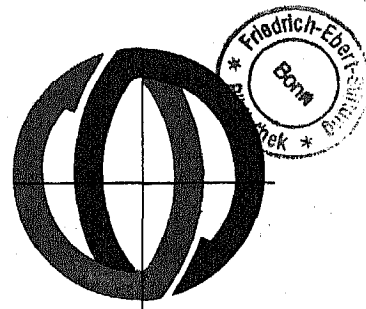


INFORMATIONS : NOTICIAS

# ITF NEWS

NACHRICHTEN : NYHETER



AUGUST 1989

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## ITF SUPPORTS SEAFARERS' CLAIM FOR US MINIMUM WAGE:

### US\$5 MILLION CLAIM BY CREWS OF REFLAGGED KUWAITI TANKERS

Eighteen Filipino seafarers on eleven Kuwaiti tankers reflagged to the United States in 1987 at the height of the Gulf War filed a lawsuit in Delaware on 14 July that could lead to a US\$5 million shareout among as many as 500 seafarers.

It was the ITF which was responsible for uncovering the scandalously low pay rates on these ships, in contravention of US minimum wage legislation covering the tankers.

The matter came to light in May of this year when the Dutch Seafarers' Union ship inspector Gerd Jan Harmsen visited three of the Kuwaiti ships in the port of Rotterdam. An examination of the seamen's pay records and employment contracts revealed that they were being paid less than \$2 an hour. The statutory US hourly minimum is \$3.35.

The seafarers said they knew that they were being shortchanged but they were reluctant to complain for fear they would be thrown off the ship and blacklisted. Some crew members had even been threatened with jail terms if they spoke out.

The lawsuit is being brought against the vessels' owners, managers and managing agents. The list of defendants is headed by the Kuwait Oil Tanker Company and Santa Fe International, a wholly owned subsidiary of the Kuwait Petroleum Corporation. It also include the vessels' US registered owner Chesapeake Shipping of Delaware (a company specially set up two years ago to expedite the transfer of the tankers to the US flag), Gleneagle Ship Management of Houston, Texas and the Manila based manning agency Naess Inc.

Tal Simpkins, executive director of the Maritime Committee of the US AFL-CIO, which is backing the seafarers in their claim, has accused the owners and their agents of exploiting the benefits of operating their ships under the US flag while avoiding the responsibilities and obligations imposed on operators of American ships. The Maritime Committee has already filed a minimum wage complaint on behalf of the seafarers concerned with the Department of Labor.

The Maritime Committee testified in the Congressional hearings in June 1987 against the highly controversial reflagging of the tankers, arguing that if the Kuwaitis wanted vital US naval protection in the war torn waters of the Gulf they should charter idle US ships manned by US crews rather than reflag Kuwaiti ships. The unions lost that battle even to the extent that it was agreed to waive the requirement that the reflagged ships carry US crews. Only the masters and the radio operators of the ships had to be US citizens.

Continued on page 2

## SCAB PILOTS ADVERTISED FOR BY EASTERN (7)

## **...Kuwaiti tankers**

Continued from page 1

However, the minimum wage requirements of the Fair Labor Standards Act remained in force. Fair wages were what the seafarers had a right to expect. They were not what they got. In such cases, US law provides for an award of up to double the unpaid wages.

Today, six of the ships have returned to the Kuwaiti flag while the remaining five still operate under Chesapeake shipping as US flag ships. Gleneagle is in the process of taking over full management of these five on which all seafarers will in future be American citizens.

### **CALLING ALL FILIPINO SEAFARERS!**

**BRIDGETON — OCEAN CITY — CHESAPEAKE CITY — SEA ISLE CITY — SURF CITY — MIDDLETOWN — TOWNSEND — GAS PRINCESS — GAS QUEEN — GAS KING — GAS PRINCE**

Were you a crew member on any of the above Kuwaiti tankers while they were under the US flag. If so, we would like to hear from you. Please get in touch either with the ITF's lawyers in Manila or the ITF in London.

Up to 500 seafarers worked on these ships and we have only been to trace a handful of them. If you were one of them we need to hear from you. Then you can join the legal action and get the back pay that is yours by right. With damages, you could get up to \$4 an hour for every hour you worked on the ship!

The address of our lawyers in Manila is :

Mr P C Nolasco  
Quasha Asperilla Ancheta Peña and Nolasco  
Don Pablo Building  
114 Amoroso Street  
Makati  
Metro Manila

The address of the ITF in London is:

ITF  
133-135 Great Suffolk Street  
London SE1 1PD

Please do not put off getting in touch. Write to us today. You can't lose by it. If you know any other seafarers who served on these ships, please pass the word on to them.

# **UNION CHOICE TRIUMPHS AS NEW POLISH PRIME MINISTER**

The Solidarity candidate, Tadeusz Mazowiecki, has been elected prime minister of Poland. He is now set to form the country's first non-Communist Government for forty years.

Mr. Mazowiecki is a journalist who has been an advisor to Solidarity since the union was formed nine years ago.

ICFTU General Secretary John Van-

derveken hailed his election as "an historic moment for all those who have stood in defence of human and trade union rights the world over."

Mr. Mazowiecki's victory follows the failure of General Czeslaw Kiszczak, the Communist Party's original choice for the post, to form a Government. General Kiszczak lost the support of the

Communist Party's one-time allies, the Peasants' Party and the Democratic Party. Mr. Mazowiecki now heads a non-Communist alliance which includes both these parties.

Discussions between the ITF and Solidarity concerning seafarers' issues are continuing. Solidarity representatives are to meet with ITF officers in the Autumn.

General Secretary: **Harold Lewis**

Publications Officer: **David Cockroff**

International Transport Workers' Federation  
Federación Internacional de los Trabajadores del Transporte  
Internationale Transportarbeiter-Föderation  
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# Election victory for Japanese unions

Japanese trade unions are emerging as a major force in national political life. Rengo, Japan's largest union confederation, scored a major victory in the elections for the upper house of the Diet on July 23rd.

Rengo was contesting an election for the first time. It secured seats for 11 of its 12 candidates. Now the confederation has an important role in the alliance of opposition parties led by the Japanese Socialist Party which has deprived the ruling Liberal Democratic Party of its upper house majority for the first time since 1955.

The leader of the JSP, Takako Doi, called the result "a new dawn in Japanese politics." For the first time since the 1950s, a two-party democracy is emerging in Japan.

Rengo's role will be to maintain the unity of the opposition alliance which includes the Komei (clean government) party, the Democratic Socialist Party and the United Socialist Democratic Party. The ultimate aim of the alliance is to throw the LDP out of office.

Rengo is a confederation of independent trade unions as well as unions linked to the JSP and the social democratic parties. It was established in 1987 and covers 7.5 million workers in the private sector and 2.5 million in the public sector.

The Japanese unions formed the confederation because they realised that workers wanted to secure a better quality of life as well as annual pay increases and good working conditions. They wanted to see improvements in housing, education and welfare. These changes can only be brought about by influencing national government. Rengo's charter states that it will play a role in the "increasingly interdependent world of politics and economics."

Japan has one of the world's highest per capita GNPs but lags behind North America and Western European countries in social conditions and basic public facilities. Japanese workers have a longer working week than their counterparts in other industrialised countries and shorter annual leave. Rengo would like to see workers sharing fully in the country's prosperity.

It was rising public anger last summer over the financial scandal involving large payments by the Recruit conglomerate to leading LDP figures which persuaded Rengo to stand for national elections. It formed an electoral pact with other opposition parties so that they did not stand against each other.

If the recent results were repeated in the elections for the more powerful lower house, the LDP would be voted

out of office. The election was to be held this summer but the government may call one sooner to avoid too much public scrutiny of its policies in the JSP-dominated upper house.

