



# NEWS

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## Passengers beware of poorly regulated buses

With the Northern summer tourist season soon upon us, the ITF is giving special attention to the problem which arises every year on European roads, namely accidents involving passenger coaches.

Accidents involving coaches and buses are on the increase, as the number of people relying on long distance bus travel for holiday travel also increases. Coach travel is less expensive, compared to rail or air travel, but mainly due to the fact that the regulations intended to ensure that drivers do not drive excessive hours without taking regular rest periods, are often disregarded. Furthermore, authorities responsible for regulation enforcement are uncommitted to the task, while individual enforcement officers find the regulations so complicated that they interpret them in a perfunctory way.

Pressure from the employer, from cut-throat competition between bus operators, as well as low wages and poor working condition are cited as causes for the continual lack of respect for safety standards concerning necessary rest for bus drivers.

European regulations governing working conditions for bus drivers are basically uniform. In the European Union, Regulation 3820/85 is in effect. The legislative guide for countries outside the EU is the "European Agreement on the Work of Crews of Vehicles engaged in International Road Transport," or the AETR. Both stipulate driving time and daily rest requirement, stating that all time counting as rest can only be taken when the vehicle is stationary. In addition, they require the use of a tachograph, a recording device, which records relevant hours on a paper disc, and is used to measure driving time and

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## May Day in Sarajevo

In a move to show solidarity for efforts aimed at putting an end to the war in the former Yugoslavia, and to show support for those suffering from the aggression, the general secretaries of the ICFTU, the European TUC and the World Confederation of Labour, led an international trade union delegation to Sarajevo to celebrate May Day with the Bosnian people and workers.

According to the General Secretary of the ICFTU, the presence of an international trade union delegation serves as a symbol of support to all those suffering the horrible conditions brought about by the war, its famine and destitution. In addition, the delegation will discuss trade union assistance with Bosnian trade unions.

# ...Bus and coach drivers disregard complicated European rest regulations

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rest periods for bus and coach drivers.

The problems with the existing legislation, however, are numerous, and important. To begin with it is far too complicated in its structure and presentation. Secondly, it only limits driving time, not the length of time on duty, neglecting to take into consideration the fact that many drivers spend considerable time on other tasks as well. Thirdly, it permits drivers on double manned buses to drive after already having been on duty for nearly 22 hours. Lastly, it makes it legal for a driver to drive consecutively for 12 days before taking a day of rest.

The regulations simply don't contribute to properly combating driver fatigue, which the ITF and its affiliated road transport trade unions have long considered a contributory factor in bus and coach accidents. A survey of drivers carried out by the German Transport and Public Service Workers' Union showed that one in three drivers had only narrowly missed being involved in an accident and that one in eight drivers admitted to having fallen asleep at the wheel.

The Foundation for Traffic Safety and Scientific Research (Stichting VEWO) in the Netherlands prepared a report on bus accidents in Europe from 1989 to 1993, as well as the results of two inspection agencies conducting road side inspections in the Netherlands and Germany. The agencies are responsible for investigating compliance with EEC regulation 3820/85, which mandates working conditions - in specific regard to work time versus rest time - of drivers engaged in passenger road transport.

The conclusions of the inspection activities of the Dutch and German agencies confirm each other in proving that bus and taxi drivers do violate EEC regulation 3820/85.

In Germany, on the average, one out of two drivers of a bus or taxi violates the regulation, while one of six in Holland proved to be in non-compliance. The severity of infringement is so serious during the summer holiday season, that one in 20 drivers stopped at the roadside are ineligible to continue driving.

The ITF is calling on potential coach travellers to be active in choosing the company with which they choose to travel, asking them to enquire about convictions for contravening regulations on drivers' hours, and not to travel with companies that do have such convictions.

The ITF has also designed proposals to improve bus and coach safety, calling for a minimum ratio of permanent employees to vehicles, in an effort to restrict the use of casual workers,

who have no professional commitment to the industry, and for whom the employers feel no necessity to ensure employment stability or proper working conditions. A higher financial limit should be set for potential operators, to ensure their ability to operate and maintain their vehicles and employ competent staff. And operators should be required to prove their suitability through a standardised European qualification.

