from 9 to 16 September, to mark the sixth anniversary of the overthrow of the Allende government. It was decided that the boycott should centre on the disruption of transport and communications with that country.

ITF affiliates were contacted well in advance of the action week and requested to boycott all ships and aircraft registered in Chile and additionally, where possible, to halt goods destined for or originating from Chile. It was recommended that member unions should, where feasible, channel their action through their respective national centres.

There is no doubt that the boycott was an outstanding success in that trade with Chile was brought to a virtual standstill for the whole week and the Pinochet junta must now be well aware of the free trade union movement's abhorrence of its methods and of their determination to bring about the restoration of civil and trade union rights in the country. To this end, the ICFTU has lodged a complaint with the International Labour Office against the Chilean government's new labour legislation, which is quite clearly in breach of ILO Conventions 87 and 98 on freedom of association and free collective bargaining.

Full details of the action undertaken by ITF affiliates worldwide will be given in the next issue of the Newsletter.

In Chile itself, attention was drawn to the thousands of persons who have "disappeared" since the junta took over when a group of young Chileans started an indefinite hunger strike in the Danish embassy in Santiago and five other locations in Chile, demanding information about imprisoned members of their families whose fate they do not know. This was followed by a series of other hunger strikes in Latin American countries and in various Scandinavian and European cities. Intense pressure is now on the Chilean

government to reveal the whereabouts of these missing persons and to return the bodies of those who have died in custody for burial.

The hunger strikes were suspended when promises were given that some bodies would be returned, although this has not yet taken place. However, other demands made by the strikers have not been met and there is a possibility that the hunger strikes will be resumed at a future time.

TUNISIA

=====

ITF Management Committee highlights repression of trade unionists in Tunisia

At its recent meeting, the ITF Management Committee was very concerned to note that there had been no improvement in the situation in Tunisia despite the considerable pressure exerted by the international trade union movement to secure the release of the trade unionists who languish in prison as a result of their rôle in the general strike of 26 January 1978 -- including, of course, Abderrazak Ayoub, Assistant General Secretary of the Tunisian Railwaymen's Federation and a member of the ITF Executive Board.

The Committee decided that the ITF should continue to make financial assistance available to the families of transport trade unionists who were suffering hardship and should urge the ICFTU to intensify its efforts to secure the restoration of trade union rights. It proposed further that governments should be urged to use their influence with the Tunisian government to bring about a reversal of anti-trade union policy and practices and that affiliated organizations should bring the situation in Tunisia to the notice of their members and should ask them to refrain from taking their holidays there.

ITF member unions have already been asked for their support of these last two measures as such action would serve to boost the morale of the many trade unionists struggling against great odds to keep the spirit of genuine trades unionism alive in Tunisia and would also demonstrate clearly that the ITF will not allow the passage of time to diminish its determination to win freedom for Brother Ayoub and the others who were so savagely victimized.

There was recently an indication that the Tunisian government might take a more lenient position, but in fact its one concession has been to release from prison Habib Achour, General Secretary of the national centre (UGTT).x) However, he has been placed under house arrest and there is no sign that other trades unionists will be given even this small relief.

x) see ITF Newsletter No. 7/8, 1979, page 80

TRANSPORT

GERMANY

=====

Rail union calls for end to nil recruitment policy

The ITF-affiliated German Railwaymen's Union (GdED) has demanded that the nil recruitment policy of the German Federal Railways should be abandoned as it has led to existing staff having to work excessive overtime and forgo their full quota of annual leave, and absence through sickness is increasing because of added stress. The DB is being asked to launch a recruitment campaign next year, and the GdED has announced that it will be having talks with the Transport and Treasury Ministers on staffing levels.

GREAT BRITAIN

=====

London Transport to introduce single-manning on two tube lines

London Transport has reached outline agreement with the rail unions on the single-manning of tube trains on the Hammersmith and City and Circle Lines, beginning early in 1980. The one-man operators of these conventional trains, which are manually operated (drivers will have to operate the doors, previously one of the guard's duties), will receive a basic rate of £89.42 for a 40-hour week -- the same as for automatic train operators on the Victoria Line. London Transport also hopes to introduce one-man trains on the District and Metropolitan Lines as soon as this is feasible.

The terms of the agreement have still to receive approval from the union members who will be affected by these changes.

Rail union seeks to protect London Transport Underground staff against assaults

Following a number of incidents in recent weeks, in which London Transport tube staff have been assaulted while carrying out their normal duties, the ITF-affiliated National Union of Railwaymen has arranged an urgent meeting with the Minister to press its case for more vigorous prosecution of offenders, stiffer fines and the expansion of the British Transport Police.

