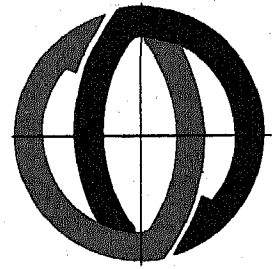


INFORMATIONS : NOTICIAS

# ITF NEWS

NACHRICHTEN : NYHETER



SEPTEMBER 1989

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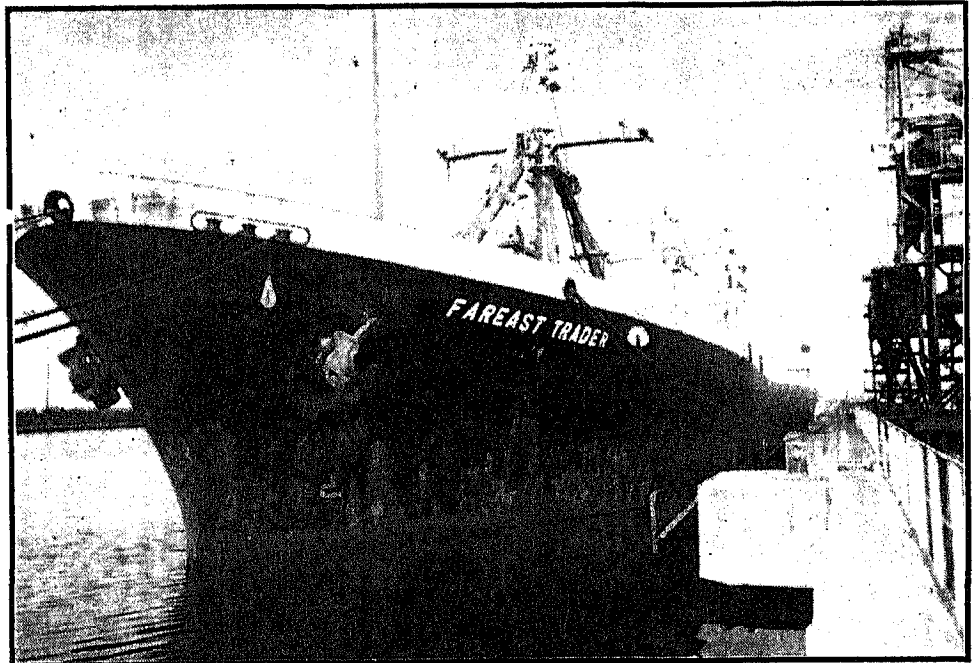
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PRECEDENT-SETTING US\$1,174,000 FOR *FAREAST TRADER* CREW:

## HISTORIC VICTORY FOR FOC CAMPAIGN



The ITF's campaign against flag of convenience shipping has received a major boost with a record-breaking US court settlement of \$1,174,000 for 24 crewmembers from the Panamanian flag *Fareast Trader*.

Not only is the settlement the largest amount of money the ITF has ever secured in a case involving one ship, it also represents a significant breakthrough in the use of US law to defend the crews of Foc ships. The legal precedents set, and the protective order obtained to guard the crew against intimidation and harassment in the future represent an unqualified victory for the campaign. An entirely new legal front in the Foc campaign has now been successfully established.

Shipowners and their supporters who have been trying to convince themselves that the ITF campaign is declining and will eventually wither away will now have

Continued on page 2

**THE LONGEST PICKET LINE IN US HISTORY (19)**

# ...Protective order guarantees crew safety

Continued from page 1

to think again. The *Fareast Trader* settlement marks the beginning of a new phase in the ITF campaign — it represents the culmination of detailed research and preparation meticulously applied.

The Panamanian registered *Fareast Trader* (owned by Wa Tung Shipping of Hong Kong) had no ITF agreement, but attempted to pretend that it did. A system of double-bookkeeping was maintained, where crew were forced to sign fake wage accounts saying that they had received ITF rates.

On July 17, the ship docked in Houston, Texas for three days. She was visited by FOC Inspector Charlie Stewart, who suspected that there was a problem. He contacted John Sansone, North American Foc co-ordinator and ILA inspector in Louisiana.

The ship arrived in New Orleans on July 21, and Sansone met with a member of the crew:

"He told me they were signing two sets of portage bills every month and that they had no real wage accounts." Sansone told ITF News.

The crew were signing for ITF wages, but receiving less than half the proper rate. Sansone needed proof of the double wage system, and managed to legally acquire a copy of the portage bill!

The Portage Bill (the ship's accounts) was obviously a fake — "It was too clean, too perfect, it had no entries for supplies or ship's chandlers, just a neat accounting of the wages" said Sansone.

Having obtained copies of the accounts and the ship's articles, Sansone visited the ship again, and quietly gave the crew a set of powers of attorney for them to sign. A representative of the crew met him later and handed over the signed documents, giving the crew's enthusiastic endorsement of the pending legal action.

Sansone's next step was to contact Louisiana lawyer Richard "Jerry" Dodson:



The *Fareast Trader* crew await the Judge's bond ruling in court.

"I told him that I had copies of the ship's articles, the portage bills and legal retainers — he smiled and said 'let's bust their ass'".

The *Fareast Trader* presented an ideal opportunity to put into practice a legal strategy that had been developed by the ITF's US lawyers. This legal strategy, combined with Dodson's sharp legal technique, came together perfectly in this case.

Sansone and Dodson carefully considered where to make the arrest of the ship. It was bound first for Tampa in Florida and then for Texas City in Texas. It was decided to make the arrest in Texas.

Meanwhile, Sansone kept in daily contact with the crew, telling them what was being planned. The ship was in Florida from July 24 to 29, and then was scheduled to head to Texas City. A natural disaster struck, however, in the form of a hurricane, and it appeared possible that the ship might miss out its scheduled visit to Texas City.

The ship finally arrived in Texas City late on Friday night, August 4th. Sansone rushed to Texas and made contact

with a local lawyer who was working with Dodson.

"We didn't want to wait for anything," said Sansone, "So at two o'clock on Saturday morning we found Steve — the federal marshal — and he agreed to accompany us down for the arrest.

"I arrived and went on board, you should have seen the expression on that captain's face when he saw me again," said Sansone.

The ship was arrested, and the crew cheered and gathered round Sansone to congratulate him. Ironically, the crew member who had been his contact was off the ship at the time, trying to telephone Sansone in New Orleans:

"When he came back he couldn't believe his eyes," said Sansone, "They told me that when the ship had left New Orleans the Captain and some of the officers were celebrating."

Following the arrest, the company sought to "convince" the 23 Philippino and one Chinese crew to withdraw the action. A representative of the Wa Tung

Continued on page 3

General Secretary: Harold Lewis

Publications Officer: David Cockroft

International Transport Workers' Federation  
Federación Internacional de los Trabajadores del Transporte  
Internationale Transportarbeiter-Föderation  
Fédération Internationale des Ouvriers du Transport  
Internationella Transportarbetarefederationen

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# ...Decision will be precedent in US law

Continued from page 2

company was sent out to Texas to try and talk the crew out of action. Sansone countered this effort by keeping in constant touch with the crew.

"I explained to them that if they accepted an offer from the company, they would be kicked off the ship as soon as possible and might even have the money taken back. If that happened we would have no way of protecting them. Their only hope was if we won the case and got a protective order."

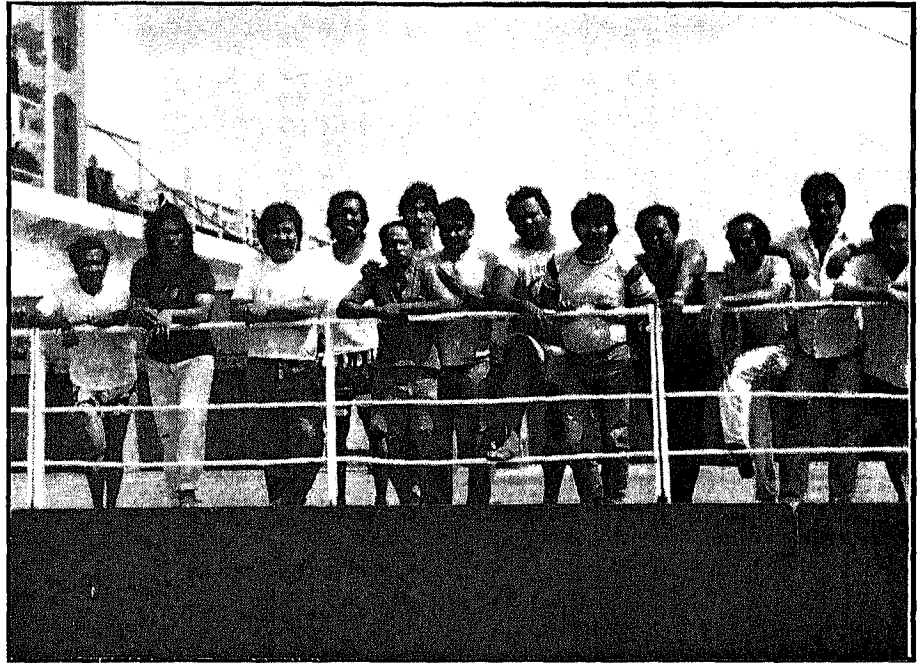
The protective order is one of the new tools the ITF has developed in its legal arsenal. Essentially, the court is asked to issue an order that says that if the crew are intimidated, harassed or have their money taken away from them, punitive contempt of court damages can be granted against the company. These actions can be enforced in many countries or against any assets owned by the same company within the US jurisdiction—such as other ships. In *Wa Tung's* case, they own property and hotels in the USA.

The other important new legal element of this case was the application of penalty wages for underpayment. Under US maritime law, it is possible to claim backwages plus a substantial penalty element. Shipowners who cheat their crews are thus further penalised for their actions, and stand to lose much more money from double-bookkeeping than they would have had they paid the proper ITF rate.

Sansone's relationship with the crew was solid, and they refused to accept the company's attempts to get them to drop the case:

"The crew told the company representative that even if he offered them a million dollars, it would have to pass through John Sansone's hands for them to accept it.

"The company kept holding meetings with the crew, and one day I was standing on the wharf when they came out of one of these meetings and I started shouting 'we don't want no more meetings!' and they all joined in. Then I said to them, let's have a meeting, and they all came down."



The crew celebrate their victory.

The Captain tried to stop the men from leaving the ship and meeting Sansone by putting up a sign saying that any crewmember who left the ship would be taken to have deserted — it didn't work.

Then came the first major legal engagement — the court hearing to determine the level of bond to be set in exchange for releasing the ship. Sansone arranged for half of the crew to come to court to see what was happening.

The lawyers representing the company attempted to argue first that there was no jurisdiction to hear the case. Jerry Dodson demolished their arguments and then went on to argue for a very high bond to be set.

Using wage calculations that included a massive penalty payment for the underpayment and compound interest, Dodson argued that the crew could well be owed \$13.6 million dollars. Given that the value of the ship was only \$7.1 million, he said that that sum should be the minimum bond set.

The company lawyers tried to argue that the bond should be set at a mere \$175,000.

The Judge set the bond at \$7.1 million.

"It was more like a football game than a court room," said Sansone, "we knew that we'd won."

The legal depositions followed, during which time Dodson managed to establish clearly that double wage accounts had been held.

Seeing that they had clearly lost, and facing an expensive and lengthy court proceeding, the company agreed to settle about a week later. They agreed to Dodson writing up the settlement as a "Fact of Finding" — a form of stipulated law that is entered by the court as a legal precedent. The Judge agreed to this along with a protective order for the crew, and so the case sets a very important basis for similar actions in the future.

The company agreed to pay slightly more than \$1,174,000 dollars in settlement — a sum significantly higher than the actual backwages owed to the crew.

The crew sailed on to Japan, where they received their money. They have now signed off and have returned to their homes.

"I'll be keeping in touch with these guys," said Sansone, "We've become good friends and I'll be looking out to see that everything goes well for them."