The ITF is also calling for stricter and more frequent inspections of companies in the individual countries. Companies which prove to be repeatedly in violation of existing regulations should have their operating licences revoked. And unless it is demonstrated that a driver alone is responsible for an offence, companies should be held responsible for regulation infringement.

The ITF advocates improved safety by ensuring that drivers are properly trained to an internationally-approved standard, and points out that design and construction improvements are also necessary to ensure passenger and driver protection.

## Unions fight for workers rights in GATT

The International Confederation of Free Trade Unions (ICFTU) has said that it will maintain its campaign to ensure that the future World Trade Organisation will discuss the linkage between trade and workers' rights.

Although there has been opposition from developing country governments to including a "Social Clause" within the GATT, it is clear that the pressure from unions in those countries to make the link between trade and union rights, has encouraged governments to take at least a small step towards a proper discussion of the issue.

While the ICFTU was disappointed that a full agreement was not reached for including Workers' Rights in the Ministerial Declaration at the GATT meeting in Marrakesh (April 12 - 15), it welcomed the news that the Chairman's concluding statement will make clear that the future Preparatory Committee for the World Trade Organisation will have a mandate to include new issues on its agenda including workers' rights.

# Indonesian government bans new union federation

Beginning in mid April, tens of thousands of workers took to the streets in and around Medan, North Sumatra, Indonesia, in some of the most violent demonstrations seen in the area since the 1970s, leaving one man dead, 12 injured and scores of shops ransacked and looted, and cars set ablaze. In retaliation, the government deployed security forces, as well as issuing a ban on further demonstrations, efforts which have had no effect on the intent or intensity of the demonstrations.

Demonstrations were brought on by the mysterious death of a 22-year old fellow worker, who was found floating dead in the Deli river on March 11, two days after leading a strike. They began peacefully on April 14 when some 20,000 workers went on strike in 24 factories in Medan and its surrounding industrial zones. Workers are also demanding an end to military intervention in labour disputes, an increase in the daily minimum wage (which is currently about US\$1.00), the right to organise, and specifically that the independent trade union, SBSI be formally recognised by the government. In addition, they are insisting that 360 workers who were dismissed from their jobs following a strike in March, be reinstated.

After demonstrators, forced back by security police, had left the governor's office, where their representatives were able to meet with government officials - in vain - anti-riot police

moved in, firing tear gas into the crowd and rushing them with riot batons, causing a battle to break out. Prior to the intervention of the security forces, the rallies were entirely peaceful.

Strikes and protests continued with undiminished intensity in the week that followed, in spite of the government ban. The official response, attempting to depoliticise the issue, has focused largely upon the violence and destruction, claiming that the rallies and riots were not a labour issue, but a criminal case which affected the nation's economic stability. They claimed further that the demonstrations were racially based, aimed at the large Chinese population in the area, which control important business interests. This however, turned out to be a seed planted by government officials, in an attempt to undermine the workers' efforts.

On April 25 the Interior Ministry in Jakarta announced that the Serikat Buruh Sejahter Indonesi, the SBSI (Indonesian Prosperity Trade Union), had been banned. The outlawing of the independent trade union meant that it was "banned from carrying out any kind of activity," and that security forces would take action if the union ignored the ban.

Despite continued harassment, the SBSI has 87 branches with some 250,000 members. It is a popular and attractive alternative to the government backed union, the SPSI, which is infamous for siding with management.

## Toxic waste trade to poor countries banned

All exports of hazardous waste from rich, OECD-member countries, to poor countries will be banned by 1998, following agreement on the UN toxic waste "Basle Convention" in Geneva on March 26th.

In addition, the 64 members of the Basle Convention on the Transboundary Movement of Hazardous Wastes agreed to stop immediately the shipment of toxic waste designed for disposal, rather than recycling.

Dissent from the UK and Germany was quashed two days beforehand, when European Union ministers meeting in Brussels decided to support the ban from the end of 1997.

The countries then left opposing it, Australia, Japan and Canada, were isolated.

The United States, which is not a member of the Convention, is also understood to oppose the move.