The opposition intends to introduce legislation to abolish the highly unpopular consumption tax. The government will be bound to defend the tax. Its policy of liberalising food imports at the expense of Japanese farmers has also damaged the LDP's prospects.

## ***COSATU sets terms for talks***

The one-million member strong Congress of South African Trade Unions (COSATU) — now four years old — gathered 1,900 delegates in Johannesburg for its largest ever national congress in July.

The union federation has doubled in size since its formation, and represents, today, the most significant force in South African society for democratic change that has not been banned or silenced by the white minority government.

Before the Congress began, there was some cause for celebration, as the government announced that it was considering dropping one of the most contentious clauses of the notorious Labour law passed last year that would allow employers to sue unions for "illegal" strike activity.

This is a response to a threat by the joint COSATU-National Confederation of Trade Unions (NACTU) threat to declare a national dispute with all employers over the law.

In addition to the serious threats posed to unions' activities by the new, restrictive labour laws, the unions continue to suffer from restrictions and detentions of activists and officials under the state of emergency which has virtually silenced all other anti-apartheid groups in the country.

South Africa's white minority are going to the polls on September 6 — and in the build up to the vote, state repression against the majority appears to be on the rise — as witnessed by the recent police attacks on protesters who

attempted to enter whites-only beaches.

And yet, the South African government's few references to the possibilities of negotiation with the majority community have led to an avalanche of pressure from western nations on the internal anti-apartheid movement to agree to "talks."

COSATU General Secretary Jay Naidoo spoke about the "empty sounds of negotiations" coming from the government but warned that "to date there is not a single signal from the regime that it is prepared for genuine negotiations."

The Congress voted on a motion setting out the steps necessary for negotiations to be held, which would include: the unbanning of all banned organisations; the release of all detained or imprisoned leaders; the return of all exiles; the confinement of police and army to barracks; and the lifting of the state of emergency and the repeal of all security legislation.

COSATU believes that negotiations can only occur in an atmosphere where the majority are allowed the right to openly assemble and discuss their positions.

On the industrial relations front, the union is to continue its joint campaign with the smaller NACTU federation for a repeal of the new labour laws. The tactics for this campaign are presently being discussed by the COSATU-NACTU workers' summit and they may include a national strike to coincide with the elections on September 6.

# ILO slams Canada for back to work law

The International Labour Organisation has found the Canadian government guilty of violating the basic right to freedom of association over 1987 legislation that forced striking railway workers back on the job.

Nearly 55,000 striking Canadian railway workers — members of the Associated Railways Unions working for the state owned Canadian National and private Canadian Pacific railroads — went on strike on August 23, 1987 (see ITF News, September 1987).

The strike came in response to ten months of negotiation on a contract that expired the previous December. A Federally appointed mediator had failed to bring about an agreement on the dispute, which centred mainly on the issue of job security and future staffing levels.

Within four days of the strike starting, Canada's Conservative government rushed "the Maintenance of Railway Operations Act" through Parlia-

ment. The workers were forced back with existing contracts extended for two years and compulsory arbitration imposed.

Union leaders accused the companies of refusing to negotiate in good faith with the connivance of the anti-labour Mulroney government. They also had little reason to trust the neutrality of a government selected mediator.

The ITF-affiliated Canadian Brotherhood of Railway, Transport and General Workers (CBRT) initiated a formal complaint to the ILO, through the Canadian national centre, the CLC.

The ILO freedom of association committee has now ruled against the Canadian government — a major embarrassment for a country that prides itself on its commitment to international law and respect for civil rights.

The ILO Committee dismissed the Canadian government's position that

the strike could in any way have been "endangering the life, personal safety or health of the whole or part of the Canadian population".

The Committee stated that the suspension of the right to strike and the imposition of compulsory arbitration "can only be justified in a limited number of situations: civil servants or workers in essential services in the strict sense of the term."

ITF affiliates will be happy to hear that the ILO does not consider transport to be such a service:

"...transport, generally speaking, does not fall within the category of essential services.."

The ILO said that there could be a provision of minimum services in some transport strikes "but workers organisations should be able to participate if they so wish in defining such a service in the same way as employers and the public authorities."

# German road charge proposal vetoed

The European Commission has ruled that the government of the Federal Republic of Germany may not introduce a special charge for all vehicles over 18 tonnes using German roads.

The Transport Commissioner Karel von Miert has stated that the plans were a barrier to the completion of the internal transport market and that member states should be working together to create equal market conditions at Community level not acting in isolation. This was especially important with regard to taxation, which should make specific allowances for infrastructure costs.

The Commission, in its negative opinion on the German plans, said that if the law were to be introduced as planned from the beginning of next year, other EC member states would

feel themselves discriminated against and would unilaterally adopt counter measures.

If the road charge was to be payable at the frontier this would involve new border controls at a time when border formalities were being swept away, the Commission said. The new tax would also endanger the talks that are continuing on the problems of the three non-EC transit countries Austria, Switzerland and Yugoslavia.

The Commission adds that it accepts the principle of charging road users for the costs they actually cause but that it cannot approve unilateral application of this principle by one member state. It feels that the German system would be unfair to hauliers who already pay a national vehicle tax in their own countries based on infra-

structure costs. It was also unfair in that foreign hauliers would have to cover part of German road costs while German hauliers would not have to do the same in other countries

The German view has always been that the new tax would reduce differences in conditions of competition in international road transport as it would make it possible to bring down the level of vehicle tax on German trucks and make all users, regardless of nationality, pay a due proportion of infrastructure costs.

The law had been devised as an interim measure, taking effect from the beginning of January 1990 and expiring at the end of 1992 provided the EC could devise a common system of infrastructure charging by that date.



# New deal for Italian rail workers

Italian railway workers finalised, on July 5, a wide ranging agreement with the state railways introducing unified national bargaining, regulating redundancies, part-time work and job transfers.

The "July 5 Agreement" marks an important step forward for the ITF affiliated FILT-CGIL, FIT-CISL and UILTRASPORTI federations' railway membership.

The agreement implements, for the first time, a unified, national system of negotiations and union-management consultation known as "integrated bargaining" from the time of the re-

newal of the present agreements in the early 1990s.

This new, centralised method of bargaining will cover issues of work organisation, management methods, technology, work levels and productivity schemes.

Negotiations for the new contracts will take place simultaneously at the local, regional and national levels — allowing the unions to co-ordinate their strategies for negotiation and deal with a broader range of issues than they have been able to before.

In agreeing to this new procedure, the unions have also accepted that griev-

ance and disputes procedures will be handled through the same three tier structure, and that coverage of essential minimal services will be negotiated if there is an industrial dispute.

The agreement also guarantees that any redundancies on Italian Railways will only be voluntary. A scale of special compensation and extended pension rights for older workers taking redundancy has also been agreed.

Similarly, management has agreed that job transfers shall also be solely voluntary at the request of individual workers who wish to move their place of work.

## Union campaign to save Canada's passenger trains

A major trade union campaign is underway in Canada to save the nation's passenger rail services.

The ITF affiliated Canadian Brotherhood of Railway, Transport and General Workers (CBRT) is backing a C\$250,000 campaign of national advertising, lobbying and public meetings.

Announcing the campaign, CBRT National President (and ITF President) Jim Hunter denounced the Conservative government's recent budget cut-backs in the national Via Rail service:

"This government promised Canadians a passenger rail service that could move into the 21st Century. Instead, the slashing of government support to Via could mean the end of a meaningful passenger rail service in our country, unless the people of Canada put a stop to it." Hunter said.

Thousands of people have signed a petition supporting the rail network, and a number of prominent national organisations and community groups have added their voice to the campaign.

Unlike most railways, Canada has separate rail and freight companies. Via Rail is a separate, state owned, passenger operation. The service rents facilities from the two freight only rail companies — the state owned Canadian National and the privately owned Canadian Pacific.