SOCIAL AND INDUSTRIAL NEWS

DENMARK

=====

Higher rates for navigating officers

A new pay agreement has been signed on behalf of members of the ITF-affiliated Danish Navigating Officers' Association. The revised rates, effective 1 September 1979, range from 6,802 kr per month (basic pay plus cost-of-living allowance) to 10,327 kr for chief officers, depending on size of vessel and length of service; from 6,670 kr to 9,023 kr for first officers; and from 6,670 kr to 7,915 kr for second officers.

Overtime rates, inclusive of cost-of-living supplement, per half-hour range from 25.56 to 34.12 kr. for chief officers and from 25.06 to 29.22 kr. for first officers, depending on size of vessel. Second officers receive a uniform overtime rate of 25.06 kr. The corresponding rates for overtime performed on Sundays and Public Holidays are 32.44 - 43.31 kr (chief officers); 31.81 - 37.09 kr (second officers); and 31.81 for all second officers.

The two-watch allowance (vessels not exceeding 1,400 grt) is 195 kr. per 24-hour period for chief officers and 177 kr. for first officers. Subsistence allowance (also including cost-of-living supplement) during vacations, days off, sick leave and duty time on board at home port, where food is not provided, is 49.88 kr. per day, and during duty time on board other than at home port, the daily rate is 117.98 kr.

Better pay for radio officers

A new pay agreement, effective 1 September 1979, has been signed on behalf of members of the ITF-affiliated Danish Radio Officers' Association. The revised monthly rates (basic pay plus cost-of-living allowance) for the lowest and highest paid grades are given below. Figures in brackets refer respectively to half-hourly overtime rates on weekdays and on Sundays and Public Holidays.

<u>Under 5,000 grt</u>	<u>5,000 - 6,500 grt</u>
6,324 (23.76/30.16)	6,452 (24.24/30.77)
9,025 (33.91/43.04) kr	9,153 (34.39/43.65) kr.
<u>6,500 - 8,500 grt</u>	<u>Over 8,500 grt</u>
6,517 (24.49/31.08)	6,582 (24.73/31.39)
9,217 (34.63/43.95) kr	9,282 (34.87/44.26) kr.

Subsistence allowance (also including cost-of-living supplement) during vacations, days off, sick leave and duty time on board at

home port, where food is not provided, is 49.88 kr. per day, and during duty time on board other than at home port, the daily rate is 117.98 kr.

Ships' engineers win more pay

Improved rates of pay, effective 1 September 1979, have been successfully negotiated by the ITF-affiliated Danish Engine Crew Union. The following new monthly rates (basic pay plus cost-of-living allowance) now apply: donkeyman and pumpman: 6,506.79 kr; stoker and motorman: 6,171.79 kr. Overtime rates (per half-hour) on week days are 23.51 kr for donkeymen and pumpmen and 22.30 kr. for stokers and motormen. The corresponding rates for overtime performed on Sundays and Public Holidays are 30.09 kr. and 28.54 kr.

The seniority bonus for motormen and higher grades and the allowance for service on tankers remain unchanged, as do the special allowances and seniority pay for "company" employees.

Bornholm ferry service resumed

Ferry services between Copenhagen and the easternmost island of Bornholm were resumed on 22 July after the crew of the Jens Kofoed accepted the tentative agreement reached between the ITF-affiliated Danish Ships' Catering Personnel Association and the finance ministry. Formal negotiations were due to be resumed shortly after the settlement, although the union had been given to understand that its pay demands would be met virtually in full, as well as its claims for improvements in the victualling allowance. Meanwhile, the union confidently expects that the remainder of its 300 members in the Bornholm trade will also endorse the agreement.

Charter companies seek right to fire pregnant stewardesses

The Spies and Tjaereborg travel companies, which offer package holidays using the charter airlines Conair, Maersk Air and Sterling Airways, are planning to seek exemption from the Danish equal opportunities legislation, which is preventing them from firing stewardesses when they become pregnant. The two companies maintain that a pregnant stewardess would be unable to cope in an emergency and that, in any event, most stewardesses view their occupation as a fill-in, prior to marriage and pregnancy. They also claim that high taxes and social costs make it impossible for them to afford maternity pay for their female employees.