The ITF has always supported the Basle Convention, and in the past has taken action to inform affiliates about several toxic cargoes being transported in violation of the Convention.

Acting General Secretary David Cockroft welcomed this very positive move;

"The decision is fully in line with ITF policy - and in particular with the conclusions of our Dangerous Goods Conference, back in 1989," he said.

# 37 countries create the Association of Caribbean States

A treaty creating the Association of Caribbean States is reported to be ready for signing this July in Barbados, bringing together 25 sovereign, and 12 non-sovereign potential member states, to form the world's fourth-largest regional grouping (larger even than South America's Mercosur bloc, made up of Brazil, Argentina, Uruguay and Paraguay).

The organisation would consist of the 13 members of the English speaking Caribbean Community (Caricom), Mexico, Colombia, Venezuela, Cuba, the Dominican Republic, Surinam, Haiti, the Netherland Antilles, Martinique, French Guyana and Guadeloupe.

Cuba, which is excluded from joining the NAFTA as long as the US trade embargo remains in effect, could also be among the member states of the new association. Inclusion in the group, building social and economic ties with Latin America and the Caribbean, as well as the rest of the world, is now of the utmost importance for Cuba, whose economy is in severe crisis.

Becoming "one of the gang" won't, however, be easy for Cuba. The island country's commercial link had traditionally been with the Soviet bloc (80 percent before the collapse of the Soviet Union), leaving very weak ties to its Caribbean and Latin American neighbours. Trade with Latin America, which accounted for only about seven percent of Cuba's commerce in 1990, is now up to 21 percent. Neither is Cuba's economy compatible with other regional economies because it produces many of the same basic commodities, such as sugar and nickel.

Caricom supports Cuba's membership in the group, but the US, whose position could be followed by some Latin American members, has objected strenuously.

## MEXICAN/COSTA RICAN PACT

"This is a south-south accord that opens the doors for a north-south accord," said Costa Rican President Rafael Angel Calderon Fournier after the signing of a free trade accord with Mexico, in Mexico City in early April. Calderon went on to say that: "It's an accord that announces new treaties with other nations in Latin America and the adhesion of our country to the NAFTA."

Several Central and South American nations have said they hope to "dock" on to the NAFTA, eventually becoming a full fledged member.

Mexican president Carlos Salinas de Gortari mentioned that his country will start free trade talks with Nicaragua in April, and trade experts predict more pacts in the next few years. "It does create a blueprint in general and I think this may well be the way other countries join the Nafta, by signing with a member and later joining," said Khosrow Fatemi, an international trade and business administration scholar. He adds that the Mexican/Costa Rican deal is a "very good model" for Central American nations to "get the kinks out of their economies" by first entering an agreement with Mexico, that can be used as a stepping stone to the NAFTA.

## TRADING BLOC NEWS

A US Presidential aide, returning from a Latin American visit stated that Chile and other Latin American nations may opt for free-trade pacts with the US rather than join the NAFTA. While Chile is the most qualified Latin American country to be considered for inclusion in the US-Canada-Mexico pact, it is generally believed that negotiating a bilateral free trade accord with the US would be easier than meeting all the conditions for NAFTA entry. The farcical NAFTA side provisions for labour and environmental issues are noted as potential stumbling blocks for Latin American countries. A bilateral trade agreement would certainly go in to effect much faster than inclusion in NAFTA could be negotiated.

Bilateral trade agreements between Latin American countries and the US is a prospect that raises concern in the US's biggest trading partner, Canada. The US presidential administration clearly backs the goal of hemispheric free trade, but is "less clear just how to go about" reaching that goal.

## PERU RE-ADMITTED TO THE ANDEAN PACT

Peru withdrew from active status in the Andean Pact, whose other members are: Bolivia, Colombia, Ecuador and Venezuela, in August of 1992 following an economic and political crisis set off when the country's president, Alberto Fujimori, suspended the constitution and closed the congress earlier that year. Peru agreed to return as an active member after the bloc's other members agreed to eliminate government subsidies and other measures that were said to distort free trade.