# State terrorism in Sri Lanka

Himasiri Gamage, a member of the ITF-affiliated Ceylon Mercantile, Industrial and General Workers' Union (CMU), was shot dead at 1:55 pm on Friday July 21st as he was leaving the Singer Industries factory where he worked in Ratmalana, Sri Lanka.

The gunman who shot him with an automatic weapon was accompanied by another man, and they both got into a van without number plates—strongly indicating that the killers were attached to the government security forces.

This, and other armed attacks on apparently innocent civilians, have moved the CMU's General Council, meeting on August 6, to condemn the "killing of unarmed people by state forces, whether they be engaged in putting up posters or violating curfew orders or other such non-violent acts..."

CMU General Secretary Bala Tampoe has written a letter to Sri Lankan President Premadasa communicating the union's condemnation of "state terrorism" and asking for an explanation of the murder of Himasiri Gamage.

The CMU says that many unarmed civilians — "suspected subversives" — have been killed "either by the Police or by Armed Services' personnel, acting openly or secretly, or by secret groups acting under their protection."

Regarding Gamage's murder, Bala Tampoe says that "...even if our member was an active adherent of an organisation engaged in what your government regards as subversive activity, unknown to us, there was no justification for his being killed in cold blood for that reason.

"We have no reason to suspect that our member who was killed was a 'terrorist'. On the other hand, we are of the view that his killing was undoubtedly an act of terrorism. We have reason to suspect that this was done by persons belonging to a special group operating secretly from within or under the protection of the forces of which you are constitutionally, the Commander-in-Chief, as President." the letter says.

The union calls on the President to make a public statement about the killings that have taken place of unarmed persons by the armed forces. Specifically, the union demands a statement about the murder of Himasiri Gamage.

"We are of the view, as we have said before, that State terrorism, i.e. the killing or injuring of unarmed people, to repress either terrorist or subversive activity, is not only a violation of human rights, but is futile. It does not deter those who are actually engaged in terrorist violence from continuing to do

so. On the contrary, it often serves to drive other persons, bereaved or angered by State terrorism, to resort to similar violence themselves." the letter says.

The union is awaiting the President's reply.

The CMU is a uniquely independent, multi-ethnic trade union in Sri Lanka. It is neither controlled by the government, or opposition groups in the Sinhalese and Tamil communities, and counts amongst its members people from all of Sri Lanka's communities.

## ***"Enlightened" de Klerk detains more trade unionists***

Despite new State President de Klerk's promises of reform, detentions continue in South Africa. Two of the ITF-affiliated Transport and General Workers' Union's branch secretaries are currently in prison.

Tamsanqa Mfazwe the Northern Cape/Orange Free State branch secretary was arrested on 16 September at the TGWU office and subsequently charged with breaking his restriction order.

Mfazwe has been detained before and then released subject to severe restrictions. He had to report each day to the police station and was not allowed to leave his home area of Botscha-belo. Nor was he allowed to attend any meetings where the Government was likely to be criticised.

Mfazwe had been breaking his restriction order for three weeks before his arrest. Ignoring these orders is part of a general defiance campaign being organised in South Africa at the moment. Mfazwe's case has now been remanded.

The Western Transvaal branch secretary Swayi Mokoena was also arrested outside the TGWU office on 18 September. He is being detained under emergency regulations and has been taken to a prison in the Orange Free State, which is a long way from his home.

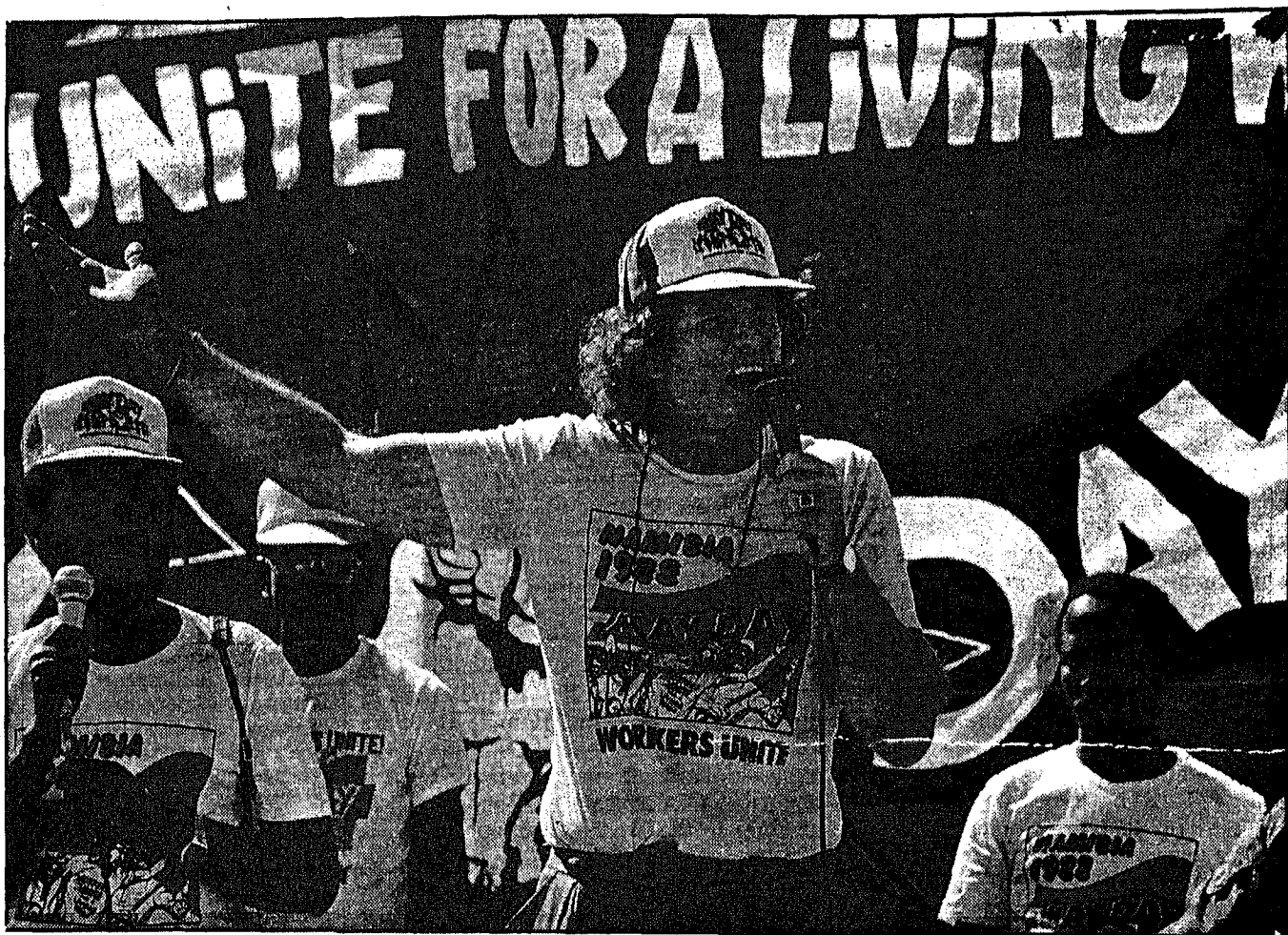
During the previous week, the union's Western Transvaal organiser Isaac Rantsatsi was detained for a day. He was questioned by security police about his activities and then released.

A shop steward is also being held under the emergency regulations. Elijah Ntentile from Rhodes University in Grahams-town, Eastern Cape was detained on 2 September. He is also imprisoned far from his home in Kroonstad in the Transvaal.

**Please send telexes protesting against the detentions to:  
President FW de Klerk**

**TELEX Number (095) 322158 pres1 sa**

# Lubowski assassination casts shadow over Namibian independence process



Lubowski addressing the 1988 May Day Rally at Katatura (Namibia).

Anton Lubowski, a 37 year old lawyer and one of the best known white members of the Namibian liberation movement SWAPO was murdered on the night of September 12.

He was hit by a hail of bullets from automatic weapons at 21h15 local time while entering his house in the Klein Windhoek section of Namibia's capital, Windhoek. Neighbours saw a red Volkswagen speed away from the scene.

Lubowski, a prominent Namibian civil rights lawyer, was the first white Namibian to join SWAPO in 1984. He played an important role in visibly demonstrating the non-racial nature of the liberation movement, and was generally tipped to become the first

Minister of Justice in an independent Namibian SWAPO government.

Lubowski defended the Uppington 14, who have all been condemned to death in Pretoria, South Africa for killing a policeman. Their final appeal was granted Friday September 15, just after Lubowski's assassination.

He was also a long standing supporter of trade union activity and workers' rights. He was detained a total of six times by the South African occupying authorities in Namibia, usually during industrial disputes.

Until their recent congress this year, Lubowski was the acting treasurer of the National Union of Namibian Workers (NUNW) — an organisation he helped to build.

In December of last year, Lubowski and Sam Nujoma, SWAPO President, came to England to meet then Foreign Secretary Geoffrey Howe. Lubowski also met, on December 6, with ITF General Secretary Harold Lewis. They discussed the recent establishment of the Namibian Transport and Allied Workers' Union and positive measures of support from the ITF to the new transport union.

Lubowski, and other prominent pro-SWAPO whites, have been receiving telephone death threats recently. With racial residential segregation still in effect in Namibia, white activists are very vulnerable to attacks.

Harold Lewis reacted to the news of  
Continued on page 6

# ...South African dirty tricks undermine elections

Continued from page 5

Lubowski's assassination by issuing the following special statement:

"On behalf of the International Transport Workers' Federation (ITF) and of the transport workers throughout the world for which the ITF speaks, I wish to convey our deepest sympathy to Anton Lubowski's family and to all those bereaved by the appalling act of terrorism which has cut him down.

He has paid the ultimate and terrible price for his dedication to Namibia's fight for freedom. No effort must be spared to bring his murderers to judgement and the ITF will use all the influence at its command to that end."

The period following Lubowski's assassination has been something of a watershed in the independence process for Namibia which is leading up to the elections in early November. The political parties wishing to contest the election have made their applications for registration. The period for registration of voters has formally ended, albeit amid calls from SWAPO for an extension.

The entire exiled leadership of SWAPO have now made their return to the country. This process culminated in the triumphant return of Sam Nujoma to Namibia on 14 September, after 30 years in exile. But these events have been overshadowed in people's minds by the assassination of Anton Lubowski.

The cold-blooded murder of Lubowski raises the question of the intimidation of SWAPO and its supporters which has been a constant feature of the independence process. Almost every individual or organisation to have visited Namibia in order to monitor the election process has raised this issue.

The right-wing parties and their allies within Namibia also readily speak of a climate of intimidation — just as they can no longer avoid the rhetoric of independence and one person one vote, they cannot deny the existence of the intimidation. Their aim, however, is to widen the scope of the allegations to include SWAPO and its supporters.

For example, the right-wing press will build up a tale of the bravery of a solitary SWAPO supporter in holding off a gang of DTA vigilantes into a story of "SWAPO intimidation of DTA". (The DTA, or Democratic Turnhalle Alliance, are South Africa's preferred party in the elections and receive intelligence and financial support from Pretoria.) Or the stoning of a policeman in Otjiwarongo after he had killed and wounded bystanders as "SWAPO lost control".

There is no doubt that the intimidation by both political parties and the South West Africa Police (SWAPOL) is almost entirely directed against SWAPO and its supporters. Anne Booth-Clibborn, who recently returned from a two and a half week trip to Namibia as a representative of the British Council of Churches, spoke on 20 September of the discipline of SWAPO in the north of Namibia. From talking to UNTAG (the United Nations Transition Assistance Group which is monitoring the independence process) and community organisations she understood that SWAPO has not retaliated against other political parties at all, in spite of extreme provocation. SWAPO has stated that Lubowski's death must not be avenged.

It is not only in the north of the country that SWAPO has been subject to extreme provocation. There have been three incidents involving shootings in Windhoek alone since Anton Lubowski's murder on 12 September. Twice shots have been fired at the SWAPO office in Windhoek. Shots were also fired at a film crew who were packing up their gear after showing a SWAPO film at Windhoek's Katatura township football ground. Fortunately no-one was injured in these incidents. Perhaps more sinister was an attempt by the DTA to organise a march on Nujoma's home in Katatura on 20 September. The march was turned back by UNTAG with the help of SWAPOL but the crowd then went on the rampage through the township breaking windows and stoning houses showing

SWAPO flags and colours.