The ITF-affiliated Danish Salaried Employees' Union, in which the stewardesses are organized, can see no way out of the impasse and has warned that, if it comes to a strike, unions in other countries with members employed by these airlines could become involved. The most likely to be affected would be the Swedish Commercial Employees' Union (also affiliated). In the hope that the two sides can reach a settlement, the Danish authorities are taking no action at present and the Danish Civil Aviation Authority has expressed its clear sympathy with the union.



Sterling Airways re-instates dismissed shop steward

Ninety Sterling Airways employees belonging to the ITF-affiliated Danish Commercial Employees' Union (HK) came out on strike at Copenhagen's Kastrup Airport last month in support of one of their colleagues -- a shop steward -- who had been sacked, albeit in accordance with the collective agreement, for having exhausted its sick leave provisions. However, the striking workers felt that the real reason for his dismissal lay in his trade union activities, as he had made frequent complaints to Sterling regarding breaches of the collective contract. A return to work was effected after it was agreed that the employee would be re-instated as soon as he was well enough to start work again.

Meanwhile, the HK is to hold talks with Sterling later this month on pay, working hours, leave and overtime rates -- all areas in which the airline stands accused of not having observed the provisions of the 1978 collective contract.

FRANCE
=====

Railway unions' strike over single-manning issue

French train crews staged a two-day strike on 22 and 23 August in protest against the French National Railways Board plans to introduce single-manning of locomotives on certain routes. The unions are also demanding improved working conditions, notably shorter hours, guaranteed time-off each week and compensation for heavy work.

The Board has agreed to hold a meeting with the locomotive staff unions later this month to explain how it will implement the crew cuts.

GERMANY
=====

No new basic agreement for long-distance lorry drivers

The ITF-affiliated German Transport and Public Service Workers' Union (OeTV) has been unable to negotiate a new basic agreement for long-distance lorry drivers and furniture removal men. The employers' association is refusing to pay premium rates for night work, although -- according to OeTV researches -- a third of all journeys in goods transport take place at night. Night work is known to be injurious to health and the union emphasizes that it is merely trying to obtain proper financial compensation for the added stress. The association is also adamant that waiting time over two hours, when vehicles are double-manned, should not be counted as working time, although many of its member companies do actually pay for waiting time, even where this exceeds two hours.

The 60,000 drivers in the industry have been without an agreement now for the past eighteen months.

GREAT BRITAIN

=====

Seafarers' unions halt sale of Blenheim

The refusal earlier this month of the two hundred officers and ratings of the British-registered passenger and car ferry BLENHEIM -- owned and operated by the Olsen UK Group -- to sail the vessel from the port of North Shields (Tyne and Wear) so as to prevent the transfer of the vessel to the Norwegian flag and the hiring of a new crew of Norwegian officers and Portuguese ratings has ended in total success. The Olsen UK Group has now agreed to withdraw the ship from sale to the parent company Fred Olsen Lines of Norway, and a joint working party will be set up to study the profitability of the vessel, which sails between Newcastle and Bergen in the summer and operates cruises to the Canary Islands in the winter months. The British company had attempted to transfer ownership without first consulting the unions, whose members would have been faced with the loss of their jobs. The Fred Olsen Lines two sister passenger ferries already operate under the Norwegian flag.

Before the dispute was settled, the British unions^{x)} approached the crews of other British-owned Olsen vessels, asking them to carry out normal port duties, but to refuse to sail from the next port of call, as an act of solidarity with their colleagues on the BLENHEIM.

x) the Merchant Navy and Airline Officers' Association, the Radio and Electronic Officers' Union and the National Union of Seamen (all ITF affiliates)

Offshore catering workers end strike

Catering workers organized jointly in the National Union of Seamen and the Transport and General Workers' Union (both ITF affiliates) have called off their three-week-old strike against four offshore catering companies based in Aberdeen and serving oil rigs and platforms in the British sector of the North Sea, following talks under the auspices of the independent arbitration service, ACAS. It is understood that the employers are sticking to their "final" pay offer of £440 per month to the lowest-grade steward (working two weeks offshore followed by two weeks onshore), although they have now agreed to offer bonus payments and insurance cover.

The strikers established picket lines at the air- and heliports, docks and rail stations of the major Scottish oil ports, and the action quickly spread as catering and domestic staff going onshore and their replacements joined the stoppage. The NUS withdrew supply boats from installations affected by the strike and at the joint request of the unions, the ITF Secretariat notified seafarer affiliates in Denmark, France, Germany, the Netherlands, Norway and Sweden of the situation and asked that their supply boats should not carry food containers or substitute crews to the strike-bound rigs.