# Russian union discusses future role

Fundamental disagreements about the direction in which trade unions should go in Russia surfaced at the extraordinary Congress of the ITF-affiliated Water Transport Workers' Union of Russia held in Moscow on 20-21 April.

The Congress, at which union President Gennardy Starchenko was re-elected, showed important disagreements about matters such as whether managers should play a role in trade union affairs and the importance of the social functions of former official Russian unions (medical, holiday and child care facilities for example) compared with the functions of trade unions in the West: defence of jobs, collective bargaining on wages and conditions of employment. This debate is particularly obvious in the WTWUR because of the existence of two other unions (both ITF affiliates), one for seafarers (the SUR) and one for dockers (the DUR), which broke away from the former USSR water transport workers.

Representatives of both these unions addressed the Congress and although there were some calls for reconciliation between the two groups, it was clear that there remains a big ideological and practical gap. That this debate is going on throughout the Russian trade unions was evident when the Congress was addressed by M Schmakov, chairman of the FNPR (Federation of Trade Unions of Russia).

Starchenko, who had easily survived a no-confidence motion in the union's Council the previous day, was reelected union President by a large majority. A number of key changes to the union's constitution were adopted by the Congress, including one which will give the President the right to nominate the Vice-President rather than his being elected by Congress.

ITF Acting General Secretary David Cockroft addressed the Congress and welcomed the union to the ITF's family. He referred to the debate about the role of trade unions and said that it was for Russian unions to determine their own destiny. The only precondition had to be that it was the members and not the leaders who decided. He stressed the importance of the ITF flag of convenience campaign in maintaining minimum standards for seafarers and welcomed the participation of all ITF affiliates in Russia in the campaign. He also pointed out that the WTWUR was easily the biggest ITF inland navigation workers' union and hoped that it would play an increasingly important role in this aspect of ITF work.

While in Moscow, Cockroft held discussions with Viktor Nekrasov, President of the Seafarers' Union of Russia, Stanislav Korotnikov, Chair-

man of the International Confederation of Water Transport Workers' Unions in the CIS and Baltic states, and with representatives of the ITF's two other affiliates, the Fish Industry Workers' Union and Railway Workers. He also met representatives of the Russian shipping company Sovcomflot.

## Crisis in European transport

General acceptance of the principle that the external costs of each transport mode should be internalised but widespread disagreement about the best method of achieving this objective were both apparent at the annual 'hearing' of international organisations held in Paris by the European Conference of Ministers of Transport (ECMT) on 13 April.

The ECMT is a research and advisory body of Western (and now also Eastern) European transport ministers with a secretariat based in the OECD's offices. Unlike the European Commission in Brussels it has no executive powers, but it aims to develop consensus on transport policy making in the inland transport sectors and civil aviation. The annual hearing is an opportunity for a variety of international organisations to present their views on current transport problems.

For the first time, however, the hearing was based around a number of preset themes rather than a general presentation by each organisation. The meeting opened with a presentation by the ECMT secretariat and representatives of different modes of the latest statistical information on European transport. For railways, The UIC (International Union of Railways) reported a continuing drop in railway traffic of more than 5% with freight traffic falling by 8.7% and passenger traffic by 0.3%. The countries of Central and Eastern Europe had seen the most dramatic fall of 15% in rail freight volume. Only Poland showed a positive development. The financial situation of the railways was catastrophic.

A similarly picture was presented for inland navigation with disastrous falls in freight rates following the deregulation of pricing by the German government. Bulk cargoes between the Ruhr and Stuttgart had fallen from DM 23 per tonne to DM 9. There was a general welcome for the results of the Crete pan-European transport conference accompanied by a general feeling that nothing much was likely to be done to implement them.

Acting General Secretary David Cockroft, who represented the ITF at the meeting, welcomed the fact that trade union input to Crete had been better than at the previous Prague meeting and that social questions had been included in the final conclusions.

He stressed, however, the need for ECMT governments in Eastern as well as Western Europe to seek a genuine dialogue with transport unions about transport policy plans.