UNTAG has made an attempt to defuse inter-party violence and intimidation by persuading nine of the parties to jointly sign a code of conduct. This has provisions by which members and supporters voluntarily refrain from carrying weapons, disrupting meetings, obstructing attendance at rival rallies and so on. It also provides for a fortnightly liaison meeting between the parties with UNTAG chairing. Ironically, the code of conduct was signed in a ceremony held on the same evening on which Anton Lubowski was killed. While the right-wing press in Namibia has been very contemptuous of the code, early reports suggest that it is having a positive effect.

The big story about political intimidation is not the parties but intimidation by SWAPOL and Koevoet, the paramilitary hunter-killer squads trained by South Africa to kill SWAPO guerrillas during the war. South Africa's attempts to avoid demobilising Koevoet by incorporating them into SWAPOL and the string of atrocities committed by Koevoet members have received comparatively wide publicity. The issue came to a head around the time of the UN Secretary General's visit to Namibia at the end of July. In his subsequent report to the UN Security Council the SG emphasised the need to do something serious about the continued operations of Koevoet. There were rumours that the issue might be discussed by the Security Council in formal session. In an effort to defuse the pressure, the South African colonial governor in Namibia announced that 1,200 Koevoet members were to be confined to bases.

"Confined to bases" has since been discovered to mean confined to base between the hours of nine to five. Koevoet, once again wearing their old uniforms and still carrying weapons, continue to patrol after dark in their much-feared *casspirs* as they have since their formation during the war.

Further info in this story thanks to the Namibia Support Committee (UK)

# ITF Asian education programme seminars

Last month was a very busy one in the Asia/Pacific region, not least for ITF Regional Secretary Mo Hoda who addressed no less than four separate seminars — in Taiwan, Hong Kong, Malaysia and the Philippines — during his latest trip to the region. It was also a very hectic time for the region's educational officers who are responsible for the behind the scenes organisation at such meetings.

The first of the series was a national transport workers' seminar organised in Taipei, Taiwan from 15 to 18 August for four separate groups — seafarers, railway, dock and civil aviation workers. For the dockers and civil aviation workers, who came from recently formed non-affiliated organisations, this was the first time they had the chance to take part in an ITF seminar.

The 30 participants, most of whom were young active trade unionists, showed great enthusiasm, particularly during the discussions on recognition of the right to strike — a strength of feeling that was perhaps to be anticipated in a country where trade union rights have fiercely to be fought for and where strikes are virtually unknown.

The Hong Kong seminar which came next on 20 August differed from the others in that it dealt with only one topic — occupational health and safety — and had been organised for just one category — civil aviation workers.

Three ITF unions attended as well as representatives of one non-affiliated organisation representing air freight workers.

All those who took part had experience of handling dangerous substances in the course of their work, sometimes without knowing it as chemicals and other hazardous materials were often given code numbers that hid from the workers the true nature of the cargoes they were dealing with.

They said that aviation workers in Hong Kong generally were concerned at the health implications of short term exposure to the many dangerous substances that were nowadays transported by air. There was also very real anxiety

about possible long term effects of a life time of exposure to dangerous substances in transit.

The participants urged the ITF, if necessary in cooperation with other international organisations, to investigate ways of providing aviation workers with the fullest possible information on the hazards that they might encounter in the course of their work.

The importance of training courses in this context was stressed by all present. Governments should also consider setting up Health and Safety Institutes that would provide a vital resource in protecting workers generally, no matter what industry they worked in.

The third of the seminars, which took place at the Seamen's Centre in Manila on 24 and 25 August, was remarkable in that it was the first time that seafarers, rail, aviation and dock workers in the Philippines had come together to discuss their common problems.

Convened under the auspices of the Coordinating Committee of the Philippine ITF Affiliates and organised by the new ITF education officer Ernesto Capus with AMOSUP President (and ITF Board member) Greg Oca in the chair, it took as its theme the role of labour in the development of the transportation industry in the Philippines.

On the opening day, leading figures in each of the four transport sectors gave detailed presentations on current developments and trends and the effect that this was likely to have on levels of employment in the future.

The next day the forty-six participants divided up into sectoral groups for workshop sessions which later presented their findings to a full session of the seminar.

On returning home, Hoda said he had been greatly impressed by the calibre of the trade unionists, who had exhibited a very detailed knowledge of the sector in which they worked. They had asked many shrewd and perceptive questions and the standard of debate had been of the very highest quality.

The rail and dock workers' unions represented at the seminar, he said, had

also expressed their interest in affiliating to the ITF — a clear sign that they had been impressed by the event.

All in all, Hoda felt that the seminar had been an outstanding success and he hoped it might lead in time to the setting up of a national federation of transport workers that would unite transport workers and give them a stronger voice in the Philippine labour movement.

Kuala Lumpur was the venue for the final seminar of the series, which took place on 29 and 30 August, preceded by a meeting of the ITF Malaysian Council which elected two new education officers.

The seminar brought together thirty participants, all from ITF affiliated unions, who dealt with a variety of topics.

The Malaysian government's eagerly espoused privatisation and deregulation policy has far reaching consequences for labour, not least in the transport sector, and accordingly much of the time of the seminar was devoted to discussion of this topic and the implications for organised labour.

The members of the powerful railwaymen's union RUM are a key group that will be greatly affected by the planned sell-off of the railways, while workers at the Port Klang container terminal have already felt the effects of privatisation in their sector.

Other topics touched on by the participants included the social consequences of technological change — a perennial topic of great interest to workers in the transport sector — and the vexed question of trade union rights in a country where the government follows policies designed to keep the labour movement weak and fragmented and not infrequently imprisons prominent union leaders.

ITF Malaysian Council chairman V David has recent first hand experience of Malaysian jails. Though he was placed under virtual house arrest when he was eventually released these deeply onerous restrictions were subsequently lifted and he was able to play a prominent part in the seminar.

# Food workers' international congress

The 21st Congress of the International Union of Food and Allied Workers' Associations (IUF) was held at the ILO in Geneva from September 12 to 16, 1989. More than 285 delegates from 115 affiliated unions in 54 countries decided on the priorities for the work of the IUF over the next four years.

Congress voted unanimously for an amendment to the IUF Rules adding six new reserved seats for women to a 29-member executive board, and requiring at least one titular and one alternate Vice President to be a woman.

Congress unanimously condemned the massive repression of human and

trade union rights in China, reaffirmed its solidarity with the labour federations COSATU and NACTU in South Africa and voted an emergency resolution to take urgent steps to defend human and trade union rights in Colombia, El Salvador and Guatemala, through pressure on governments by affiliates in their respective countries and an IUF delegation to these countries.

Congress supported long-running IUF campaigns against transnationals including the Japan Airlines-owned Nikko Hotel in Chicago in which the ITF's Japanese affiliates have been

trying to mediate, as well as recent steps to coordinate the exchange of information and action by affiliates with members at British American Tobacco, where over 300,000 jobs around the world are now under threat due to a hostile takeover bid.

The new IUF president is Lage Andreasson, who is president of the Food Workers' Union of Sweden and a former IUF vice president. Congress unanimously re-elected Dan Gallin as general secretary. The ITF was represented at the Congress by Research and Publications Secretary David Cockroft.

## Sierra Leone unions closer to unity

Activists from Sierra Leone's transport unions have been busy co-ordinating their work on the country's transport policy and on everyday problems faced by members. They were able to meet and exchange experience at two recent seminars sponsored by the ITF.

Members of the Sierra Leone Motor Drivers' and General Workers' Union (SLMDGWU) meeting at Kenema in July called on the Government to prioritise the improvement of the country's road infrastructure and to reactivate the regulation of fare and wage levels.

There was an appeal to the authorities to abolish road checkpoints within the country, which have been 'commercialised' by law enforcement officers (ie the police take bribes for letting drivers through). The participants also sought to develop co-operation with their Liberian counterparts, representatives of whom attended the seminar, to help tackle problems of cross-border traffic and smuggling, an activity which the seminar roundly condemned.

Shop stewards from the SLMDGWU, the National Seamen's Union and the Dock Workers' Union took part in a five-day seminar in Freetown later the same month. They called on all three unions and the Sierra Leone Labour Congress to speed up the process of merger now under consid-

eration in the transport union sector.

The participants highlighted the development of collective bargaining within the tripartite framework of the country's Economic Recovery Programme as the path to establishing good industrial relations and a con-

structive basis for economic progress.

The seminar was seen as a good precedent in equipping shop stewards to tackle wider economic and social problems, and the continued assistance of the ITF was sought in organising further such events.

## British Railway and Seamen's unions agree terms for merger

Terms for a merger between the British National Union of Railwaymen (NUR) and the National Union of Seamen (NUS) have now been agreed between the two unions. It is proposed that the NUS, which suffered serious financial losses in 1988 through the dispute with

P&O at Dover, will form a trade group within the merged union. If the merger is approved in ballots among the members which are planned for November, the new 130,000-strong union should be formally constituted at the beginning of next year.

## Solidarity-led government assumes office in Poland

The Polish Prime Minister, Tadeusz Mazowiecki, has gained the approval of the country's parliament for a government dominated by members of the trade union movement Solidarity. While Solidarity has taken twelve ministerial posts, among them those with key economic responsibilities, the Communists retain four ministries, including Transport, Defence and the

Interior. The remaining positions were divided between the Peasants' Party and the Democratic Party, the former allies of the Communists. As its ministers battle with Poland's alarming economic situation, Solidarity faces a crucial debate as to its own role and the future division of tasks between trade union work and political representation.



# ITF Railwaymen's conference

The attractive Spanish Atlantic coastal town of Santander was the setting for the ITF Railwaymen's Section Conference convened from 19 to 21 September.

Hosts of the Conference, which was attended by around a hundred and thirty delegates, were the FETT-UGT, who had put in a great deal of hard work behind the scenes to ensure that all went smoothly. The union also organised an interesting and varied social programme that enabled the delegates to experience something of the beauty of the surrounding region.

A number of dignitaries were present at the opening session of the three day conference. Welcoming delegates to Santander was the lord mayor Manuel Huerta Castillo. The Socialist government has always taken a keen interest in the work of the ITF and Transport Minister José Barrionuevo took time out of a busy schedule to address the assembled delegates, assuring them of his government's commitment to expanding the role of the railways in Europe. Also included in those who spoke were Jesus Cabezon Alonso, the local Euro MP as well as UGT officials Emilio Castañeda and Luis Angel Cardin. Victoriano Sánchez, FETT General Secretary (and ITF Board member) welcomed delegates on behalf of the FETT, and wished them success in their deliberations. Sánchez also acted as conference chairman for part of the proceedings, sharing this task with Jimmy Knapp of the British NUR and Rudi Schäfer of the GdED.

The ITF was delighted to welcome to the conference two leading railwaymen's officials of the Polish independent trade union Solidarity, Marek Danowski and Zbigniew Iwaniuk, for whom the conference represented a unique opportunity to speak to fellow railwaymen from around the world and to compare and contrast their experiences.

Railway companies in many countries have either already been privatised or have the threat of privatisation hanging over them and a great deal of interest was generated on this subject, which was the first item on the Conference agenda.

It is established ITF policy that the railways as an essential community service belong firmly in the public sector and a campaign of action to encourage increased use of the rails is well underway. As part of this pro rail action, the ITF is organising an international symposium in February next year in Geneva under the theme, "Railways, Environment and Transport Quality".

ITF Assistant General Secretary Graham Brothers brought delegates up to date on the arrangements for the symposium, mentioning the impressive list of industry figures who will be presenting papers. He urged affiliates to support this event and make every effort to attend. Other items discussed by the meeting included the findings of the ITF survey on the manning of high speed trains and 'railway information 1986' giving statistical information on railway developments, which it was intended to repeat to cover the year 1988. Delegates also exchanged information on the new rail technology that was being introduced in the different countries.