Officers' union opposes cuts in manning levels

Moves by British shipping companies to reduce manning levels will be totally resisted by the ITF-affiliated Merchant Navy and Airline Officers' Association, according to its Assistant General Secretary John Newman. In the first attempt by a major operator to trim the officer complement, P&O is currently seeking to cut engine-room manning on the 41 ships in its general cargo division by 160 officers. Brother Newman argues that the company's plans would lead to the remaining officers working longer hours and the added fatigue could endanger safety, and yet the change would have little effect on overall operating costs and was unlikely to reduce the number of vessels being sold.

Air India strike over

The ITF-affiliated Transport and General Workers' Union called off, on 15 September, its first strike ever against Air India^{x)} when the company management agreed unconditionally to re-instate the 47 employees, all of them active union members, whom it had earlier dismissed. This cleared the way for a return to work and flights are now operating normally.

At the request of our affiliate, the ITF alerted civil aviation unions to the fact that Air India had switched its London flights to other European destinations and their support was sought in halting such operations, both by refusing to refuel aircraft and to supply replacement staff. Affiliates were also asked to send messages of sympathy and support to Air India workers in Britain.

x)

see ITF Newsletter No. 7/8, 1979, page 86 for first news of the strike

SPAIN
=====

Oil tanker crews strike for shorter working week

Crews of tankers operated by CAMPSA, the Spanish state oil distribution monopoly, staged a five-day strike earlier this month to back their demands for improved pay, a shorter working week and a corresponding increase in the number of annual rest days. The two unions involved, the seafarers' section of the ITF-affiliated Transport Workers' Federation of UGT and the Spanish Merchant Seamen's Union (SLMM)^{x)}, have renewed their strike action, again for five days, starting 13 September, because negotiations with the management have not led to the meeting of their demands, and further action took place later in the month.

x) not an affiliate

The overwhelming majority of the tankers operated by CAMPSA were tied up by the strikes as crews refused to undertake loading and unloading operations. An overnight sit-in was staged by the unions' joint strike committee after two tankers were unloaded by members of the civil guard during the first strike wave.

SWEDEN
=====

Finnair refuses to re-employ Swedish office worker despite court ruling in her favour

Although the Swedish Labour Court has ruled that a female employee at the Finnair office in Malmö was unfairly dismissed in January after working for the company for eleven and a half years, the Finnish airline has refused to re-instate her and has instead elected to exercise its right under the Employment Protection Act to pay her compensation of 32 times her monthly salary (obligatory when an employee has more than ten years' service) for the loss of her job. The employee in question is a Swedish national, who says that she was given no real warning before being sacked and is convinced -- and in this she has the backing of her union, the ITF-affiliated Swedish Commercial Employees' Union (HTF), which represented her before the court -- that the reason for her dismissal lies in her trade union involvement, which helped secure, in 1978, the first-ever collective contract for Finnair office staff based in Sweden. Finnair, on the other hand, maintains that differences of opinion between the employee and successive office managers in Malmö have made it impossible for her to continue working there.

The case points up the difficulties experienced by employees of companies which operate in a number of different countries -- in this respect, Finnair could well be classed as a multinational enterprise -- when seeking to right ill-treatment they may have suffered. The Finnish trade union movement obviously very much regrets that it is unable to intervene in any way to secure the job of an employee of a Finnish company.

UNITED STATES
=====

Three-year pact for Great Lakes tanker crews

A new three-year agreement for members employed by Amoco and Cleveland Tankers on the Great Lakes has been negotiated by the ITF-affiliated National Maritime Union of America. Under the contract, hourly rates are increased by 44 cents on 16 June 1979 and by a further 20 cents on the same date in 1980. A cost-of-living increase of \$1.44 was consolidated into basic rates on 16 June and further adjustments will be made every three months, rates being boosted by one cent per hour for each 0.3% rise in the consumer price index. Talks will open prior to the beginning

of the third contract year on the level of increases appropriate in the light of the circumstances obtaining at the time. Other improvements include: leave entitlement after 60 days' continuous service increased to 7 days for each 30 days worked from 16 June 1979 and thence to 8 days from 16 June 1980; travelling allowance raised from \$135 to \$150, with appropriate increases in cab fare claimable and car mileage allowances; improved meal and accommodation expenses; and a cold weather gear allowance of up to \$50 per season.