Traditionally, Via receives a C\$600 million annual subsidy from the federal government for its operations.

The government has now stated that the subsidy will be cut by C\$71 million this year, in spite of the fact that, in the first quarter of 1989, VIA carried 156,000 passengers (up 10 per cent on a year ago) and raised revenues of C\$45.6 million (up 14 per cent). The government has even indicated that it may end passenger services altogether.

The CBRT point out that the real problem in Via is a severe lack of investment. Most of the rolling stock dates from the 1950s, and there is no government programme to replenish existing equipment, let alone undertake the ambitious high speed rail revitalisation that is happening in most European countries.

The non-profit transport research group, Transport 2000, has estimated that federal subsidies to Via could be reduced by up to 30 per cent through investment in new technology and bi-level, double-decker rolling stock.

Investment and subsidies to Via have been far smaller than the amounts of money the government has spent on aviation and roads. Nearly C\$3 billion has been spent in the last five years on expansion and modernisation of airports. Federal and provincial governments spend nearly C\$4 billion every year on road building and maintenance.

A recent opinion poll demonstrated that the CBRT has the support of the Canadian people for their campaign — the poll revealed that 89 per cent of Canadians want Via to continue as it is. Fifty four per cent supported a further expansion of services, and 33 per cent wanted services to remain at the same level.

### UK STRIKE VICTORY

The six week old British Rail dispute ended on 27 July when the ITF-affiliated British National Union of Railwaymen voted to accept BR's 8.8 per cent pay offer and suspend its campaign of 24 hour strikes that had paralysed the nation's rail network (see ITF News, June and July 1989).

The NUR will now concentrate its efforts in the coming months on eradicating low pay and long hours in the rail industry as well as seeking the urgent resumption of negotiations on the future shape of the industry's bargaining machinery, the other major issue at the heart of the dispute.

Meanwhile, drivers and guards on London's Underground network who have also staged a series of weekly one day stoppages this summer have called off their dispute.

Talks at the conciliation service ACAS on 8 August between the ITF-affiliated Associated Society of Locomotive Engineers and Firemen and the NUR and London Underground brought a pay settlement which has now been accepted by the rank and file.

# Driftnets banned by New Zealand

The New Zealand government has banned the use of driftnets within the country's exclusive economic zone.

This follows mounting pressure from the USA and Canada against the "wall of death" monofilament nets that are stretched for 30-50 kilometres in width and up to nine kilometres in depth by the Korean, Taiwanese and Japanese squid fishing fleets (see ITF News June 1987).

Environmentalists and fishing organisations have attacked the nets as the maritime equivalent of strip-mining, accusing the squid fleets of destroying the marine environment, killing dolphins and illegally catching salmon.

New Zealand Prime Minister Geoffrey Palmer announced that legislation will be introduced to make New Zealand a "driftnet free zone."

Most driftnetting happens in the international waters of the North Pacific, so the New Zealand ban is largely symbolic — though it will extend to the rare port calls made by the 700-plus vessels engaged in driftnetting. Last season, 162 driftnetting vessels called at New Zealand ports.

Palmer has also announced that the New Zealand government will vigorously campaign for the elimination of driftnetting by taking an "upfront role" in the South Pacific Forum — where talks are planned between the main driftnetting nations and the member states of the Forum. Palmer says that the Forum — representing most of the South Pacific states, may also ban driftnetting vessels from their waters.

Ultimately, the New Zealand government says, driftnetting should be eliminated by an international management regime or network of international treaties.

\*Meanwhile, conflict between the USA and Taiwan over driftnetting continues to escalate. The Taiwanese registered *Cyr Yang No. 1* was alleged

to be driftnetting in June in the North Pacific for salmon and trout. Taiwan's Council of Agriculture ordered the vessel home, but the skipper refused, denying that he was driftnetting for salmon or trout.

The Taiwanese government then threatened to revoke the skipper's license for two years — but officials of the Hsinghand Fishing Company, who own the vessel, told the government that they had contacted the skipper and been told that the crew intend to sell the catch overseas and then sell the vessel at the end of the season.

This demonstration of the Taiwanese government's inability to control its own registered fleet comes amidst increasing US pressure on the Taiwanese to allow observers on board the squid driftnetting fleets to monitor the catches. So far the Taiwanese have refused to allow the US authorities the number of observers they have requested. Unless agreement is reached soon, economic sanctions may be imposed against Taiwan by the US Congress — a move which could threaten Taiwan's US\$400 million

yearly sales of fish to the US domestic market.

\*\*The Senate of the US state of Hawaii has passed a bill to outlaw driftnetting within the island's 200 mile exclusive economic zone. The draft law, which still needs to be passed by the state House of Representatives in order to become law, would impose fines of up to US\$250,000 on driftnet users.

\*\*\* A member of the Canadian Parliament, Jim Fulton, has alleged that up to one third of the Canadian-bred salmon are being "pirated" by the driftnet fleets in the North Pacific. Fulton has called for the Canadian government to raise the issue of the nets at the United Nations.

According to the Canadian Department of Fisheries and Oceans, US military satellites may soon be used to track the movements of the driftnet fleets. Navy ships would then be used to intercept suspect vessels. Canada itself is preparing an additional navy ship to be stationed in the North Pacific for the purposes of shadowing the driftnet fleets.

## *Fishing ship of the future project : union consultation is needed*

The joint European project for a "Fishing Ship of the Future" is beginning to take shape and prototype vessels may soon be built.

The Halios project is a US\$65 million, five year co-operative venture between Spain, France and Iceland that aims to improve the design, construction, efficiency and safety of modern fishing vessels.

Halios is part of the European "Eureka" programme — a high technology research initiative launched in response to the US military "Star Wars" programme.

The present plan is to complete one

Halios ship in France and two in Spain. The first ship should be ready for fitting and launch in 1992/3.

The project is now on the look out for owners who want to participate in the testing and evaluation of the new ships.

The project is divided into three phases. Phases A and B got underway in 1988 and will continue till 1991, Phase C — the actual design and construction of the vessels — has already begun and will run till 1992/3.

Phases A and B revolve around promoting international co-operation

Continued on page 7

# Explosive techniques mar Philippines' catch

Illegal fishing methods are limiting the yield of the Philippines' fish catch, according to a government minister.

Aquaculture Secretary Carlos Dominguez says that the use of crude and forbidden techniques such as fine mesh nets and dynamite are primarily

responsible for the stagnation in the catch since 1983.

Last year's total annual catch was 2.1 million tonnes, but Dominguez claims that 70 per cent of his country's 44,000 square kilometres of reefs and 1.7 million square kilometres of fishing grounds have been destroyed by

four kinds of illegal fishing techniques.

On top of dynamite fishing and the use of fine mesh nets, he cites cyanide poisoning of fish and the Japanese technique *moru ami* — where young divers pound coral reefs to scare the fish out — as reasons why the yield remains static.

## ... "Star wars" technology applied to fishing vessels

Continued from page 6

to improve catches by advanced methods of fish detection and gear handling; by optimisation of on board fish processing; and the use of new technology to improve communications and energy efficiency.

Improving crew safety and comfort is also part of the planning phases — though the project has yet to make any formal approach to fishing unions for their input on the project.

Both Denmark and Norway have expressed interest in joining the project at the construction phase.

Some of the areas which are being

proposed for the fishing ship of the future include the development of a computerised "decision support system" for skippers that would integrate all ship's functions from the engine room to processing factory. Advanced fish finding technology is also being developed.

In the area of fish handling a number of options are being investigated. One company is working on a system to weigh fish in a chilled water tank using a displacement system. Another proposal is a gutting machine which not only saves the roe and liver but also makes a throat cut to bleed the fish.

Automated packaging and landing facilities are also on the cards.

The development of the fishing ship of the future parallels other high technology developments in shipping and cargo handling.