Within the scope of the conference, the British, French and Belgian rail unions, as those directly affected, also met to discuss the latest developments on the Channel Tunnel with a view to ensuring that the interests of their members are fully protected when the high speed rail services linking the three countries come into operation. Arising from their discussions, the unions decided to hold regular meetings in the run up to the opening of the tunnel so that they can exchange information on a systematic basis.

The third day was devoted to dis-

cussing European Community transport policy. Several non ITF unions, who are members of the EC Railways Joint Committee, were also invited to participate in this session. J H Rees, a director in DG VII, who had accepted an ITF invitation to speak to delegates, outlined the Commission's proposals for the railways and this provided the basis of a lively discussion as delegates sought clarification on some of the Commission's plans for the industry.

In the course of the conference three resolutions were adopted. These included resolutions on the elimination of asbestos insulation from railway equipment (submitted by the Dutch Vervoersbond FNV); and the Channel Tunnel (submitted by the British National Union of Railwaymen) welcoming its impetus to the development of a European High Speed Rail Network.

The Conference also endorsed a resolution adopted by the ITF South American Railwaymen's Conference in Buenos Aires in August 1989 calling on members of the Railwaymen's Section to urge their governments to take concerted international action to solve the debt crisis which was crippling Latin American industry generally and the railways in particular and which imposed such high social costs on workers and their families.

Two statements presented to the conference were also adopted: one, proposed by German Railwaymen's Union GdED, dealt with measures to protect the rail industry and the interests of European railwaymen when the Single Market is introduced and the other, submitted by the rail unions in Austria, Switzerland, Luxembourg and the Federal Republic of Germany, advocated increased use of the railways for both passenger and goods transport as being the only way to reduce levels of traffic congestion in towns and cities and ease the burden of heavy goods on the overcrowded highways of the Alpine transit nations.

# South American railwaymen's conference

A South American Railwaymen's Conference, sponsored by the ITF and hosted by the Argentinian locomotive-men's union La Fraternidad, was held in Buenos Aires from 15 to 17 August 1989. Delegates attended from rail unions in Bolivia, Brazil, Chile and Uruguay as well as from Argentina itself. They were joined by ITF Assistant General Secretary Graham Brothers.

Over the last two decades the railways in South America have been starved of investment, while vast sums have been spent on the construction of expensive highways, often inflating the external debts of the countries concerned. The Conference noted that the railways' benefits were consistently under-valued in terms of environmental protection and safety, and called for the pattern of underinvestment to be reversed.

Delegates underlined the potential of railways for stimulating economic development between the South American countries, particularly since modern techniques permit relatively straightforward solutions to one of the main obstacles to rail integration in the past — the variety of track gauges left by the foreign companies which built the original railways.

The Conference therefore called on governments to provide the missing links necessary for a pan-regional rail network and to re-instate lines recently closed. There was also a demand for trade union representatives to be able to participate in the committees responsible for administering the regional agreement that regulates international transport.

Delegates noted with satisfaction the return to democratic, civilian government in many of the countries and the gradual restoration of full trade union rights. The Chilean delegation expressed its confidence that the December 1989 presidential elections would see the election of the democratic movement's candidate Patricio Aylwin and the rejection of Pinochet's puppet candidate.

One of the highlights of the Confer-

ence was an illustrated presentation by the President of the Pan American Railway Congress Association, Juan Carlos De Marchi. Expressing his optimism that the railway revival occurring in Japan and Europe could be mirrored in South America, he urged the railway unions to use every opportunity to help increase public aware-

ness of the benefits of railway development and modernisation.

The present underfunding of the railways is linked to the more general problems of inflation and the crippling external debt burden in the region. The Conference sought the help of the whole ITF Railwaymen's Section in order to be able to address these issues further.

## ***Brenner blockade: ÖTV calls for balanced EC transport policy***

Restrictions on road transit traffic were the centre of a major international protest in September as thousands of truck-drivers, mostly owner drivers, blockaded border crossings between Italy, Austria and West Germany. Italian drivers, who were soon joined by colleagues from West Germany, were campaigning against the Austrian Government's traffic restrictions, which include limits on the number of transit permits and plans for a ban on night-time lorry traffic.

The protest was ended after eight days when the Italian Transport Minister promised to obtain permits for all the protesting drivers, although disruption may be resumed when the night traffic ban is introduced in December.

The dispute should be seen in the light of rising pressure from environmentalists in Austria, who are concerned at the pollution caused by the volume of truck traffic using the busy transit routes between Italy and West Germany. The Austrians have also accused the Italian Government of failing to implement earlier agreements on transferring freight traffic to the railways. Representatives of the Green movement in Austria have blamed Italy's powerful motor manufacturers and the haulage lobby for encouraging continual increases in road traffic.

Concerned by these events, the West German transport workers' union ÖTV has issued a statement on transport policy in the European Single Market. Arguing for an integration of transport policy with environmental concerns,

the statement points out that transport workers are not only implicated in damage which is caused to the environment but also suffer the consequences themselves. While transport policy should aim to reduce air and noise pollution and energy consumption, working conditions should also be "humanised", for example by cutting down night driving.

Unlike West Germany's Transport Ministry, the ÖTV and other unions do not support increased investment in road-building but favour the more environment-friendly alternatives of public transport and inland waterways as well as an increase in facilities for multi-modal transport.

The ÖTV points to the recent conflicts over lorry traffic as an indication that even under the Single European Market transport cannot simply be abandoned to market forces and that the State has an important regulating function to fulfil.

**Stop Press:** Press reports from West Germany have brought to light some interesting details concerning the protests on the Austrian border. While many small haulage firms lost perishable cargoes in the blockade and suffered serious business losses that may drive them into bankruptcy, the South Tirolean entrepreneur leading the protest, Eduard Baumgartner, is reported to have diverted his own cargoes through France and to have sent empty trailers to the blockade. The ÖTV has sharply distanced itself from the protest.

# British river disaster — a test for new safety board

Over fifty lives were lost when a pleasure boat, the *Marchioness*, collided with a 1,880-tonne deadweight aggregates dredger, the *Bowbelle* on the River Thames in Central London on August 20th. The accident probe will be an early test for the newly-created Marine Accident Investigation Branch (MAIB).

The establishment of the MAIB was one of the changes made in the wake of the Zeebrugge tragedy. There had been concern that supposedly independent inquiries were being carried out by the very people who might ultimately be responsible for the accidents — the staff of the Department of Transport's Marine Directorate.

The MAIB is part of the Department of Transport but it is separate from the Marine Directorate. It aims to establish its independence and identity in the same way that the Air Accident Investigation Branch has done in the aviation field.

The inquiry will have to establish why the two vessels collided in bright moonlight on a clear night, especially since the *Marchioness* was brightly lit for a party on board.

It will also consider why the *Marchioness* sunk within two or three minutes, giving people no time to escape. Ships capable of operating in coastal waters are required to be able to

stay afloat for 30 minutes following a serious collision and have to have bulkheads below the water line to limit flooding. The *Marchioness* was not thought to have been sub-divided below the water line.

The *Marchioness* was required to carry a crew of just two for a licensed complement of 149 passengers. Even if the *Marchioness* had stayed afloat for longer than she did, the crew still might not have been able to evacuate all the passengers.

The major question is why the master of the *Bowbelle* failed to sight the pleasure launch. The bridge of the *Bowbelle* is well aft, set down into the superstructure which is itself kept very low to enable the craft to pass under the upriver bridges.

Nevertheless, there must have been an arc under the bow where it was difficult for the master to see. An important question therefore is why there was no lookout on the bow.

Measures to control river traffic are becoming more urgent as its volume increases. The number of pleasure craft has doubled since 1984 and during the day there are also fast motor catamarans on the river used by the Thames Line river bus company for commuter services. Barges on the Thames last year moved 7m tonnes of freight.

A full-scale public inquiry of the

kind that followed the Zeebrugge accident is not planned although one could be quickly appointed under the Merchant Shipping Acts. Such an inquiry would have a wider scope than the Transport Department investigation and could consider issues such as the advisability of allowing alcohol on late night parties on the river and whether Thames pleasure boats should be brought under the jurisdiction of the independent Health and Safety Executive.

At the end of August, the MAIB published its interim report on the disaster and new safety measures were announced. Vessels of more than 40 metres long with the wheelhouse aft will have to station a lookout in the bow while navigating the Thames. The lookout will have telephone or radio contact with the wheelhouse and should report all sightings.

The ITF-affiliated UK merchant navy officers' union NUMAST is drawing up a set of proposals for improving ship safety in estuarial waters for presentation to the Transport Secretary Cecil Parkinson.

The union has called a series of meetings with members with specialist experience of estuarial waters. The aim is to harness this expertise into recommendations for improvements in procedures.

## ***KOKURO fights for displaced railway workers***

Efforts to ensure that railway workers adversely affected by the breaking up of Japanese National Railways get a fair deal have dominated the programme of the ITF-affiliated Japanese National Railway Workers' Union KOKURO ever since the government first announced its privatisation plans and are still continuing, as was evident at the union's 54th annual convention held in Tokyo from 2 to 4 September.

While KOKURO has had some success in securing re-employment for many displaced railway workers, it has often been at the cost of their having to move home to the huge metropolitan areas of Tokyo and Osaka. Many more are still looking for work in their home regions, while previous operating staff now find themselves in more menial occupations, though still in railway employment.

It was against this background that delegates to this year's KOKURO Congress decided to concentrate efforts in the coming year on seeking the restoration of normal labour-management relations in the rail industry.

In a message of solidarity to the KOKURO convention, the ITF expressed its support for the union's struggle on behalf of unemployed ex-national railway workers.

# Singapore prepares for road pricing

The government of Singapore is about to start a road pricing pilot project.

Electronic number plates on cars will trigger sensors under the streets allowing every kilometre of Singapore's roads to be subject to a variable road charge for car use. Charges, which would be billed like other utilities, would vary according to time of day and area. Peripheral zones would probably remain free, with charges increasing as cars approach the congested city centre.

Particularly notorious bottlenecks would be charged at the highest rates.

The Singapore government is now having discussions with computer software companies about the final specifications of the system before beginning the pilot project. The full system of road pricing could be in place by the mid-1990s.

Road pricing is advocated by many radical transport analysts and public

transport lobbyists as an effective method of restricting the ever expanding growth of passenger cars and generating funds for public transport. A pilot project was tried in Hong Kong a few years ago, but was dropped because of intense political pressure from the automotive lobby. A number of North American and European cities are currently considering the idea, and the Singapore experiment will be closely observed by many transport authorities.

Singapore already maintains an effective area licensing system, where fixed entry tolls are charged for cars entering the central areas of the city during the morning peak hours.

Since 1975, from 7:30 to 10:30 (except on Sundays) motorists have had to pay five Singapore dollars to enter the central business district. The only exceptions were goods vehicles, buses and cars with four passengers.

The system has now been extended

to include the afternoon peak hours, and the exemptions for full cars and goods vehicles have been eliminated (though the overall charge has been cut to S\$2).

Singapore, as a rapidly developing and increasingly affluent city-state, has been taking a number of measures to restrict the ten per cent annual growth in car ownership in the country. Automobile taxation is very high, as is the cost of gasoline and parking (there is almost no free on-street parking in the city). Public transport has been heavily developed, and a new light rail mass transit system has succeeded in attracting a substantial proportion of commuters off the roads.

These stringent traffic control measures are clearly working. The average speed of traffic in the central business district is 32 kilometres per hour during peak hours — more than twice the average speeds in London, Rome or Paris.

## German study pinpoints driver strain factors

A detailed examination of sickness and labour turnover among goods vehicle drivers has been produced by the Federal Office for Labour Protection in West Germany. The study, to which the transport workers' union ÖTV contributed, emphasises that it is complex patterns of occupational stress rather than any single factor that explains the incidence of illness and turn-

over. It also addresses the problems of personal 'strategies' adopted by drivers to cope with strain, such as smoking and tablet-taking, which can create additional health risks. While the ÖTV intends to make use of the study in developing its services to members in the goods vehicle sector, the Labour Protection Office is to use European Community money to investigate the

improvement of en route facilities for drivers.