# ITF Latin American mission sets agenda for new education programme

In preparation for the implementation of an ITF Education Programme in Latin America, the ITF's Education and Projects Officer Kees Marges visited Argentina, Brazil, Chile, Costa Rica, Mexico, Nicaragua, Paraguay, Uruguay and Venezuela from the end of February, over March and part of April this year.

"A major aim of my trip was to get in contact with potential affiliates in countries where the position of the ITF needs to be strengthened," said Marges.

During his trip, unions outlined educational needs ranging from trade union leadership seminars and education on health and safety and the environment, to the legal and social aspects of individual contracts and collective bargaining, workers' participation, labour legislation, trade union campaigning strategies and communications policies.

Many unions were concerned to educate members and staff in the general principles of trade union organisation, whilst others pointed to the need for technical support and equipment.

In Montevideo, Uruguay, he met the ITF-affiliated bus workers' union, the Sindicato Autónomo de Obreros del Omnibus SAO.

The union organises hundreds of workers employed by the city's bus company.

Long hours (up to twelve hours daily, including weekends) are demanded of these workers and of their union representatives. Union leaders are allowed one day's unpaid leave per month by the company for union activities, and can only afford to undertake this work because they are subsidised by the union.

Seafarers in Chile have also suffered as the result of privatisation. During his visit Marges was told by affiliates FETRICH that there was no longer a national agreement for Chilean seafarers, and that flagging-out had meant the replacement of union members with cheaper and non-unionised workers.

Dock workers too are facing job losses — employers are claiming that the port labour force has to be reduced from 6,000 to 1,200.

Problems faced in Chile include the failure of the government to restore full collective bargaining rights — currently only workers organised in individual company-based unions have this right.

Chilean unions are hoping to be able to unite in forming a strong maritime organisation which

could include all ITF-affiliated unions.

In Paraguay, Marges' visit coincided with preparations for a bus drivers' strike in Asunción; happily this dispute was resolved after only one day of action by the bus workers.

The privatisation of national fleet carrier "Lloyd Brasileiro" was the subject of debate during Marges' visit to Brazil — the ITF-affiliated Confederation CONTTMAF is condemning the disastrous effects that the planned privatisation will have on its employees. Almost all the workers are likely to be sacked as soon as the privatisation goes ahead.

Marges was also told about a particular development affecting rail workers in Sao Paulo. Having obtained a 50-year concession, a private soya-bean producer is in the process of building a dedicated railway line to serve the company's needs. A private railway company has been formed, and will employ rail workers. Working conditions and wages, however, will be inferior to those accorded to other rail workers who are members of the ITF-affiliated CNTTT. Trade unions are worried that this development may be the beginning of a trend.

In Venezuela, Marges met non-affiliated unions and some trade unions whose ITF affiliation had lapsed.

A development seriously affecting transport workers in Venezuela has been the forced conversion of truck drivers employed by companies into autonomous owner-drivers. This has increased trade union organising difficulties.

Mexican civil aviation workers expressed their concerns about globalisation tendencies and the resulting pressure for working conditions to deteriorate.

During his trip, Marges was also able to meet with various representatives both of the International Confederation of Free Trade Unions' regional organisation, ORIT (Organización Regional Interamericana de Trabajadores) and of the Friedrich Ebert Stiftung (FES). Both organisations expressed their support for the ITF's renewed activities in the region.

Marges will plan a programme of educational activities for the region, and is in the process of assessing project proposals.

A strengthened ITF regional organisation in Latin America, combined with a coherent education strategy are vital elements in ensuring such a response is developed.

# Council debates openings to the East

Transport Ministers meeting on April 18th debated whether to open negotiations with Central and Eastern European countries on road transport.

A recommendation discussed by the meeting would allow talks to begin, with the aim of reaching cooperation agreements.

Greece is very keen to reach an agreement with Romania and Hungary, allowing it to build road links with other EU countries, and has been promised a future Transit Agreement with those countries even if all-round agreement fails.

But German and French Transport Ministers, Matthias Wissmann and Bernard Bosson said that central and eastern European countries would have to bring their laws into line with European Union legislation before their road hauliers were allowed access to the Union's roads. Social dumping had to be avoided, insisted Wissmann.