ITF unions have already learnt that, for many owners, the future is one without many workers. At this stage in the Halios project, it is important for fisheries trade unions to become involved in the process of discussion and consultation over new ship technology and to make sure that the desire to improve the efficiency of the industry is not at the expense of the workers.

## CIVIL AVIATION

# Eastern Airlines advertises for scabs

Eastern Airlines, able to offer only limited services as the US pilots' and machinists' strike goes into its sixth month (see ITF News, March and June 1989), is clearly not living up to passenger expectations — in fact it is now attracting more complaints than any other American airline.

At a time when other companies are recording high second quarter profits, Eastern's parent Texas Air has been the odd one out, a situation which its unions argue would change rapidly if only the company were properly managed.

The pilots' union ALPA has consistently argued that Lorenzo's plans for a new slimmed down Eastern are seriously flawed. His recent requests for the company's creditors to release an

additional \$100m (he was eventually granted \$75 million) because Eastern has not been able to meet its revenue projections would appear to confirm this analysis.

Eastern is experiencing serious difficulties in hiring new pilots to replace the striking ALPA pilots, who have just renewed their pledge to continue the strike against the carrier. Advertisements are being carried in the leading British business paper *The Financial Times* inviting "exceptional men and women" to apply for permanent pilot positions and to come along to a prestigious London hotel to discuss their future with the New Eastern — according to the ad, "*the fastest growing airline in the United States*". Eastern says it is looking for qualified

captains and first officers "with exceptional talent and pride who will be a part of the most exciting story in the airline industry".

The image of the type of pilot Eastern is looking for takes something of a knock when the ad points out that the new hires will be replacing cockpit crews still on strike, ie they will have to be "proud" enough not to mind ignoring picket lines! This makes Eastern's boast of an "unprecedented once in a lifetime opportunity for growth and success" ring rather hollow.

ALPA is deeply concerned at the threat to safety from Eastern's growing reliance on newly trained pilots. According to the union's own analysis of the company's hiring and training

Continued on page 8

# Portuguese Airline exploits young recruits

Like most other countries Portugal is not short of young people seeking jobs as cabin attendants, always an attractive career to those who want to travel and see the world.

If lucky enough to be selected, new entrants aged between 20 and 25 are put through a rigorous training programme leading to employment with the national carrier TAP Air Portugal.

The European Community subsidizes these courses and in return requires TAP to employ at least one in two of those who successfully complete the training scheme.

TAP does indeed take on the numbers it is committed to accept but if the newly fledged flight attendants were expecting this to be the start of a secure career they are unfortunately sadly mistaken.

For though they are given jobs these turn out to be as temporary staff on six month contracts with all the drawbacks that usually go with temporary rather than permanent status.

When the six months are up a new batch of temps is taken on and the whole process begins over again.

The ITF-affiliated Portuguese Civil Aviation Staff Union (SINVOO), in its contract with TAP, recognises the airline's need for temporary staff during the busy summer holiday months and SINVOO has never stopped TAP from

taking on seasonal staff to cope with holiday flights.

However, as temporaries can be used to fill what would otherwise be permanent posts SINVOO has obtained a contract clause banning this practice.

But this is just what TAP has been doing for the past three years. In the low season TAP typically employs around 140 temps — an indication that 140 full time posts are going unfilled.

As if ignoring the union contract were not bad enough, TAP is also contravening Portuguese law which requires that workers who have been engaged on temporary contracts for two years be given permanent status. TAP gets round this by employing its temporary flight attendants on a series of 6 month contracts and when they come up to the two year limit it then lays them off. The temps are usually offered their jobs back if they want them after six months but they are treated as if they were new employees.

Like any other group of temporary workers these flight attendants are vulnerable to employer pressures to work harder and longer for less pay than those with permanent status who benefit from the protective clauses of the SINVOO collective contract.

In the case of the TAP temps, many are forced to work in excess of the flight and duty times laid down in

regulations formulated by the national aviation authority, the DGAC. This is clearly a highly undesirable practice which could have serious implications for flight safety.

TAP's new permanent cabin attendants used to be paid a monthly starting salary of 95,500 escudos though the union has recently agreed to those signing their very first contract receiving the lower rate of 75,000 escudos.

This concession has had very unfortunate consequences for the temps who after earning 95,500 escudos a month for a year can find their pay cut to only 75,000 escudos as TAP claims that each six month contract is a completely new contract — a very convenient interpretation indeed!

While this smacks of sharp practice, it also appears to contravene Portuguese law which does not allow employers to cut the pay of their employees, a prohibition which also extends to temporary staff of all kinds.

Portugal has a serious youth unemployment problem which the EC assisted cabin attendant training scheme is designed to help overcome.

SINVOO is obviously pleased that unemployed young people should have a chance to work in the aviation industry. Young blood and enthusiasm is always welcome. But exploitation is not.

## ... "Phantom flights" dominate Eastern's schedule

Continued from page 7

programme, 85 per cent of its pilots are new. This makes it virtually impossible for Eastern to comply with the recommendation of the Federal Aviation Administration and the National Transportation Safety Board that inexperienced pilots should not fly side by side in the same cockpit.

Potential passengers would do well to bear this in mind when wondering whether to fly Eastern and should heed the advice of ALPA and the other aviation unions involved in the long running strike not to fly Eastern in the present circumstances.

They may not find it very easy even if they want to fly Eastern. Already the airline is having difficulty with its

proposed August schedules. Travel agents are reporting that one out of six flights scheduled out of Atlanta is in fact a 'phantom' flight that cannot be booked due to the serious pilot shortage.

Eastern's much heralded reorganisation plans are breaking down before they have barely begun. 850 pilots are needed to fly the new schedules but Eastern President Phil Bakes admits that the airline will be at least 250 pilots short in August.

Meanwhile, Eastern struggles to appear a viable airline to the bankruptcy courts, though by now it must be almost out of cash reserves. "Eastern is running on empty" says an airline industry analyst who has been

following the airline's fortunes.

In a further setback, Eastern has been thwarted in its attempt to tear up its pilots' contracts. Within five days of applying to the bankruptcy court for permission to set aside the contracts, Eastern was withdrawing its request. Throughout the long drawn out contract negotiations with ALPA negotiators Eastern has been insisting on savage pay cuts and has stonewalled again and again as the union has sought to make it see sense.

As we went to press attention was focused yet again on the bankruptcy court which is now examining Eastern's reorganisation plan, which has at last been finally submitted after several delays.



# Bids pile in for Northwest Airlines

Airline takeovers are again in the news. Attention is focused once more on the US where the second largest carrier — United Airlines — has attracted a \$4.3 billion unsolicited and conditional bid from Beverly Hills businessman Marvin Davis who has obviously not been put off by his unsuccessful bid for Northwest Airlines this March.

But Davis is unlikely to have things all his own way as the interest generated by the bid is likely to flush out a number of other bidders. Already two leveraged buyout firms, as well as the ailing Pan Am, have expressed an interest in the company without yet submitting a formal offer. A management buyout of United is also believed to be under active consideration.

British Airways, which already has a joint marketing agreement with United, is playing its cards close to its chest but could well join forces with Morgan Stanley in a leveraged buyout which if successful would give it a vital, if necessarily minority stake in United. This would leave it free to take a bigger role in the company when, as widely forecast, the US rescinds the law limiting foreign ownership of US carriers to twenty five per cent.

United's unions are likely to play a central role in the takeover as their cooperation could well be the key to the financing of any leveraged deal.

United presents an attractive purchase. Net operating profits have surged by 35 per cent to US\$206.5 million for the first six months. Competition from other airlines at its main hubs has eased and it operates a network of highly profitable Far East routes.

The consolidation of the US aviation industry has apparently convinced investors of the strength of the surviving carriers and their stocks have broken all records this summer. The Davis bid also led to a surge in United stock, repeated when he was reported as being likely to up his bid to US\$6.2 billion. Shares in the US Air Group, parent company of Piedmont and US Air, have also shot ahead on bid speculation.