The report in German—*Krankheiten und Berufsverläufe von Kraftfahrzeugführern des Straßengüterverkehrs* — can be ordered from the ÖTV Abteilung Güterverkehr, Spedition, Handel, Lagerei at: Theodor-Heuss-Straße 2, 7000 Stuttgart 1, West Germany.

## TRAVEL BUREAUX

# ITF and IUF join forces for ILO meeting

Research & Publications Secretary David Cockroft represented the ITF at a special meeting of the International Union of Food and Allied Workers' Associations' Hotel and Catering Section convened to discuss preparations for the ILO Hotel Restaurant and Tourism Committee in December.

The meeting, held on September 12 in Geneva, planned the strategy for the

Committee which will be a first opportunity to discuss international labour standards in the sector.

The ILO Conference, meeting next June, will discuss in detail the drafting of a possible International Convention protecting workers in the tourism industry, who are among the worst paid and most heavily exploited of any sector.

The ITF travel bureau affiliates, as well as unions representing cruise ship and aviation catering employees, have been asked to secure inclusion in national delegations for the ILO meeting, and the ITF will be sending its own delegation to back up the IUF which will be assuming the major role of coordinating the workers' group.

## Philippines Supreme Court victory for crew rights in FOC campaign

Eighteen Filipino seafarers have won back their full wages and had the criminal charges against them dropped after a judgement in the Supreme Court of the Philippines on August 15th. The victory represents a major boost to efforts to secure ITF pay rates for Filipino seafarers.

The dispute dates from 1978, when the seafarers were crewing the *Grace River*, which sailed first to Vancouver, Canada and then to Yokohama, Japan. While the ship was docked in Vancouver the Canadian Brotherhood of Railway, Transport and General Workers (CBRT) and the ITF successfully brought pressure to bear on the owners to pay the crew ITF rates. The crew supported this demand by displaying placards, although they did not stop work, and managed to secure a total of some \$98,000 to make up their wage levels.

However, on reaching Yokohama the ship was met by a representative of the National Seamen's Board (NSB — now the Philippine Overseas Employment Administration), who induced the crew to sign an agreement which was subsequently adjusted to state that the seafarers were only holding the extra payments in trust for the shipowners. When the ship arrived back in Manila, the owners demanded the money back. When the crew members refused some of them were charged both with breach of contract and with criminal offences.

Proceedings before the National Seamen's Board and the National Labor Relations Commission upheld the owners' claim that the seafarers had breached their employment contracts by seeking the extra pay with the assistance of a third party — the ITF. The crew members were also banned from the NSB seafarers' register for three



Filipino lawyer Pompeyo Nolasco, who represented the crew.

### *Campaign extended to offshore industry*

The ITF campaign against flag of convenience shipping has been formally extended to include offshore mobile units.

The ITF Collective Agreement for Crews on Maritime Mobile Offshore Units (MMOU) was released to the world at a press conference held in Aberdeen, Scotland on September 18th.

The ITF's agreement establishes minimum working conditions applicable to all employees working on board any offshore unit. The agreement covers crews working on flag of convenience offshore units and also provides a model set of guidelines for negotiating national agreements on national flag MMOUs.

The basic wage set for an Able Seaman/Roustabout is US\$952, with a consolidated total, including leave on a one on-one off basis, of \$1,535. Additionally, the agreement stipulates working hours, rest periods, manning levels, sick pay, accidental death compensation, disability compensation, repatriation and termination of contract conditions.

The ITF is confident that the agreement will be successful in improving the working conditions of offshore personnel worldwide and also in enforcing a minimum set of standards. To this end, the Norwegian State oil company STATOIL already insists that any unit chartered by them for operations in the Norwegian sector of the North Sea must have an ITF-acceptable agreement. There are also negotiations going on between ITF affiliates and other major oil companies for similar arrangements. Such developments are a major step forward for all offshore workers.

years.

However, at the Supreme Court this was overturned and the judge confirmed that, as the seafarers were merely exercising their freedom of speech in supporting the claim for ITF wages, the alteration of their original NSB contracts to meet this demand was permissible. As the extra pay was obtained lawfully, it followed that the criminal charges should also be dropped, the Supreme Court held.

The case affirms that the contracts issued by what is now the Philippine Overseas Employment Administration represent a minimum which is open to improvement, and that Filipino crews have the right to mount peaceful protests in support of such improvements. This decision will make intimidation of Filipino seafarers by manning agents considerably more difficult.

# 'Breakthrough' victory in Swedish NIS action

After a blockade in Gothenburg the Swedish Seamen's Union (SSU) has succeeded in securing an agreement with the Swedish owners of the *Dahlskjer*, a vessel registered in the Norwegian Second Register (NIS). The agreement has been seen as a breakthrough by the union's President Anders Lindström.

Many non-Norwegian vessels, among them around ten from Sweden, are registered in the NIS. At an ITF Fair Practices Committee meeting a few years ago it was decided that non-Norwegian-owned vessels in the NIS were to be regarded as FoCs. The ITF's decision means that the Swedish unions have negotiating rights for Swedish-owned vessels in the NIS.

This March the SSU took action

against the NIS-registered *Dahlskjer* in Husum after it was discovered that the ship was owned by the Österdahl brothers in Kalmar. The vessel was blockaded after the owners refused to negotiate over a Swedish agreement. During the blockade the *Dahlskjer* took the opportunity to slip away unloaded. The union subsequently negotiated with the owners in Gothenburg several times without result.

The Norwegian Transport Workers' Union and the Norwegian seafaring unions, who had been approached for support, then demanded that the authorities drop the *Dahlskjer* from the NIS. When the *Dahlskjer* arrived at Gothenburg at the end of August she was immediately blockaded with the support of the Swedish Transport

Workers' Union, the Ship's Officers' Union and the Ship's Engineers' Union. After three days of negotiations the owners were forced to eat humble pie and signed a Swedish agreement for the *Dahlskjer*. The Deep-Sea Agreement is now valid for all employees on board. The seven Polish crew members are joining the SSU.

"It is of great significance, not only for us but also for seafarers' unions in other countries, that we succeeded in gaining an agreement for the *Dahlskjer*," said Anders Lindström. "It is no exaggeration to say that it is a breakthrough in the fight against foreign-owned vessels being in the NIS or in second registers in general."

*Thanks to Lennart Johnsson (SSU-Sweden) for this story*

## Ship's arrest wins backpay for crew

Injustice is injustice whether a large number of seafarers are involved or whether — as in this case — it is just two men, cheated of their pay, who ask for help from the ITF.

The 299 grt coaster MV *Sinus*, previously under the German flag but bareboat chartered to Antigua, had signed an ITF agreement in Norway on 27 August but was known not to be abiding by its terms. A substantial back pay claim was also known to exist for its crew.

So when, on the evening of Sunday 10 September, NUS Ship Inspector Bryan Allen received a call from one of the crew telling him that the ship had put in to Felixstowe he lost no time in going on board.

Early the next morning he was on the ship talking to two Ghanaian deckhands about the money owed to them from the start of their six month contracts back in April.

Allen tried to talk the matter over reasonably with the master but did not get very far. The master became very heated, accused Allen of using mafia-like tactics to extort money from him and then put the meeting to an abrupt halt by dashing off ashore.

By this time it was clear to Allen that the men would have no chance of getting their money short of arresting the ship.

So, he contacted the ITF's lawyers and asked them to make the necessary arrangements.

He then went back to the ship only to find that the master had locked himself in his cabin, presumably so as to evade any further dealings with Allen.

The afternoon was spent discussing the men's claim with the company's legal representatives. They said they could not make any promises without instructions from Hamburg and so Allen left, saying he would be back early in the morning.

When he got home, Allen found a message from the port chaplain at the Felixstowe Seamen's Centre informing him that the master had been down to the centre and had told the two crewmen that they must return to the ship or he would make sure they were arrested by Immigration and deported.

Whilst Allen was on the phone talking to the chaplain the master did indeed turn up in the company of an immigration officer and a number of policemen who attempted to take the

crew members into custody. Allen was able to get in contact with the chief immigration officer who promised that his department would take no action as long as Allen undertook to keep Immigration fully informed about the situation.

So, Allen arranged overnight hotel accommodation for the two men with the intention of taking them back to their ship the next day.

But the master refused to let them on board.

Back to the centre they went for a meal when who should turn up but two immigration officers and a police escort. After considerable argument it was decided that the men should be taken to the police station for questioning.

While all this was going on the *Sinus* had slipped quietly out of port but fortunately for Allen had anchored just upstream.

Here at last was a chance to hold it.

Luck was with him. For if the *Sinus* had still been under the German flag it would have been necessary to give two weeks' notice of intended arrest — and

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# Worldwide FOC inspectors' meeting

Flag of convenience inspectors from all over the world gathered in Eastbourne, England from September 4-7 for the ITF's Worldwide FOC Inspectors' Seminar.

There were 42 inspectors from 23 unions in 18 countries at the meeting which will, from now on, be an annual event.

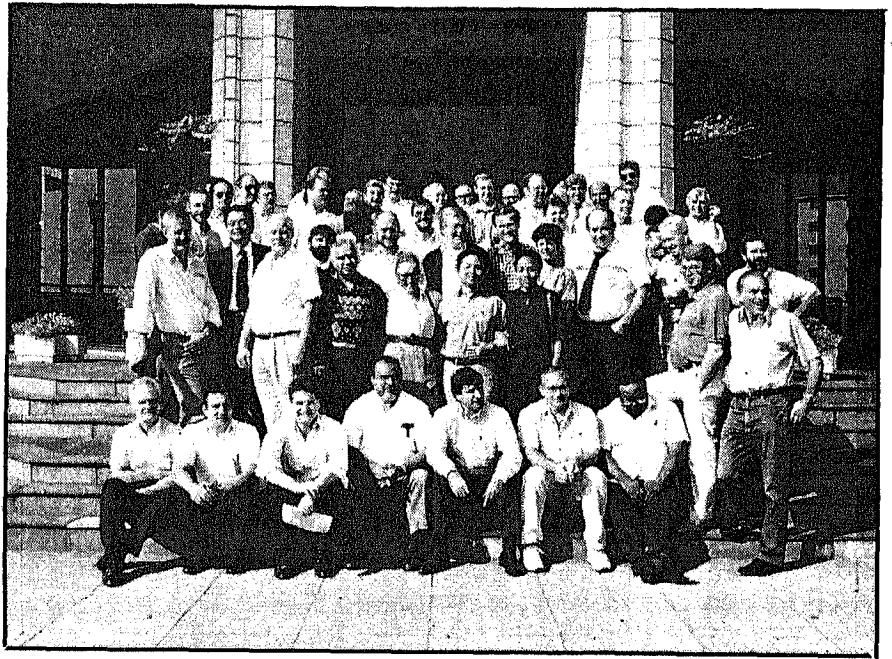
The seminar agenda was packed with detailed, informative sessions on the nuts and bolts of the ITF campaign against Focs.

Topics discussed included routine inspections of ships, handling claims, ship's actions, ITF acceptable agreements, the use of computers for communications, press relations and international maritime and labour standards.

A number of different legal advisers from different parts of the world briefed the inspectors on current legal battles (and victories, such as the *Fareast Trader* and the *Grace River* cases covered elsewhere in this newsletter).

ITF Assistant General Secretary Åke Selander, Special Seafarers' Department Secretary Brian Laughton, and Research and Publications/Dockers' Section Secretary David Cockroft were all present, along with a number of ITF Secretariat staff.

The main sessions and workshops were strongly supplemented by the informal contacts between the inspec-



The Inspectors gathering outside the TGWU Centre (Eastbourne, England) where the Seminar was held.

tors. Many new friendships were established, and inspectors working in different and diverse ports at varying ends of the globe were able to exchange notes and generate greater sense of common purpose and solidarity about their work:

"Up to the 3rd September we were a bunch of people scattered all over the world, and though quite many of us knew what was going on around them and knew what they were doing, still it is now evident that whatever efforts

were being made an essential element was missing — that of a collectively organised effort. We have been hitting out with open palms rather than using fingers, now we can say we could consolidate our striking power by consolidating our palms to a fist" said John Mansueta from the Maltese General Workers' Union.