The Council agreed to enter initial negotiations on inland waterway transport with Poland, the Czech Republic, Hungary and Slovakia, with the aim an agreement covering the Danube countries.

## NEW RAIL PROPOSAL

The Commission unveiled a proposal for a draft Directive on April 15th on the interworking of high-speed train networks.

Integrated systems on high-speed trains are needed, claims the Commission, because unnecessary costs are generated by the incompatibility of facilities, technical systems and rolling stock. For example, says the Commission, it is usual that both engine and driving crew have to be changed when a train reaches a European Union border.

## TRANS-EUROPEAN NETWORKS

The group of representatives of Heads of State and Government set up in December 1993 to speed up the completion of trans-European networks has reported "progress beyond expectations".

The group, chaired by Commission Vice-President Christophersen, has identified a series of existing transport and energy projects for development — but has failed to solve the most tricky problem — that of financing.

Even with expected EU funding, a considerable amount of private and public capital is still needed.

The list of transport projects to be prioritised stems from the Commission's White Paper on the Future Development of the Common Transport Policy.

The ten schemes ranged in the first group include High Speed Train links for France, Belgium, Germany, the Netherlands and the UK (London—Channel Tunnel), and for Southern France and Northern Spain.

## WORKS COUNCILS GET NEW DRAFT

In Brussels on 13 April, the European Commission adopted a "Proposal for a Directive on the establishment of European Committees or procedures in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees"; or, in plain language, a watered-down version of the old proposal for a European Works Council Directive.

The new "flexible" proposal only covers companies and groups with 1000 or more employees with at least two bases in different Member States.

The written request of at least 100 workers or of their trade unions is needed to start the process, which would result in the creation of company "European Committees".

The Commission is proposing that, in addition to the annual information and consultation meetings provided for under the draft, additional meetings might be held with smaller delegations from company European Committees.

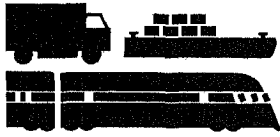
Great Britain, having refused to sign the Social Protocol and Agreement on Social Policy which entered into force in November last year, under the provisions of which agreement on the Directive falls, is not covered.

But British-based enterprises and companies with headquarters in other the Member States and will be subject to the proposal provisions.

The matters that are subject to consultation are defined as any which are liable to have a considerable effect on employees' interests — relocations, company closures and redundancies, for example.

A confidentiality clause means that management is still allowed to withhold information which could seriously harm the company's interests.

The re-drafted proposal is the result of trade union insistence that a legal, binding instrument was needed to lay down consultation and information procedures. European employers' organisations, with the encouragement of the Commission, had been hoping that agreement between the social partners could be reached without the intervention of the European institutions.



# INLAND TRANSPORT

## NAFTA truck associations form tripartite alliance

The American Trucking Association, the Canadian Trucking Association and Canacar, Mexico's industry association, gathered in April in Scottsdale, Arizona, for the first trilateral meeting of trade groups since the enactment of the North American Free Trade Agreement (NAFTA).

The conference focused on some of the practical applications of changes that the accomplishment of NAFTA has brought about. Seminars were held on how to operate in the US and Mexico, featuring speeches on Mexican economics and safety issues, US regulatory issues and North American harmonisation matters.

Another result of the meeting was a formal alliance formed between the three industry agencies, whose aim it will be to lobby their government for speedy implementation of the NAFTA, and greater liberalisation in trucking. Industry leaders from the US, Canada and Mexico have moved quickly to establish the North American Transportation Alliance in order to set priorities in an effort to present a unified front when transportation secretaries from the three coun-

tries hold a summit in Washington, DC., at the end of April.

The groups strives for full implementation of the free trade agreement, including a host of new regulations and harmonisation of trinational standards. "I think the alliance is important because together the three associations, are trying to develop a true North American trucking industry," said Gilles Belanger, head of the Canadian Trucking Association.

The group's first major undertaking will be a research project which aims at defining the size, scope, importance and other factual information about the trucking industry in all three nations. Important factors for the alliance include sponsoring research on international freight movement, boosting intermodalism, and pressing the three governments on public policy and safety issues.