Elsewhere, Evergreen Airways — the new venture announced earlier this year by Taiwan's giant Evergreen shipping group — is taking shape (see also ITF News, March 1989).

Plans have just been announced for an office and computer complex close to Taipei international airport. This will act as a global computer centre masterminding the company's shipping and airline activities.

Tentative orders were placed some months back for four 400 series Boeings to fly on routes between Taipei

and New York and Los Angeles when services start in 1992/3. Meanwhile, the company has begun actively recruiting personnel for US-based training courses.

Also in Australasia, the Australian national carrier Qantas has announced that it is starting passenger services to Taipei in November. These will be operated by a new unit, to be known as Australia-Asia Airlines.

In southern Africa, Angola and Namibia are reported to be planning an air link between the two countries.

## Argentinian Airlines agrees to halt sex bias in recruiting

Advertisements seeking to recruit cabin attendants for the Argentinian national airline Aerolíneas Argentinas will no longer state that female applicants must be single.

The ITF-affiliated Argentinian Cabin Crew Union (AAA) was outraged that the airline should discriminate against women in this way. It did not require male applicants to be unmarried, leaving the clear impression that only young, pretty women need apply.

The AAA took strong and decisive action. It addressed an official protest to the airline, pointing out that it was contravening legislation passed a year ago outlawing sex discrimination. The union's letter added that the single status requirement also violated the principles laid down in the Human Rights Declaration of the United Nations, of which Argentina is a signatory.

At the same time the union got in contact with the Under Secretariat for Women. Its acting director promised her full support and promptly dispatched a stinging letter of complaint to Aerolíneas Argentinas.

In the face of this onslaught the company backed down and agreed that it would no longer insist that its female cabin attendant recruits be single.

### FORTHCOMING MEETINGS

31 August-1 September	Fair Practices Sub Committee	London
4-7 September	Foc Inspectors	Eastbourne
19-21 September	Railwaymen's Section Conference	Santander
17 -18 October	Executive Board	London
23 -24 October	Meeting of Cabin Crew Unions	London
30 November		
-1 December	Dangerous Goods	Geneva

## **Bangkok strikers prevail over new port**

A strike by 3,000 dockers at Bangkok's Klong Toey Port ended in victory when the government backed down and gave assurances to their union leaders that the state-owned Port Authority of Thailand (PAT) would oversee operation of the country's first deep-sea port — Laem Chabang — 120 km south of

Bangkok when it first opens late next year.

The government had originally intended that the port should be run by a new state enterprise separate from PAT. Union leaders are apparently satisfied with plans to lease out three of Laem Chabang's container piers to private

operators, who will operate them under PAT supervision, as long as PAT keeps its promise that it will operate the Laem Chabang break bulk pier.

The strike stopped all cargo handling at the river port, holding up more than two dozen ships due to call at Bangkok.

## **French port scheme under attack**

Dockers in France are facing the same wave of deregulation that has already hit their colleagues in Britain, Italy and Spain.

Port employers, represented by the Union Nationale des Industries de Manutention dans les Ports (UNIM), indicated in mid-June that they wish to see the 1947 law establishing control of dock work in France abolished.

The present system, similar to many dock labour schemes, was introduced after the second world war as a measure to decasualise employment in the docks. Dockers are registered and have a "professional card" which entitles them to work. They present themselves to the Central Office of Work (BCMO) and are guaranteed a certain number of hours work per month (and vacations). BCMO organises the dockers work and pays them. Redundancies are only allowed for reasons of gross professional misconduct, subject to appeal to a joint trade union-employer body.

BCMO is jointly controlled by the employers and the dockers section of the French Communist-led CGT union. All dockers have also to be members of the CGT in order to get their professional card.

This is a unique union closed shop in France. In a country with three major trade union centres and a large number of independent or autonomous unions, a diversity of trade union membership in most workplaces is common. A system of works council elections takes place every six years in France where workers in different industries cast their votes for the union they wish to represent them.

However, in the docks, by virtue of its position in the BCMO, the CGT ensures that all French dockers are members of their union alone.

The ITF-affiliated FGTE-CFDT has long opposed this monopoly of trade unionism, arguing that dockers should be able to choose their union representation freely. In some ports, the CFDT has organised dockers who have kept

dual membership. Last year, in Le Havre, two CFDT dockers staged a hunger strike to raise public awareness of what they saw as an unfair restriction on their rights.

French port employers, encouraged by what they undoubtedly regard as a victory for their British counterparts, are busy preparing themselves for a frontal attack on the CGT's position.

## **Port employers dirty tricks bring end to UK dispute**

The massive campaign of intimidation and bribes by port employers and the British government finally paid off when the Executive Council of the Transport & General Workers' Union decided on August 1 to recommend a return to work by members formerly covered by the National Dock Labour Scheme who had been on strike since July 10.

The series of court cases reported in previous issues of ITF News in which the TGWU went to extraordinary (and expensive) lengths to avoid falling foul of Britain's repressive labour laws clearly delayed the beginning of the strike long enough for employers to build up stockpiles and make sophisticated alternative arrangements for moving imports and exports. From its outset the strike was seriously hampered by the fact that it affected only former 'scheme' ports. Any industrial action by dockers in other big ports like Dover or Felixtowe would have instantly laid the union open to mas-

sive legal penalties.

The employers strategy, ultimately successful, consisted of a combination of bribes (redundancy payments of up to £35,000 but only for those who did not join the strike), and threats (dismissal notices were issued port by port to all those who stayed loyal to the union's strike call - in the UK this is possible even during a legal strike). Many union members decided at an early stage in the strike that they would take the redundancy pay offered and leave the industry, many more agreed reluctantly to cross picket lines and return to work rather than face instant dismissal and the loss of any entitlement to redundancy pay. The Executive Council of the union, faced with clear evidence that more than 50 per cent of the dockers who had originally participated in the strike vote had either left the industry or returned to work, recommended an end to the strike

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# Public unease over toxic cargoes grows

Concern over the shipment of toxic waste is growing as the number of serious incidents involving poisonous cargoes increases. Authorities in a number of countries are responding to public pressure and taking steps to keep poisonous exports out of their ports.

A Dutch ship, the *Oostzee*, containing 4,000 drums of epichlorhydrin was caught in a storm off Cuxhaven on 18th July. At least 120 of the containers were damaged and their contents leaked into the ship's body.

Epichlorhydrin evaporates as a highly explosive gas and is known to cause cancer and genetic damage. It is also causes harm to the nervous system and various other organs, even in very low concentrations.

The crew abandoned the vessel which was left drifting 22 sea miles off

the entrance to the Kiel Canal.

The Hamburg authorities, as well as the Federal Government refused to take responsibility for the ship. The authorities in Schleswig-Holstein attempted to deal with it but lacked the necessary equipment.

Salvage work has now been undertaken by a Hamburg salvage company. Employees of the company cannot work for more than 20 minutes at a time. They have to wear protective clothing and oxygen masks as they lift the leaking drums into containers on a platform floating alongside the vessel.

The British ports of Liverpool and Tilbury have placed a ban on all future handling of toxic waste. Their decision has been followed by the port of Bristol and may set a precedent for other ports. The legal implications of the move are as yet unclear.

The Liverpool port authority took its decision following revelations that Canadian polychlorinated biphenyls (PCBs) had been discharged from the 15,306 tons gross, USSR registered *Khudozhnik Repin* without the knowledge of dock workers or port managers when she berthed at Tilbury on August 4th.

Once the PCBs were discovered, the company handling the consignment, Grosvenor Power Services, notified the licensing authority that it wanted to move them from the quayside at Tilbury. They were then loaded on board the similar-sized *Khudozhnik Saryan* for return to Canada when she entered Tilbury on August 9th.