Many of the participants left feeling that the campaign had received an

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## ...US\$15,000 in pay plus repatriation

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the coaster would have got clean away. But because the ship had been transferred to Antigua under the bareboat charter arrangements it was possible to order an immediate arrest.

So, an arrest warrant was speedily drawn up and served by 5.30 that evening.

But there was still more work to be done, including the swearing of crew affidavits. Allen also contacted the agents who by this time must surely have realised that he meant business. They suggested a meeting and Allen

promptly agreed.

After some shilly-shallying a 'final' offer of US\$5,000 a man was suggested.

Allen told them just what he thought of this offer. Two more 'offers' were made before a final agreement was signed that brought an end to the two men's troubles.

Under the terms of the settlement, it was agreed that the men should receive ITF base rates from their engagement on 10 April to the expiry of their contracts on 9 October 1989.

They would also be paid the over-

time pay they were due of US\$4,571.20 and US\$5,108.48 as well as leave and subsistence for the full six month contract. One of the seafarers was also paid the balance of his wages for the month of August — US\$257.07.

In all, they received between them US\$15,000.

Arrangements were also made for the two to be repatriated back to Africa.

With the money safely their pockets, the two crew members are now back home with their families, happy men indeed.

# Legal challenge against ITF and SSU fails

Attempts by an anti-union law firm in Sweden to put a spoke in the wheels of efforts by the ITF and the Swedish Seamen's Union (SSU) to prevent the exploitation of seafarers have ended in fiasco. The *Navigator* case was a classic example of the deceitful methods used by the Claes Palme legal practice.

An ITF agreement was reached for the Liberian-registered *Navigator* in December 1988, after the Swedish unions threatened the owners, the Radiant Company of Liberia, with a blockade. The settlement included 425,000 kronor (almost US\$65,000) in back-pay for the Polish crew-members.

After a few months resentment supposedly grew up among the Polish seafarers against the SSU. In fact, according to SSU official Malte Segerdal, the 'resentment' originated at the Palme law firm. It was claimed that the Poles had not received their back-pay, and the law firm, claiming to represent

the seafarers, asked for the money to be sent to its office.

However, union records in Sweden showed that 17 out of the 18 crew members had received their money, and the bank in London that handled the payments was able to furnish proof that the remaining seafarer had also been paid.

The matter has now become even more embarrassing for the Palme law firm. A majority of the Poles wrote to the court in Gothenburg that was dealing with the case, saying that they had never considered taking action against the union. Because of language difficulties they had not understood the nature of the document they had been asked to sign, and they had also been placed under severe pressure by the ship's Captain.

In their letter to the court the Polish seafarers pointed out that the Palme law firm had no mandate to act against the union on their behalf, and instead



Malte Segerdal

requested the SSU to represent them against Palme!

Thus the law firm's attempts to cast suspicion on the ITF and the SSU resulted in a major fiasco. "Hopefully the firm will refrain from defamation and lies in any future dealings with ITF activities in Sweden," concluded Malte Segerdal. "But we do not have too great hopes of Palme and his cronies." Thanks to Lennart Johnsson (SSU-Sweden) for this story

## UK probe into FOC tanker collision

The UK Department of Transport's new Marine Accident Investigation Branch is to be put to the test after two oil tankers collided off the Humber Estuary on the East coast of England on September 17th.

The two vessels — the Liberian-registered *Phillips Oklahoma* carrying over 50,000 tonnes of crude oil, and the Maltese-registered *Fiona* carrying 46,500 tonnes of low sulphur fuel oil

— were involved in the accident early in the morning while the *Fiona* was at anchor. Fires which broke out on the two ships were brought under control by crew members and by firefighters flown in from the shore, and all but a minority of essential crew were evacuated from the *Phillips Oklahoma*. Foc inspector Harry Shaw visited the crew to see their immediate needs were being attended to.

Although the ships were saved and a bosun who went overboard was recovered by a UK Navy ship, around 900 tonnes of crude oil escaped into the sea from a fractured tank in the *Phillips Oklahoma*.

Aircraft were mobilised to spray dispersant on the escaped oil, which formed a 20-mile slick only five miles off the coast. Prompt action ensured that the immediate threat to the coastline was averted, although the effects on wildlife at sea will be much more difficult to control.

The Marine Accident Investigation Branch now faces the task of establishing the cause of the accident. The Labour Party's transport spokesperson John Prescott has pointed to communications problems on board multilingual FoCs and to Government cutbacks in expenditure on coastal radar equipment as factors which increase the safety risks in such situations.

## ...Inspectors' meeting

Continued from page 15

important boost, and, more importantly, that the pendulum had started to swing back:

"Before I came here I thought the ITF campaign was running out of steam, I was quite disenchanted," said Edd Morris from the Seafarers' Interna-

tional Union. "But now I feel a lot better and I'm going to be working as hard as I can when I get home."

The overwhelming response to the seminar was positive. Suggestions for more small workshop sessions and an extra day of meeting next year were endorsed by Assistant General Secretary Selander at the end of the meeting.



# Wisco line to be revitalised

Plans are being made for the revitalisation of the regional Caribbean line Wisco — jointly owned by the nine nations — in a bid to challenge the dominance of foreign carriers in the region. Caricom has appointed a maritime consulting company to oversee the restructuring of the company. Private sector equity participation in the company on a minority basis — possibly involving foreign investors — is one of the leading options currently under consideration by the partner nations. The 'new' Wisco should be in place by 1992.

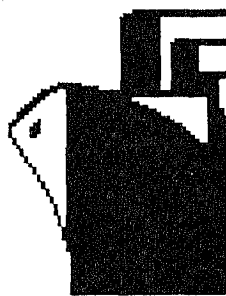
well decide to back an earlier Ministry of Transport working group recommendation on these lines, in which case legislation could be before parliament as early as next spring. The Finnish merchant fleet has declined from a peak of 2.5 million tonnes to only 900,000 tonnes and though it has now stabilised owners warn that additional

Any moves that would lead to a job losses among senior officers would be strongly resisted by the British officers' union NUMAST which has already lobbied strongly against the rule changes for junior officers, though unfortunately without success.

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## The ITF's regular flag by flag roundup

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The Mediterranean island of Cyprus is making a determined bid for new tonnage. The island's first Maritime Cyprus conference took place earlier this month and a second conference has already been set for 1991. Like other nations anxious to attract new shipping business, the island is promoting itself as an international maritime centre offering what President Vassiliou, who opened the conference, called a 'flag of progress' able to compete with the more traditional registers. However, new legislation based on Greek maritime law has suffered something of a setback and a leading Cypriot owner, whose ships make up the backbone of the Cypriot fleet, says that if the existing British legislation is replaced many owners might well think twice about registering.

Finland could soon have a second register modelled on the lines of that in neighbouring Denmark. A government committee has been asked to investigate measures to stem the flow of tonnage from the national flag and could

government assistance is necessary to prevent further flagging out, particularly in the hard pressed Baltic and North Sea trades. However, the government has not yet ruled out other options. Dual registration of Finnish vessels, for example, is under consideration, with bareboat chartered ships permitted to adopt a foreign flag and take on non-Finnish crews. The fact that the Danish flag has grown since the introduction of the DIS — it now stands at 530 ships of 7.5 m tonnes with a healthy order book — could well influence the government in favour of the second register path.

The Isle of Man register is suffering the first setback since it was set up four years ago. Companies leaving the register have cited restrictions on officer manning as a reason for their defection to other flags, a fact that raises fears that the register will allow EC nationals to take not just junior but — more controversially — senior officer posts, which were previously restricted to British and Commonwealth citizens.

In an overdue move, the Japanese government has promised to help Japanese seafarers who lose their jobs when mixed manning is introduced to find work on foreign flag ships. The Transport Ministry is concerned that the skills of the country's highly trained seafarers should not be lost to the industry and has agreed to make payments to the Seamen's Employment Centre of Japan that will permit the SECJ to

make up a proportion of the extra costs involved in taking on the more high cost Japanese seafarers. It is expected that the government action will enable around 250 displaced Japanese seafarers to find jobs on foreign ships.

Liberia, though it still tops the league table, has been feeling the stiff breeze of competition from the growing market in second flags. The world's premier convenience flag lost 1.7 million gross tonnes last year on top of a steady decline that has continued unchecked throughout the eighties. To re-establish the flag's supremacy, the government has decided that a flat \$2,500 per vessel administration fee should replace the previous \$1.20 per net ton initial fee levied on new ships. The changes will benefit tanker owners who stand to save more than \$100,000 on first registering a VLCC, while registration costs for combination carriers and Panamax bulk carriers will also fall substantially as a result of the simplified fee structure.

# World Driftnet ban demanded

South Pacific nations are threatening to take the issue of Driftnets to the United Nations in an effort to enforce a worldwide ban on their use.

But while Japan and Korea have agreed to eliminate or massively cut back the use of the nets which have been described as "marine strip-mining", concern is now mounting over the growth of Driftnetting in the Mediterranean.

Following New Zealand's decision to ban Driftnetting in its coastal waters and bar Driftnet ships from port calls (see *ITF News* August 1989), the 15 member states of the South Pacific Forum (SPF), meeting in Kiribati, declared the monofilament nets that are stretched for 30-50 kilometres in width and a depth of up to nine kilometres to be "indiscriminate, irresponsible and destructive."

The SPF stated that Driftnetting "threatens the survival of the albacore tuna resources and so the economic well-being of the Forum Countries."

In response to representations from the SPF, the South Korean government have now given a commitment to eliminate the use of the nets. The SPF called on the other two major Driftnetting nations — Japan and Taiwan — to "abandon immediately their damaging driftnetting operations."

The SPF has decided to draft a convention covering their collective territorial waters that would ban driftnetting and port calls by the driftnet fleets. The government of New Zealand has suggested presenting this convention to the next session of the United Nations general assembly with a view to making the ban global.

On Tuesday September 19, Japanese government officials announced that the Japanese driftnetting fleet was to be reduced by two-thirds in size. They said they would not consider banning driftnetting completely until a lengthy study of the effect of Driftnetting was completed.

The Taiwanese government have not

reacted to the SPF's demands.

Meanwhile, it has emerged that tuna and Swordfish fishing vessels from Italy and Spain are driftnetting in the Mediterranean.

Using nets as wide as 25 kilometres and 12 kilometres deep, they have been responsible for the large scale killing of whales, dolphins and turtles.

Coast guard officials have said that the Driftnets are causing havoc throughout the Western Mediterranean.

This summer, according to coast guard officials in France, the Driftnets have disrupted navigation in the crowded Mediterranean as well. Boats have been forced to make large detours, and because they are often poorly marked, outboard motors and small craft have been damaged by the nets.

French scientists claim that, in the

last two years, more than 200 dead whales and dolphins showing net markings and having slashed fins, flippers and tails have been washed ashore on the coasts of Italy and France.

"This slaughter is just the tip of the iceberg," Giuseppe Notarbartolo (a member of a network of marine zoologists monitoring the animal strandings in Italy) told the *International Herald Tribune* newspaper. "We could only count the animals that did not sink."

European scientists assert that Driftnets are compounding the threats to a fragile sea already strained by large coastal populations, pollution and dwindling fish stocks.

Notarbartolo and other scientists, meeting in August in Rome, have called for the European Community to implement a ban on Driftnets.

## Vessel safety must be improved

The improvement of safety and working conditions on fishing vessels deserves the highest possible attention by all relevant international organisations, national governments and the industry itself. That was the main conclusion of the International Symposium on Safety and Working Conditions Aboard Fishing Vessels hosted by l'Université du Québec, from 22-25 August in Rimouski, Canada.

The meeting, organised jointly with the International Labour Organisation (ILO) and the International Maritime Organization (IMO), was attended by more than 300 delegates. The symposium provided fisheries' health and safety experts and scientists with an opportunity to share their ideas and experiences with representatives of the fishing community.