Machinists' strike Flying Tiger

The ITF-affiliated International Association of Machinists and Aerospace Workers called a strike against Flying Tiger -- the world's largest all-cargo airline -- on 25 August after being unable to negotiate a new three-year contract for 1,800 mechanics, traffic agents and ramp service personnel. Flying Tiger operations in the United States were halted and its bases in five Asian countries paralyzed by the strike.

A tentative settlement was reported on 7 September and a return to work is possible if the union members agree to the proposed contract terms.

Unions hit Rock Island Railroad

The Rock Island Railroad is currently struck by two ITF affiliates, the United Transportation Union and the Brotherhood of Railway and Airline Clerks, in a dispute over back pay, due from 1 January 1978. The National Mediation Board has attempted to effect a settlement, but the railroad has twice turned down its proposals. The only hope for a settlement lies in Rock Island shifting its obdurate stance and agreeing at the bargaining table to a sensible solution of its employees' grievance.

The Rock Island Railroad operates between Chicago and Texas and throughout the Mid- and South-West of America and is a major haulier of US grain. Some 1,800 BRAC and 2,500 UTU members are involved in the action.

We have just learned that President Carter has ordered the striking Rock Island employees back to work for a 60-day cooling off period.

Strike against Union Pacific halted

The ITF-affiliated United Transportation Union was compelled to abandon a strike against the Union Pacific Railroad last month after the company successfully obtained temporary restraining orders against it. The UTU hopes to be able to find other ways of settling its dispute with the carrier, which it accuses of failing to observe agreed rules on the hiring of train drivers. Instead of promoting from within, Union Pacific has been recruiting drivers from other railroads.

NEWS IN BRIEF

The Italian Airline Pilots' Union has called for a boycott of Beirut and Tehran airports after an Alitalia DC-8 was hijacked on 7 September shortly after take-off from Beirut en route for Rome. The flight originated in Tehran. The pilots blame poor security at the two Middle East airports for the incident.

The ITF-affiliated Korean Seamen's Union plans to introduce before the National Assembly later this month an amendment to the Seamen's Law, with a view to improving the working conditions of its members.

The New Zealand Federation of Labour called a national strike on 20 September in protest at the government's decision to cut (from 11% to 9½%) a pay award to lorry drivers, which had been reached by conciliation, as part of its policy of keeping wage increases below ten per cent.

The Norwegian Maritime Authority has given its formal approval to the basic agreement signed between the ITF-affiliated Norwegian Seamen's Union and the Maritime Employers' Association (see ITF Newsletter No. 4, 1979, page 50), which currently applies to 150 Norwegian-registered vessels.

Oporto dockers, members of the ITF-affiliated Portuguese Federation of Port Workers' Unions, called off their nine-day strike on 19 September when the Transport Minister agreed to consider their demand to be allowed to work on Saturdays. The dockers were seeking equality of treatment with colleagues in Lisbon and other southern ports, who now work Saturdays. Dockers in Lisbon staged two 60-minute solidarity strikes on 18 September.

In only the second agreement of its kind, the wholly-owned South African subsidiary of the US breakfast and cereal manufacturer Kelloggs has formally recognized an unregistered and independent black trade union. The agreement, which has been signed with the Sweet, Food and Allied Workers' Union, grants recognition to union shop stewards, allows union officials access to the factory and provides for a check-off system. The Kelloggs factory is based at Springs (outside Joburg) and has a largely black labour force.

The only previous agreement of this nature was signed by Smith and Nephew, a subsidiary of the British Pharmaceutical Company, with the black National Union of Textile Workers in Natal.

The strike by ground staff members of the ITF-affiliated Transport Workers' Union of America against Argentine Airlines is still continuing and there would appear to be no signs of a settlement yet (see also ITF Newsletter No. 7/8 of 1979, page 86).

OBITUARY

Erik Bording, president of the Danish Transport and General Workers' Union (SiD) since September 1977, died on 11 August, aged 61.

PERSONALIA

Knud Ellegaard, previously union vice-president, succeeds automatically to the presidency of the Danish Transport and General Workers' Union (SiD) following the death of Erik Bording. Brother Ellegaard is a member of the ITF General Council. Poul Christensen has been elected as SiD's new vice-president.

Sigurd Klinga, president of the Swedish Transport Workers' Union from 1953 until 1961, celebrates his 80th birthday on 14 October. Brother Klinga served on the ITF Executive Committee from 1958 until 1962 and was also a member of the Committee of the ITF Road Transport Workers' Section from 1954 until his retirement from union office.