The *Khudozhnik Saryan* was carrying a container of PCBs, 61 drums of

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## ...Solidarity with UK strikers was widespread

Continued from page 10

on 1 August subject to three conditions to be met at local level:

1. Reinstatement of all dockers for participating in the strike;
2. Maintenance of trade union recognition in the industry;
3. The negotiation at local level of basic employment and working conditions standards set by the union at national level.

During the three weeks that the dispute lasted, the level of solidarity support showed by other dockers' and seafarers' affiliates was remarkable. Solidarity messages flooded in to TGWU headquarters from unions all over the world, many of whom know that they face similar attacks from their own port employers. In the North European ports many port employers refused to accept diverted cargoes from strike hit ports after receiving approaches from their own dockers' unions. The Dutch port employers organisation SVZ issued a recommendation to its member companies not to handle diverted cargoes. In the Netherlands and Belgium in particular, the ITF received regular reports of spe-

cific action taken against ships arriving from or bound for UK ports. Examples reported by Vervoersbond FNV include the Liberian flag *Golden Isle* which was boycotted by dockers at the Rotterdam stevedoring company Hanno on 24 July after arriving with a cargo including bulk chrome from the strike hit port of Immingham. Three car carriers *Angelica*, *Caraneta* and *Oppa Mane* en route from Japan to Middlesborough were boycotted by Amsterdam dockers a few days later as were several forest products feeder vessels due for loading in the same port. In Belgium, the BTB reported that no ships loaded only with UK bound cargoes were scheduled for arrival. Action was taken, however, against a number of ships carrying mixed cargoes. The *Bukuva* carrying African wood was unloaded by Antwerp dockers on 25 July and the UK portion of its cargo blocked on the quayside. The *Solano*, also carrying forest products, had its transshipment cargo blocked in the port on 27 July. The empty cargo vessel *Anne Mari*, due to arrive in Antwerp to load forest products was turned away prior to arrival after the

company was informed that the dockers would refuse to load it.

Leaders of the Swedish seafarers' and dockers' unions issued advice to all their members not to handle any cargoes to or from strike bound ports. The ILA, covering the US East and Gulf coasts made it clear that it was ready to participate in action against vessels loaded by strike breakers. Overall there was a very high degree of solidarity support from ITF unions both in Europe and further afield. While the efforts of the British dockers to maintain a national agreement on job security and minimum working conditions have been unsuccessful, port employers should understand that this is but one battle in a long war which they themselves have declared. In the UK the vast majority of port workers remain members of the TGWU. The bitterness engendered by the provocative actions of the port employers will probably take years to disappear. Elsewhere in the world, where unions are not faced with the implacable hatred of the government in power, similar strategies by the employers may not produce the same results.

# ...Dockers refuse to unload poison ships

Continued from page 11

thioglycolic acid, 180 drums of nitro-cellulose and 85 drums of alupaste and flammable solids. Port managers refused to handle the load, saying that they were concerned for the safety of the workforce.

The waste, which originated in Canada, was to be sent for incineration at the Re-Chem facility in Wales. Previous efforts by the Québec authorities to dispose of the waste at an incinerator in Western Canada failed because the Alberta plant refused to take all the waste and store it on site. There was strong public protest in Québec against storing the waste in the province.

The Greater Manchester Waste Authority, the waste import licencing body, advised the Port of London Authority to refuse to discharge the container of PCBs on board the *Khudozhnik Saryan* at Tilbury because of incorrect cargo documentation. Discharging of the waste contravened waste shipment rules because the cargo documentation for the ship listed Liverpool and not Tilbury as the discharge port.

The waste disposal bodies and licence issuing bodies have stressed that it was not the nature of the cargo that was the question but the way in which the regulations were contravened. A ports' right to refuse a cargo is not yet established.

The Mersey Docks and Harbour Company has since refused to discharge Canadian toxic waste PCBs from the 15,306 tons gross Soviet container ship, the *Nadezhda Obukhova*.

The ship visited Rotterdam on route to Liverpool and was checked by Dutch police to ensure that none of the PCBs containers had been secretly discharged. Dutch authorities denied the vessel permission to discharge her consignment of waste at the port before shipping it back to Canada on board another vessel.

The shipment of 14 further consignments destined for the UK has now been suspended. The waste will be stored outside the Canadian port of Baie Comeau for up to 18 months until a decision on its future incineration is

made.

Dynamis Envirotech, shippers of the waste, have said that it is unlikely the waste will be dealt with locally in Quebec. It could still enter the UK through another port. The company is also considering incinerating the waste at facilities in Finland and France.

While the UK refuses to handle Canadian waste, Canada itself is trying to keep out poisonous exports. The illegal trade comes from the US and involves bulk liquid fuel contaminated with PCBs and other dangerous chemical wastes. It has increased considerably recently as dealers seek to beat a global convention for the restriction of international trade in toxic cargoes.

The Global Convention on the Control of Transboundary Movement of Hazardous Wastes was negotiated under the auspices of the United Nations Environment Programme. Canada was among the initial group of 34 countries to sign the convention. It is expected to be passed into law next year. (see ITF News June 1989).

Dutch authorities prevented another vessel, the *Pro Americana* from un-

loading 1,000 tonnes of industrial toxic waste at Rotterdam. The ship had already been denied permission to unload its cargo of zinc oxide waste at Santos in Brazil. Dockworkers at Santos reported feeling ill while working on the vessel which then left Santos to return to Rotterdam.

The shipments originate from Italy and Belgium and are being handled by a Dutch firm, Magnus Metal. The Dutch authorities are seeking a Rotterdam district court order to ban the *Pro Americana* from unloading the waste at the port.

The court is also being asked to order Magnus Metal to remove another 200 tonnes of waste waiting at Rotterdam. The firm had originally received permission to transport the waste to Brazil but after authorities there rejected it, the Dutch did not want it to stay in the Netherlands.

Toxic waste and its transport will be among the priority topics discussed at the ITF Conference on the Transport of Dangerous Goods scheduled for Geneva from 30 November - 1 December this year.

## US east coast contract extended to November 1990

The master contract covering the terms and conditions of dockers on the eastern seaboard of the United States is to be extended to 30 November 1990. The contract was due to expire at the end of September.

This is the outcome of tough bargaining sessions that have been continuing between the ITF-affiliated International Longshoremen's Association (ILA) and the Atlantic and Gulf Coast employers' associations since

last autumn.

Current provisions of the ILA contract will remain intact with the exception of management pension fund contributions which rise to 45 cents an hour.

The new contract has been overwhelmingly endorsed by ILA members. Port by port talks will begin shortly to settle local issues such as overtime pay and gang sizes for non-containerised work.

### PEOPLE

Heino Kovanen was elected President of the Finnish Engineer Officers' Union at its recent Congress in Helsinki. A former chief engineers on ice breakers, Kovanen has been a member of the union's executive for the past twelve years and has regularly represented the interests of ships' engineers on industry committees and working groups. He succeeds Pentti Mattila who has led the union for the past nine years.

## Owners who ignored crew claim pay out \$75,000

Shipowners who try to avoid their obligations to crews can end up paying a lot more money in the end — as Tor Husjord Shipping of Narvik, Norway has just discovered.

Tor Husjord beneficially own and operate the Panamanian flag of convenience general cargo vessel, the *Tramarco Carrier*.

At the beginning of 1987, the ship was trading in Scandinavian waters. An ITF agreement was concluded for the Philippine crew covering wages and working conditions — but the deal was never honoured by the owners.

When the owners altered the vessel's routes to trading between Central America, the Caribbean and the USA, the owners decided to unilaterally dismiss the crew (without any severance pay) in Lisbon, Portugal.

The owners were clearly under the false impression that their new trading pattern offered them immunity from trade union or legal action by the cheated crew.