There were four main themes in the symposium: marine casualties and accidents aboard fishing vessels; safety of fishing vessels and search and rescue operations; technical innovations and improvements to working and

living conditions on board; and training of fishermen in health and safety on board.

In addition to the call for the enhancement of safety and the improvement of working conditions on board fishing vessels the symposium also called for governments and international organisations to address the following issues as a matter of urgency:

The collation of statistics on marine casualties and accidents on board fishing vessels; The overall safety of fishing vessels, medical research and the effectiveness of search and rescue facilities; How new technology can improve working and living conditions on fishing vessels; and Training of fishermen and developing their awareness in health and safety on board fishing vessels.

The ITF was represented at the meeting by Mark Dickinson (Seafarers' and Fishermen's section).

A more detailed report of this conference will appear later this year in the new *ITF Fisheries Bulletin*.

# Eastern strikers mount mass picket line

On Labor Day — 4 September — Eastern's striking pilots finally completed their gruelling 3,000 mile 'March for Justice' which has dramatised the union fight against Lorenzo in a manner that will not easily be forgotten.

Their march, which has been dubbed "the longest picket line in American history", began on August 12 with a kick off rally in front of Eastern's Miami headquarters addressed by ALPA President Hank Duffy.

The long trek was to take them through the blistering heat of the Florida summer all the way up the eastern seaboard of the United States through thirteen different states to New York City where they arrived bang on schedule in time to head up the Labor Day Parade.

The three thousand miles of their long march represented roughly

a mile for each pilot who had maintained solidarity on the picket line during a strike that by an intriguing coincidence was just six months old on Labor Day.

Each of the pilots marched for at least a mile before handing on the symbolic picket sign to a colleague. The non-stop march continued 24 hours a day.

As Hank Duffy pointed out the fact that the striking pilots preferred to march 3,000 miles rather than man one of Lorenzo's planes was eloquent testimony to their resolve to secure 'fairness at Eastern'.

Addressing the strikers before they moved off Duffy said he believed the people of the US wanted the *real* Eastern back in the air as a proud, profitable, full service carrier.

The public gave back that message loud and clear to the marchers. Passersby shouted their encouragement, while motorists hooted support and the nation's truckers used their CB radios to convey messages of solidarity to the picket line's rolling headquarters.

Members of Eastern's other two striking unions — the Machinists and Flight

Attendants — and other AFL-CIO trade unionists flocked to the mass rallies that were held in a number of cities on the route and cheered the marchers to the echo.

At the half-way point of the march, in Richmond, Virginia, where a major rally had been scheduled with the presence of AFL-CIO chief Lane Kirkland and the pilots' Hank Duffy, the striking pilots stood shoulder to shoulder with the state's striking coal miners who are engaged in their own long drawn out battle against a greedy employer.

Safely arrived in New York, the march was over but there was still work to be done. After a brief stop for the traditional Labor Day parade and the keynote addresses by labour leaders it was straight on to the motorcade which took them to the seat of government in Washington for an inter-union rally two days later on steps of the Capitol.

While the march dramatically symbolises the determination of all those involved in the strike against Lorenzo's asset stripping tactics at Eastern, the quiet behind the scenes efforts to ensure a settlement that is fair to organised labour continue as before.

The striking unions, with the support of the AFL-CIO, are continuing to press for President Bush to empanel an Emergency Board to arbitrate on the dispute and to appoint a neutral trustee to stop the sale of Eastern's assets.

Meanwhile, the general public is being urged not to fly Eastern or Continental until the dispute is over.

Eastern's unions have also testified before the House Aviation Subcommittee seeking a Department of Transportation investigation into Eastern's operating plan to see whether it has any chance of succeeding.

The unions have also argued for a change to federal aviation law to make asset stripping à la Eastern a thing of the past.

Needy strikers are receiving emer-

gency cash from a US\$ 1.6 million plus strike fund — the size of the fund, raised from unions and their members, is in itself a measure of the strength of feeling in the labour movement against Frank Lorenzo and the tactics he is adopting at Eastern.

While support at home is clear and obvious, the AFL-CIO has been deeply disappointed by the lack of any clear lead so far from SAS Chairman Jan Carlzon, whose company has a 10 per cent stake in Texas Air and a cooperation agreement with Continental.

Lane Kirkland has written to Carlzon saying that by sitting back and not taking a position on the strike the SAS chairman is acting against the best interests of Eastern's unions and as SAS is fifty per cent owned by the governments of Sweden, Norway and Denmark, these three governments are also "indirectly participating and condoning anti-union, anti-labour, and anti-people activities that would not be tolerated" in those countries.

In the latest twist, Lorenzo is reported as being prepared to sell a minority or controlling interest in Continental. Talks are believed to have taken place with interested parties — widely believed to be SAS and an unidentified partner. ITF unions in SAS have meanwhile been working behind the scenes to put pressure on Carlzon to intervene directly to resolve the dispute.

Six months into the strike things are by no means easy. But as the IAM's Ben Sharman made clear in his speech to the Labor Rally in New York.

"Our war with Lorenzo isn't over. ...The strike, continues, the boycott continues, everything continues until justice is won! .... We must, we can and we will carry on and finish the battle!"

\*As we go to press the bankruptcy court is examining the circumstances in which Lorenzo acquired Eastern — if it finds as the unions expect that he did not play the game by the rules then once again Lorenzo will be back in the hot seat.

# Australian pilots challenge Accord

Australian domestic air services have been virtually paralysed since late August by a major dispute initiated by the Australian Federation of Airline Pilots (AFAP) over a 29% pay claim. The Federation, which is not affiliated either to the ITF or to Australia's trade union confederation, the ACTU, is now in direct conflict not only with the employers but also with the ACTU and the Labor Government, whose joint Accord limiting pay rises to 6% is threatened by the pilots' example.

The pilots, who have argued that as professionals they deserve special treatment, initially mounted a series of rolling stoppages and then switched to working from only 9 am-5pm. The Government and the employers threatened them with legal action, and the Industrial Relations Commission issued an ultimatum for a return to work by August 21st.

When the ultimatum was not met the Commission cancelled the pilots' industrial agreements, thus officially de-recognising the AFAP. As the airlines began individual dismissal procedures, all 1650 pilots resigned en masse. Since then the airlines have been losing around A\$20m (£9.8m) a week, and with most tourists coming to Australia on multi-stop tickets there has been severe disruption to the tourist industry.

While Prime Minister Bob Hawke has maintained an aggressive stance against the pilots, describing some of their salary levels as an "obscurity", the ACTU has been concerned to prevent cabin crews and ground staff being laid off because of the dispute.

Fourteen international carriers have joined the Air Force and Navy in supplying aircraft to break the dispute, although Qantas pilots refused to become involved. Members of the ITF-affiliated Australian Flight Attendants' Association voted not to crew chartered aircraft when management refused to allow them to share out the work on a roster basis.

Meanwhile the domestic airlines have been advertising for replacement pilots, and one of the two main companies, Ansett Airlines — which is joint-

lyowned by TNT and Rupert Murdoch's News Corporation — claims to have induced some pilots to return to work under new contracts. Hawke even wrote individually on September 15th to all the pilots who had resigned, urging them to sign individual contracts with the airlines.

The pilots now fear that if the airlines are able to enforce new productivity provisions on those returning to work, then up to 30% of jobs will be cut altogether. In order to make sure that pilots are given representation for collective bargaining purposes, the ITF-affiliated Transport Workers' Union

of Australia has applied to the Industrial Relations Commission for permission to negotiate on behalf of the pilots.

Right-wing politicians have tried to exploit the dispute to attack the Government and the country's centralised system of pay-fixing. But several unions, while not supporting the AFAP's stance, have nevertheless become concerned at the collusion between the Government and the employers in using confrontational strike-breaking tactics, particularly in view of the de-regulation of civil aviation planned by the Government.

## *ITF survey of Cabin Crew conditions published*

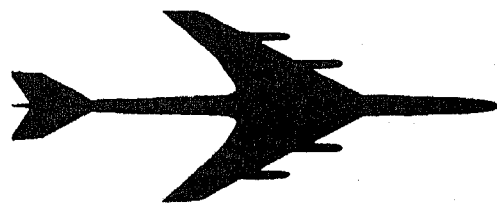
The ITF International Survey of Cabin Crew Working Conditions has now been published. Copies (in English only) are available on request from the Secretariat.

The survey, published in a new format, is based on information received from 19 unions in 18 countries and covers 24 airlines. It follows similar studies carried out in 1984 and 1986.

Included in the survey are sections covering pay, crew complement, duty times, cabin crew training and licensing, in-flight crew rest facilities, annual leave, sick leave and pay, special provisions for female cabin crew, retirement and other benefits and transport to and from the airport.

### ITF

**International Transport Workers' Federation**



**International Survey on  
Cabin Crews' Working Conditions**

— 1989 —

**ITF, 133-135 Great Suffolk Street, London SE1 1PD**

# European unions respond to liberalisation plans

Europe's civil aviation industry has moved one step closer to a fully deregulated environment. On July 19th, the European Commission announced proposals for the 'second wave' of liberalisation measures (see ITF News July 1989).

The package includes proposals for liberalising fares, changing the capacity sharing ratio to 75:25, increasing market access, multiple designation of airlines to routes and extending "fifth

freedom" rights and cabotage.

It remains to be seen whether Europe's aviation industry can avoid the evils of 'US style' deregulation — market dominance by monopolies, a lowering of safety standards and working conditions and a reduction of passenger choice.

Clive Iddon of the Committee of Transport Workers' Unions in the European Communities (the "Brussels Committee") has written to the Presi-

dent of the Council of Ministers Michel Delebarre outlining European transport unions' response to the Commission proposals.

In his letter, he stressed that the net effect of deregulation proposals will be "to bring about a significant further increase in capacity at a time when the entire infrastructure is overloaded...to breaking point."

The central concern of the unions is that the Commission is pressing forward with sweeping changes without first considering their safety implications.

Since new aircraft are in short supply, increased capacity will come from an ageing fleet. Some aircraft have already exceeded their intended life span.

Airspace is already heavily congested and Europe's air traffic control system is fragmented into 22 different control systems with 42 control centres linked only by a primitive communications network.

There is congestion too at airports, on the ground and on their approaches causing stress for ATC and flight staff alike.

Only total reliability in maintenance and emergency procedures, air-ground communications and communications between ATC sectors can ensure that accidents will be averted. Sufficient, adequately trained personnel and common standards are urgently needed to achieve these objectives.

It is vital that full consultation takes place as regards available

infrastructure before the liberalisation package is pushed through. Safety standards and working conditions must be harmonised.

Above all, Clive Iddon's letter calls for the establishment of a Joint Committee for Civil Aviation which would have to be fully consulted before deregulation measures proceed any further.

ITF Research and Publications Secretary David Cockcroft is due to represent the Brussels Committee at a meeting with M. Delebarre on October 6th, at which he will make clear to the minister the views of European aviation unions.

## Temps spark TAP cabin crew strike

The ITF-affiliated Sindicato Nacional do Pessoal de Voo da Aviação Civil (SNPVAC) struck on the 16, 21, 23 and 24 September. They are in dispute with TAP Air Portugal over wage negotiations, the contravention of regulations relating to cabin crew rest periods and the employment of temporary staff.

Portuguese cabin crew have suffered a drop in earnings of 13% in real terms over the last two years. The union is demanding an immediate increase of 8% to reverse this trend.

TAP is ignoring several provisions of the contract negotiated by the SNPVAC. Cabin crew personnel are entitled to a 48-hour rest period on reaching home base in Lisbon, or after a change of 60 degrees longitude. The Portuguese aviation authorities have confirmed that the cabin attendants are entitled to this rest period. TAP, however, continues to deny cabin attendants this right.

The employment of temporary staff lies at the heart of the dispute (see ITF News August). The SNPVAC recognises the airline's need to take on temporary staff during the busy summer months. But it has obtained a contract clause to stop temps being used to fill what would otherwise be permanent posts.