Y. Murakami retired from the presidency of the Japan National Railway Workers' Union (KOKURO) at its recent Convention. Brother Murakami is a member of the ITF Executive Board, as well as being represented on the Committee of the Railwaymen's Section. The new KOKURO president is M. Morikage.

Larry Smith is to succeed Alex Kitson (now deputy general secretary-designate) as executive officer of the British Transport and General Workers' Union.

FORTHCOMING MEETINGS

=====

- | | |
|--|--------------------------------|
| International Seminar on the
Travel Trade | - Amsterdam, 9-10 October 1979 |
| Executive Board | - Miami, 23-24 Oct. 1979 |
| Meeting of Greek and Turkish
Railwaymen | - Athens, end Oct. 1979 |
| Flight Deck Technical Committee | - London, 6-7 November 1979 |
| ITF Ad Hoc Committee on ICAO Annex I | - London, 8 November 1979 |

AFFILIATED UNIONS REQUIRING FURTHER INFORMATION ON ANY ITEM IN THIS NEWSLETTER MAY OBTAIN IT ON REQUEST FROM THE SECRETARIAT OF THE ITF

NAWALA AFFAIR TAKES A NEW TURN

The August issue of FACS Forum, a publication of the Federation of American Controlled Shipping, shows that, having lost the NAWALA case, f-o-c operators are now looking to the UK. Conservative government to amend the law on Trade Unions and Labour Relations in such a manner as to prevent the ITF and its British affiliates from winning a similar case in the future. The FACS Forum article speaking for runaway American owners of Liberian and Panamanian registered ships also argues that the law of the flag must be supreme as far as the internal regulation of the vessel is concerned. That is fine on genuine flag ships where the laws of the flag state mean something, but flag state law on f-o-c ships has been found wanting all too often. This fact has been internationally recognised in ILO Convention No. 147 on Minimum Standards in Merchant Ships which imposes a duty on port states of countries that have ratified the Convention to carry out an inspection of a vessel where there is good reason to suppose that safety and health conditions on board do not conform to the standards the Convention lays down and if necessary detain the ship until they are rectified. A complaint may be lodged by any person with an interest in the ship or its crew.

The ILO itself has stressed the important role seafarers' trade unions have to play in making the Convention effective.

When the NAWALA, after leaving Redcar (Cleveland), early in July, was subsequently stopped in Narvik (Norway) in pursuance of the demand made by the ITF's Norwegian affiliates for the crew to be covered by an acceptable agreement the owners were able to draw brief comfort from a temporary injunction granted, after some hesitation, by the local court, on a technicality, which forced the Norwegian Unions to lift their three-week-old blacking of the vessel. The court had to take this course of action because it believed that there was some doubt as to whether it was in fact lawful in Norway for the NAWALA's owner to pay dues and Welfare Fund contributions on behalf of the crew as part of any agreement. However, this is common practice in Norway and a union appeal against this decision is pending. The Norwegian Trade Union Confederation (LO) is also deeply concerned by the Narvik court's ruling and is taking urgent steps to seek a clarification of the law on this point.

The NAWALA's owners suffered another set-back in August when the Narvik court refused to grant them an injunction setting aside the further notice they had been given by the Norwegian unions that had taken account of the earlier court ruling. It is understood that the judge found the British courts decisions useful in arriving at his decision.

Meanwhile, activities against f-o-c vessels in Narvik and other Norwegian ports continue at a high level as our Norwegian friends continue with their efforts to ensure that crews of f-o-c ships get a fair deal.

PANAMANIAN FLAG MARABU PORR - SUCCESSFUL END TO THREE MONTH SIT-IN

Twelve Yugoslav seafarers will receive more than US\$70,000. back pay differences under a settlement negotiated in Hull by the British ~~MIN~~ AOA and the new owners of the ship after a boycott and sit-in lasting just over three months. The crew sought the help of the ITF when the ship arrived in Hull at the beginning of July to negotiate the signature of an ITF agreement and a back pay settlement. The owners refused to negotiate and they failed in their bid to obtain an injunction through the Commercial and Appeal courts against the British unions' blacking of the ship. Both courts rejected the owners' argument that they were not the actual employers of the crew (because they had been engaged through sub-contractors) and were therefore not obliged to sign a collective agreement or pay the men the monies claimed. An attempt by the owners to have the men thrown off the vessel met with equal lack of success, but it was left to the local unions and the ITF to support the men with provisions and pocket money throughout the sit-in. Under its new ownership the MARABU PORR will fly the German flag and sail with a full German crew covered by a German agreement through the ITF-affiliated OeTV.

-----oooOooo-----