The six dismissed crew members contacted the ITF and asked for assistance in pursuing their claim. The ITF submitted a backpay and severance claim to the owners on behalf of the crew. The amount claimed was approximately US\$32,000.

The owners didn't even have the manners to reply to the correspondence from the ITF or even acknowledge its receipt. The ITF responded by resubmitting the claim a while later with an added request for interest. By now the ITF was asking for a little more than US\$34,000. The owners still refused to reply.

Since the vessel was calling in US ports, the ITF asked Louisiana lawyer Richard "Jerry" Dodson to take legal action against the owners under state law in January 1989.

The owners then attempted to intimidate the former crew members into dropping their claim. Their representatives made several visits to the port of Hamburg (where the men were staying) where they tried to "convince" the

men to drop their claim and accept a derisory settlement instead.

The owners even managed to produce — through their US lawyers — a mysterious and illegible scrap of paper purporting to be a waiver from three of the crew to their claim.

In fact, the crew had stuck to their position and none of them had signed such a piece of paper. The ITF refused to accept the waiver, and convinced the court that it was not valid.

The owners now faced the prospect of an unwinnable court battle in the USA. They agreed on July 28 this year

to settle for US\$75,000 — a figure, which despite including legal fees and costs was far more than the original claim.

In addition, Tor Husjord had to pay their own legal fees, which probably amounted to about US\$25,000.

For refusing to pay the original US\$34,000 they owed the crew, these shipowners have found themselves out of pocket to the tune of approximately US\$100,000. The moral of this story, for shipowners at least, is that it's better (and probably cheaper) to answer letters from the ITF.

## Survey reveals exploitation of cruise ship crews

Seafarers on US owned cruise ships work in conditions of near slavery. This appalling situation has been highlighted by a special investigation by a US newspaper.

The South Florida-based *Sun Sentinel* carried out the two-month investigation of working conditions aboard foreign-flagged cruise ships operating out of US ports. The survey showed that crews endure terrible hardship - a sharp contrast to the luxury enjoyed by cruise passengers.

Foreign registration allows cruise operators to hire untrained crews from Third World countries and impose pay and working conditions which would not be tolerated under US labour law. Panamanian law, for instance, simply states that wages must not be "remarkably unfair" in relation to the average wage in the industry. Many seamen aboard cruise ships work for 100 hours a week in appalling conditions for just \$1 an hour.

The worst offenders are Carnival Cruise Lines, Chandris Fantasy Cruise and Apollo Ship Chandlers, a Florida company that operates the dining room and bar concessions on many of the local ships. Norwegian-owned Royal Caribbean Cruise Lines and Norwe-

gian Cruise Line offer better working conditions, though still far below US labour standards.

Ferry Modesto, a Filipino who worked on the *Sun Viking* told the *Sun Sentinel* of his experiences: "I work all the time. From six in the morning until after midnight, I wash pots. It's hot. It's noisy. I live with eight others in the cabin."

Charles Lipcon, a Miami attorney who represents more than 100 crewmen each year said: "They treat crewmen like an orange. They squeeze and squeeze and when there is nothing left, they throw away the peel."

Their job provides no health insurance or other benefits. The work is often dangerous and is carried out without safety equipment. Crews work in noisy engine rooms without earplugs, clean sooty boilers without face masks, and operate machinery without goggles.

Jean Claude Salvant, a Haitian who lost part of a finger while working for Norwegian Cruise Line on the air-conditioning system aboard *The Norway* said he was never offered any safety equipment. He described conditions on the ship: "It was clang, clang,

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# Growing concern for Cruise ship safety

The US National Transportation Safety Board has taken another initiative in its campaign to regulate safety aboard foreign-flagged cruise ships. It has called on the Coast Guard to seek authority from Congress to oversee all safety procedures aboard cruise ships. Their new role would include responsibility for evacuations and fire-fighting procedures, operational standards and crew training.

Cruise ship safety standards are currently set by the IMO and by the authorities in countries where the ships are registered. Almost all of the 100 cruise ships operating out of US ports are registered in other countries. Many of these countries set safety standards which are far less stringent than those imposed on US-flagged vessels.

Under IMO regulations, the Coast Guard's examination of foreign-flagged vessels is limited in its scope and does not meet the standard of inspections of US passenger vessels.

Although most of the ships operating out of US ports are registered in other countries, the majority of passengers are Americans. The board wants the Coast Guard to have the authority to require the highest levels of safety for these US

citizens.

The NTSB's move follows two serious accidents involving foreign-flagged vessels (see ITF News June 1989). The board's investigation of the fire aboard the Bahamian-registered *Scandinavian Star* during a cruise from Cozumel, Mexico to Tampa revealed that a deteriorated fuel seal in the engine room had ruptured and started a fire cutting power and communications in the ship. The fire-fighting system failed and many of the crew members were unable to give instructions to passengers in English.

The Acting Chair of the NTSB, James Kolstad, called conditions on the ship an "invitation to disaster". There was no regular maintenance program and crew training was inadequate.

In February, a cruise ship, the *Celebration*, owned by Carnival, the world's largest cruise ship company, was involved in a serious collision with a Cuban freighter. Three of the freighter's crew were killed. Carnival refused to cooperate with the Board's investigation of the accident, since the ship was registered in Liberia, a decision which is being fought by the Board in the US courts.

## ...Crews forced to hide union cards from owners

Continued from page 13

like the inside of a bell. My ears rang a long time after work."

Crew's are housed in incredibly cramped living spaces. Each cabin houses up to 10 men, bunked three deep in less than 100 square feet of space. Some of the Carnival and Chandris ships were not built to be cruise ships. Their new function requires a larger crew but crews' living space has not been expanded.

No crew recreation space is provided on many ships. Engine room crews are not allowed to meet passengers in most ships. They remain below deck and never see the sun. The only form of recreation available to crewmen aboard Carnival ships is alcohol sold by the company.

Seafarers often do not receive the wages they have been promised. Vecchio has a number of pay envelopes and seamen's contracts which clearly demonstrate that crewmen are misled as to the level of pay they can expect.

Moreover, seamen often start their employment with a debt which their

low wages never allow them to repay. Seamen from Third World countries pay huge sums to agents for jobs — a practice which is illegal. Often they borrow this money from loan sharks and are never out of debt.

Discipline on most ships is at the whim of the ship's officers and owners. Under Bahamian law, for instance, crewmen can be punished by the captain if they complain about the quality of the food. On many ships, the captain can fine crewmen large sums and can demote those who depend on tips to jobs that do not attract tips.

The ultimate fear of Third World seamen is deportation. This threat was used to intimidate an Indian crewman after a passenger complained of a lack of ice in the state room. A Chandris seaman reported that: "The Greek chief steward had this Indian up against the wall screaming in his face that he would send him back to India if it happened again."

Mateus Da Cunha Dos Santos, a waiter working for Apollo Ship Chandlers broke his wrist while working. A medical report indicated that he would not be able to work for seven weeks

after the accident. Apollo thought it could avoid payment of medical bill if Dos Santos was deported. Armed guards were hired to handcuff him and take him to the airport for return to Portugal. When Dos Santos produced papers proving he had government permission to stay in the US, the guards took them from him.

If crewmen complain, they can be fined, fired or jailed in the ship's brig. Union organisation is strongly suppressed by employers. Guldo Vecchio, South Florida organiser of the National Maritime Union (NMU), has said he warns Carnival crew members not to keep union cards or literature where employers can find them. Seafarers aboard a Carnival ship, the *Mardi Gras* were fired when NMU cards were found among their belongings.

Conditions are so appalling that crewmen often beg passengers for help in escaping. Even the employers admit that such approaches are common though they refuse to admit that this has anything to do with conditions on board their ships. Instead they claim that the crewmen are seeking help to stay in the US.