The Alliance plans to meet at least twice a year, once in Mexico, and once in either the US or Canada, depending on existing issues.

## US rail unions bargain individually to regain leverage

US rail unions have decided to change their bargaining strategy for next year's contract talks, moving from industry wide talks, to dealing individually with each carrier (see ITF News, April 1994). The unions' strategy shift follows two consecutive years in which the US government has intervened to halt nationwide work stoppages. For this reason the unions believe they have effectively lost their right to strike nationally.

Two carriers have already withdrawn from the industry's bargaining group, holding separate talks with the unions. Illinois Central Railroad, one carrier dealing individually with unions sees this as an efficient way to craft agreement that serve the needs of employees and the com-

pany better than industry wide pattern agreements.

Industry officials have otherwise refused to comment on the unions' change in position.

One official did say that: "The unions may think they can do better on an individual property basis, but they'll find a rare degree of cohesiveness in the industry." Others questioned the unions' resolve in the face of the high cost of conducting multiple negotiations simultaneously, as the 13 unions that have contracts with major railroads are small and could face financial difficulty in individual bargaining.

Union officials, however, assert that individual bargaining will provide them with the leverage they feel they need to be effective in contract talks.



# Teamsters' strike brings out 75,000

The International Brotherhood of Teamsters, which has a membership of 1.4 million workers in a wide variety of industries in the US, Mexico and Canada called its truckers out on strike on April 6, after the breakdown of contract negotiations with the Trucking Management Inc. (TMI), the bargaining agent for 23 major less-than-truckload (LTL) carriers that employ some 120,000 Teamsters.

The first national strike against LTL carriers since a nine-day job action in 1979 originally included 88,000 Teamsters, whose negotiators could not reach agreement with TMI over the length of the contract, use of part-time workers, wider use of rail service, wage and benefit terms, and the procedure for settling grievances. The union claims the shutdown was complete at 262 locals, but interim agreements and the closing of one trucking company, have since reduced the number of strikers.

After contract talks collapsed, TMI released all but its four largest members to discuss interim agreements with the Teamsters, but those four companies employ 70,000 of the remaining 75,000 striking Teamsters. Companies are released by TMI, permitting them to negotiate separately with the union and sign so-called "me-too" agreements, which allow them to resume and remain in operation during the dispute. Carriers that conclude such interim agreements must nonetheless accept the final TMI/union settlement, and cover any retroactive increases.

The union claims that the TMI member release was a sign of deep division within management ranks. "The fact that TMI hard-liners provoked a strike has created disunity in their ranks, not our own ranks," a union spokesperson said. A vice president of corporate communications at Sea-Land, one of the companies being struck by the Teamsters, said: "We felt the issues involving TMI are not our issues. We feel we are best represented by dealing directly with the union."

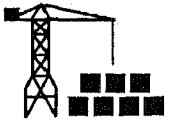
ITF-affiliated dockers' unions, the International Longshoremen's Association (ILA) on the US East and Gulf Coasts, and the International Longshoremen's and Warehousemen's Union (ILWU) on the West Coast, Alaska and Hawaii, agreed to honour Teamster picket lines at SeaLand Service Inc.'s terminals. Seven SeaLand ships, with a combined capacity of 13,550 20-foot equivalent units, in the Pacific, Alaska and Central America trades are idled at Tacoma, Washington, Oakland and Long Beach, California.

One week into the strike, showing a willingness to compromise, Teamster President Ron Carey contacted the employers, calling for a resumption of negotiations: "We are willing to continue negotiations and to compromise on the issue that separate us," he wrote in a letter to the TMI. After the second week of the strike, and following a conference call from the US Transportation Secretary Federico Peña, the disputing sides met again at the negotiating table.



## FORTHCOMING MEETINGS

16-18 May	African Regional Conference	Lagos
24-25 May	Bus Construction Working Group	Hamburg
31 May	Dockers	London
1 June	Seafarers	London
1-3 June	Fair Practices Committee	London
1-2 August	ITF Conference on Women Transport Workers	Geneva
2-3 August	Executive Board	Geneva
4-11 August	37th ITF Congress	Geneva



## Valletta workers in sympathy action

A number of cruiseships and tourist liners have been turned away from Malta following industrial action by the port and transport workers' section of the ITF-affiliated General Workers' Union in sympathy with an ongoing dispute for

a new collective agreement in the Malta dry docks.