TAP ignores this contract provision. Even in the winter months, it typically employs 140 temps — 140 posts which should be filled by permanent staff.

The company also contravenes Portuguese law which requires that workers engaged on temporary contracts for

two years be given permanent status. TAP circumvents this by employing temps on a series of six month contracts. When they approach their two year limit, the temps are laid off. Usually, they are offered re-employment after six months but they are then treated as new employees.

These staff suffer all the disadvantages faced by most temporary staff. TAP also pays them 20% less than permanent workers. SNPVAC are demanding that at least 200 new staff are employed on a permanent basis.

The first strike on 16th September received widespread support. At least 27 European flights were cancelled and others were operating without full staff in the first 12 hours of the stoppage.

TAP has attempted to lure cabin crew staff from *Air Atlantis* to substitute for those on strike. This is a violation of Portuguese law which states that the employer "cannot, during a strike, substitute strikers by people who at the time of the declaration did not work at the establishment".

The following airlines have also operated flights on behalf of TAP: *Birgn, Air France, Aerolloyd, Swissair, Unifly, Martinair, Olympic Airways, Minerve* and *MEA*.

ITF General Secretary Harold Lewis has sent telexes to the chairman of TAP and to the minister of employment and social affairs asking them to intervene in order to bring about an acceptable settlement and has asked ITF affiliates for solidarity action where necessary.

# Cooperation deals between airlines increase

September has been a busy month on both sides of the Atlantic with **Lufthansa** and **Air France** — Europe's number two and three respectively — announcing details of a major cooperation agreement and **British Airways** lining up with **United's** employees and management in a \$6.75 billion buyout of the US's second largest carrier.

The most significant of these two events is undoubtedly the **United Airlines** sale which will turn **United** into the largest part employee owned business in the US and give its workers the power of veto over policy decisions, a rare if not unique distinction in US business circles.

The fierce six week battle for control of Chicago-based **United** ended when the offer put together by **British Airways**, the **Air Line Pilots' Association** and **United's** management was accepted by the company directors on September 14.

Under the deal, which still needs **Department of Transportation** approval, **UAL** employees will finish up with the lion's share of 75 per cent of the company, while **BA** will have a 15 per cent stake (as a foreign airline it is precluded from owning more than 25 per cent) and management will take the remaining 10 per cent.

The two other unions at **United** — the **Flight Attendants** and the **Machinists** — were not involved in the pilots' bid.

**ALPA**, quite naturally, is delighted with the result hoping that **United** may at last be entering calmer waters. It has unhappy memories of a bitter strike in 1985 and a previous unsuccessful union bid in the spring of 1987, which though fought off by the company, did lead to the ousting of former chairman **Richard Ferris**. A stable industrial relations climate, with close employee involvement in the company, could be one of the most positive benefits of the buyout.

As evidence of their good faith, **United's** pilots have already agreed a number of concessions which are believed to include a seven year no-strike

agreement as well as cuts in pay and medical benefits and shorter holidays.

It has been agreed that **United's** employees and its management should each get three seats on the company board, and **BA** one seat. The remaining eight seats will be taken by non-executive directors.

**Pilots' leader Frederick Dubinsky**, who is expected to take one of the employees' board seats, said the buyout represented "a major turning point in the labour-management relationship".

"It's the perfect marriage for **BA**" is one analyst's judgment on the bid for **United**, pointing out it would give the expansionary **British** company access to the **American** market and lucrative **Pacific** routes that are currently much sought after.

Also in the **United States**, **Delta**, **Northwest** and **Trans World Airlines** are considering a merger of their computer based reservation systems in a bid to counteract the marketing power of the **Sabre** and **Apollo** systems run by **American** and **United** which between them take more than half of the market share. **TWA** and **Northwest** already share **Pars**, which has a 15 per cent market share, while **Delta's Data II** system has a 9 per cent share.

Meanwhile, the shakeout in **European** aviation continues apace. The latest airlines to announce cooperation plans are the industry giants **Air France** and **Lufthansa**, who signed a wide ranging deal on 15 September that should make them formidable partners in the liberalised **European** aviation industry of the 1990s.

At a news conference in **Paris**, the two companies announced details of their plans which include cooperation on route scheduling, rationalisation of marketing and sales operations and the development of a joint computer system to handle air freight operations.

The two industry partners also intend to establish a joint catering company, to make their pilot training facilities available to each other and to harmonise their fleet acquisition programmes. Management staff will also be rotated between the two companies

as part of the deal.

A further possibility involves the joint development of new long haul routes, including one linking **Germany**, **France** and the **French West Indies**.

The agreement is being seen as a natural extension of the cooperation that has existed for some time between the companies within the **Atlas** airline maintenance group and the **Amadeus** computer reservation system. There can also be little doubt that the planned partnership between **British Airways**, **KLM Royal Dutch Airlines** and the **Belgian** airline **Sabena** has been a factor behind the linkup.

**Air France** and **Lufthansa** are already involved in talks with the **Spanish** carrier **Iberia** which they would like to see join the cooperation pact while a lesser degree of cooperation is being sought with **American Airlines**, possibly involving some joint marketing and scheduling.

Elsewhere, **Compania Mexicana de Aviación** — **Latin America's** oldest airline — has taken a further step towards full privatisation. The government has reduced its stake in the company from 58% to 40.5%, with the \$140 million infusion of cash realised as a result being used to finance a \$3 billion investment programme that will create 21,000 new jobs over ten years and lead to major investment in new aircraft.

A consortium led by **Grupo Empresas Xabre**, and including the **Anglo-French** financier **Sir James Goldsmith** and a leading **US** bank, has taken a 25 per cent stake in the company though surprisingly no foreign airline has participated in the deal.

A new holding company — **Corporación Mexicana de Aviación** — has been formed and minority shareholders are being invited to exchange their shares on a one to one basis.

The **Mexican** government intends to sell off the airline completely in two or three years' time and a **Finance** Ministry official says this final stage is likely to involve two as yet unnamed **US** — and one **European** — airlines.

# Strike forces u-turn by BA management

British Airways have been forced to reconsider the dismissal of a stewardess following industrial action by members of the Transport & General Workers' Union in August.

Cabin crews successfully shut down the airline's domestic and European

flights for a day in support of their colleague, who had been blamed for irregularities in the finances of an in-flight bar.

British Airways were even forced to run delayed Concorde services with management crews because of the

strength of response from union members. While the case of the stewardess has now been re-opened, statements issued to cabin crews binding them to abstain from further industrial action over the issue have been withdrawn.

## DOCKERS

### Local bargaining fought by New Zealand union

Dockers in New Zealand are fighting employers' plans to introduce local wage and condition bargaining in place of the existing national structure. They face a powerful alliance of port employers, exporters and the Government.

The Government plans to do away with the Waterfront Industry Act by 1 October. The waterfront industry will be deregulated, giving employers the unrestricted right to destroy dockers' working conditions and to drive out the union. Unemployment figures in New Zealand are high and dockers cannot afford to lose their employment protection.

It is vitally important that a settlement is reached before October 1st. On that date the Waterfront Industry Commission will be abolished and the Pool Labour System disbanded. The union will then be left without a working agreement. The employers have consistently refused to compromise with the union, creating a deadlock situation.

Talks aimed at securing an agreement began on 13 June but were adjourned after just two days. When the union asked for a resumption of formal conciliation proceedings, the employers refused to nominate their negotiators. National Conciliation talks were finally resumed on 7th August by order of the Arbitration Commission.

Union representatives indicated that their members might accept staffing levels and working hours moving to local negotiation. However, they remained adamant that pay and basic

benefits must remain in the hands of a national body.

The employers clearly expected talks to break down immediately and made no effort at reconciliation. They continued to insist on port by port awards. On 8th August, the union presented a letter giving notice of industrial action as required by law for essential services.

A national port stoppage closed all New Zealand ports on 15 and 16 August. This was followed by rolling local stoppages.

Conciliation proceedings were resumed on 21 August but ended acrimoniously on 24 August when it became clear that the employers' attitude had not changed and that they were demanding a written statement from the union agreeing to their plans for the industry.

The employers then sent letters to the homes of individual waterside workers with application forms for new employment after 1st October. They threatened that anyone not signing the papers would receive no redundancy payments.

The Arbitration Commissioner called the two parties together and requested that they meet with him on 31 August to examine each other's point of view. The employers refused to attend this meeting.

Angered by the employers' threats and intransigence, the union called a four-day national strike. All the country's ports were paralysed and most imports and exports were stopped.

Strikers agreed to handle urgent medical supplies and fruit.

Negotiations with employers finally broke down completely on 21 September. Agreement has been reached on some of the substantive issues. However, the question of redundancy, the selection of workers for direct employment and new terms of employment are still unresolved. The two sides were due to meet on 28 September in a final attempt to find a solution before the crucial 1 October deadline expires.

Meanwhile union representatives have resisted attempts by employers to secure local agreements. Talks in Wellington about a local award broke up shortly after they began. Union officials did not attend a similar meeting in Auckland.

Throughout the strike, the unions have had to counter constant interference from the Government and the meat, dairy and wool boards which organise the bulk of exports from the country. The port employers have acted as puppets for these powerful lobbies. On August 23, a meeting of Federated Farmers, Fruit Growers and port users was held in Wellington to discuss the waterfront situation with Government representatives present.

The situation in New Zealand is similar to that faced by dockers in Britain. However, the exporters' position now is weaker than during the British docks dispute. There are no equivalents of the British non-scheme ports for them to use to keep goods moving.

## PEOPLE

**Stefan Nedzynski**, the longest serving ITS General Secretary, retired from the Postal, Telegraph and Telephone International (PTTI) at the PTTI's 26th World Congress held in Brighton, England from 18 to 23 September 1989. Nedzynski was elected to the post of General Secretary in January 1965 after having served for four years as Assistant General Secretary of the ICFTU. He has been re-elected to his post by seven successive world Congresses of the PTTI. The twenty five years he has headed the PTTI have seen a major expansion in its activities and a virtual doubling of its membership. He was also the driving force behind the securing in the late seventies of a key ILO Convention governing labour relations in the public service. ITF General Secretary Harold Lewis attended the Congress to pay tribute to Nedzynski's long career and the important contribution he had made to the cause of free

trade unionism, not least as chairman of the ITS General Conference. He also handed over a parting gift as a token of the ITF's appreciation.

**Philip Bowyer** was elected by the PTTI Congress to succeed Nedzynski. Bowyer, a British citizen, came to the PTTI in 1976 as its Research Officer and was subsequently appointed Organisation and Research Director. In nine years as Director, Bowyer has represented the PTTI at the ICFTU and many other international trade union bodies as well as taking charge of the PTTI's extensive educational programme.

**Herman Rebhan**, General Secretary since 1974 of the International Metalworkers' Federation (IMF), retired at the IMF's 27th World Congress held in Copenhagen from 18 to 23 June. Warm tributes were paid to Rebhan by Con-

gress delegates and invited guests who recalled his many achievements during the fifty years he has served the international trade union movement.

**Marcello Malentacchi** was elected by the Congress as the IMF's new General Secretary. Malentacchi, an Italian, emigrated to Sweden at the age of 17 and worked for Volvo before becoming a national officer for education and migrant workers of the Swedish Metal Workers' Union, the first migrant worker ever to be appointed to a post at this level in the Swedish labour movement. He soon rose to become the union's health and safety secretary. In 1981, he was seconded to the IMF Health and Safety and Education Department in Geneva. As Department Director, he has been behind the expansion of the IMF's trade union training programme for metal workers in third world nations.

## FORTHCOMING MEETINGS

17 -18 October	Executive Board	London
23 -24 October	Meeting of Cabin Crew Unions	London
6-9 November	Seafarers' Manning and Training (Joint)	Singapore
30 November -1 December	Dangerous Goods	Geneva

# ITF NEWS is your voice

At the ITF, we rely upon our affiliated unions to provide us with the information we publish. We are always interested in receiving information, photographs and news stories from member unions — so if you feel that your union's affairs or industrial concerns deserve to be covered, please let us know.