# Argentina to sell off state shipping line

Under new legislation going through the Argentinian parliament (see also *ITF News*, July 1989) the state shipping line Elma is to be split into several different companies, with ancillary services being contracted out to the private sector. The reshaping of Elma is part of incoming President Carlos Menem's plans to make the company competitive over the next two years. Stevedoring and shiprepair, as well as the company hospital, are among the targets for privatisation.

Bermuda's booming registry has almost doubled in the past eighteen months and stands (at the end of June) at 113 ships of 4.26 million tonnes. The British Colony's register is particularly popular with tanker owners and has been attracting many ULCCs, with the low fees on offer for large tonnage. But though it now has more surveyors (three rather than the original one) they must be finding it very difficult to monitor standards under the rapidly growing flag. Bermuda is now actively seeking relaxation of the nationality qualifications for ship's masters and senior officers in a further cost cutting move.

The Brazilian state owned liner company Lloyd Brasileiro, which narrowly escaped privatisation earlier this year, has put four of its general cargo ships on sale. Lloyd Bras has begun an extensive rationalisation programme in a bid to reduce its crippling debts of which the ship sale is a vital element.

The employment of Filipino seafarers on local Filipino terms and conditions on the German owned and GIS-registered *Zetagas* (see also last edition of *ITF News*) has provoked stinging criticism from ÖTV spokesman Eike Eulen. "Seafarers are now being flogged and gagged" was his comment on the plight of the *Zetagas* crew who according to their contracts are to be

paid only DM 1,000 a month gross including overtime which compares very poorly with the DM3,500 a month earned by the German seafarers they have replaced. Eulen pointed out that the Filipinos are subject to a harsh 62-point disciplinary code that cites 'insulting an officer' as grounds for dismissal. They will have virtually no job security since although they are em-

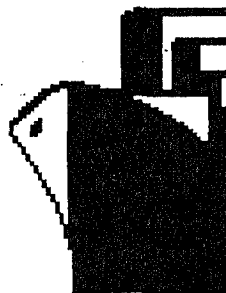
ploying a seven hour meeting, the executive committee of the ITF-affiliated All-Japan Seamen's Union has decided to allow mixed crewing but only on newly built ships. However, the JSU is insisting that for safety reasons such crews should include a minimum of nine Japanese nationals. In return, the union is demanding that more Japanese seafarers be employed

on Foc ships and that present licensing requirements be revised to enable more Japanese seafarers to qualify as masters and chief engineers. Despite this decision, there is some hard talking still to come as Japanese owners are likely to argue for yet further cuts in the number of Japanese nationals, with the union coming under fierce pressure to agree to

as little as six Japanese jobs. Meanwhile, the JSU has reacted angrily to the news that the Japanese government is planning to offer subsidies to owners of Japanese flag ships to assist them with training costs for foreign seafarers. Training will be offered to seafarers unable to obtain training in their country of origin. The union is dismayed that the government should be making special arrangements for non Japanese seafarers rather than offering assistance to Japanese seafarers displaced by the introduction of mixed crews.

The Norwegian International Register, which has just passed its second anniversary, now has 569 vessels of 24.4 million deadweight tonnes on its books. The NIS has doubled in size in its second year of operation, taking on tonnage at the expense of the national register which has declined (from 2.3 to 1.8 million tonnes over the period, with a loss of 45 ships) and of Norwegian tonnage under foreign flags (now standing at 13.5 m tonnes, a fall of 1.2 million tonnes and representing a loss of 62 ships).

## The ITF's regular flag by flag roundup



ployed on one year contracts, these may be terminated early if the employer wishes.

The new pay agreement reached in July for officers and ratings on Israeli flagged ships has swept away the old and complicated seniority system that the unions see as outdated and divisive. In its place comes a new and fairer scheme which pays all crew members irrespective of rank an allowance equivalent to 3 per cent of the basic rate for each year of service. Thus a seafarer with twenty years' seniority will now get 60 per cent more pay than an inexperienced fellow seafarer going to sea for the first time. The agreement covers a total of 70 ships. It has taken much tough bargaining with the Israeli Shipowners' Association to bring the talks to a successful conclusion but the unions are delighted with their first agreement lasting more than a year (it is backdated to 1 April 1989 and expires at the end of December 1990), while the owners are hailing the new contract terms as a 'breakthrough'.

The beginning of the end seems to be in sight in the fierce battle over foreign crewing of Japanese flag ships. Fol-

# Most substandard shipping flies FOC flags

A noticeable rise in the number of serious deficiencies in ships calling at European ports has been recorded by the government appointed ship inspectors operating under the auspices of the Memorandum of Understanding on Port State Control (MOUPSC).

This apparent deterioration in the safety standards and condition of vessels calling in European ports is contained in the 1988 Annual Report of MOUPSC Secretariat.

The 14 European member states who participate in the six year old port state control agreement provide inspectors who conduct spot checks on vessels calling in their ports. They check ships on the basis of a number of agreed international maritime conventions.

The ITF supports the principle of port state control — that is, that coastal states have a responsibility for ensuring the safety standards of vessels. ITF unions and inspectors have co-operated closely with MOUPSC inspectors in many cases. If the states under whose flags these vessels operated took their responsibilities seriously, port state control would be unnecessary.

The actual number of ships visited declined from 1987 to 1988 — from 10,337 to 8,382, while the number of deficiencies detected dropped only slightly from 16,566 to 15,100.

So while fewer ships were visited, a larger percentage of them were found to have problems.

The most serious deficiencies lead to a ship being delayed and ordered to make repairs or modifications on the spot. This figure rose from 280 in 1987 to 295 in 1988 in spite of the decrease in the number of ships visited. The percentage of ships inspected that were delayed (the best comparison) went up from 2.71 per cent in 1987 to 3.52 per cent in 1988.

Life-saving and firefighting equipment deficiencies accounted for the largest slice of problems (43 per cent) — an area the MOUPSC says could "largely be avoided by proper care and maintenance."

The 8,382 ships came from 112 different flags. The flag state with the



An example of a deficiency detected by an MOU Inspection: This ventilation hole cover lacks adequate packing and violated the Convention on Load Lines, 1966.

highest percentage of serious deficiencies was Iran (with over 25 per cent) but flag of convenience states understandably took the lion's share — Honduras came second at well over 22 per cent, followed by St. Vincent (18 per cent). Gibraltar came sixth with 12 per cent, Malta seventh with 11 per cent. Panama, the Bahamas, Cyprus,

Antigua and Barbuda were all in the top twenty.

A staggering 81.46 per cent of all the serious deficiencies discovered in 1988 came from ITF designated flag of convenience states — proof, yet again, that the lax standards of the "free flags" are a serious threat to the safety of world shipping.

## World Maritime University cash appeal

The World Maritime University set up by the IMO six years ago and based in Malmö, Sweden is appealing for funds. The official launch has been timed for 21 September — International Maritime Day. IMO Secretary General C P Srivastava is hoping that the upturn in world shipping will result in a generous response from private industry.

Currently the university, which has annual budget of US\$7 million, gets a third of its funds from Sweden, a further \$1.2 million from the UN Development Programme and \$500,000 from Norway. Its remaining budget is met by fellowships and personal donations, some of them very considerable indeed.

The University is hoping that the appeal will result in generous contri-

butions to the University's capital development fund and the funding of fellowships. It would also welcome donations of equipment.

There is no doubt that in the six years of its existence the University has proved its worth. It turns out high calibre graduates who are greatly sought after and is a cause well worth supporting.

The ITF — through a £50,000 plus grant from the Welfare Fund — has sponsored the MSC courses of three third world students from Trinidad, Costa Rica and Malaysia. The IMO has expressed its appreciation of the ITF's valuable fellowship support of the students who have now successfully completed their courses and have been awarded the degree of Master of Science.