The pilotages and mooring workers have once again been called upon by the General Workers' Union to exercise their industrial action in support of other workers. These are the same workers who are constantly involved in the ITF's Flag of convenience campaign in Malta and who can always be relied upon to lend active solidarity to crews on Flag of convenience ships. ITF Maltese Inspector Charles Briffa considers these workers to be "my right hand" in his work as an inspector. Briffa and the union have just concluded a new tariff for pilotage and mooring workers — the first increase in 19 years — which has resulted in an agreement to grant a minimum annual guaranteed earnings of M£4,500 (US\$13,500) for the mooring men and M£6,000 (US\$18,000) for the pilots regardless of the traffic in the port. The new agreement also includes 24 hours insurance cover paid for by the employers plus a series of other benefits, including travelling and uniform allowances, demands the union has been fighting for for many years.

## Union condemns Vancouver port arbitration ruling

Following an 11-day strike in January and February of this year, after which the dockers of the Canadian International Longshoremen's and Warehousemen's Union (ILWU) were legislated back to work, the government was also forced to appoint a federal arbitrator to settle the final disputed issues between the union and the employers' association (see ITF News, April 1994). The arbitrator, who delivered his decision at the beginning of April, chose the proposal laid forth by the stevedoring companies. The settlement translates to a 65 (Canadian) cent-an-hour yearly wage increase and a 5 cent-an-hour increase for health and welfare coverage in the final year.

Gordie Westrand, president of the Canadian longshore union, said the union was "betrayed" over the three year contract, which is retroactive to January 1, 1993, saying that despite criticism from employers and exporters, longshoremen did work for 16 months without a contract.

## 2% accepted in Japan

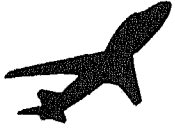
After the breakdown of wage negotiations, Japanese waterfront labour unions scheduled a 72-hour strike, to begin on April 8, at four major ports throughout the country. One day before the walkout deadline, the disputing parties reached an agreement, averting a strike.

The National Council of Dockworkers' Unions of Japan and the Japanese Confederation of Port and Transport Workers' Unions settled for a 2 percent increase, far below their original 12 percent demand (see ITF News, April 1994). Accepting a portion of the increase as a basic wage augmentation, and a smaller portion as a one-time settlement gives the union the advantage of not having to consider the full increase amount as a base for next year's negotiated increases.

## Buenos Aires dispute settled

The beginning of April saw the end to a labour dispute which has been ongoing at the port of Buenos Aires, Argentina, since November 1993 (see ITF News, April 1994). The accepted proposal is the same one approved at the end of March by the Ministry of Labour, and which had been accepted by the executive commission of the local dockworkers' union, but voted down in a membership vote. The executive commission is not required to submit an accord to a general vote, and they did not do so a second time, choosing rather to simply approve it for the membership.

The final agreement does include an increase in workers who supervise loading and unloading, an important demand for the union. Each worker will receive a US\$60 monthly coupon that can be used to purchase groceries, a common fringe benefit practice in Argentina. In addition, the union will receive payments from the employers which will be used to cover death benefits for the families of union members.



# CIVIL AVIATION

## Deregulation nightmare in India

Indian deregulation is already a disaster.

On March 8, less than twenty four hours after the Indian Parliament ratified the formal deregulation of Indian domestic air services and their opening to private operators, a Boeing 737 operated by Sahara India Airlines veered out of control and slammed into a stationary Aeroflot Ilyushin 86, exploding metres away from the northern face of Delhi's busy Indira Gandhi International Airport. Seven people were killed and six injured. The death toll was mercifully low since no passengers were on board either aircraft.

The Sahara India crash, plus a number of other incidents, has already raised questions about the impact of deregulation and privatisation on safety.

Deregulation has introduced cut throat competition to aviation in India. While only just formally launched the private carriers (air taxis) had in fact already anticipated deregulation and have been running some domestic routes in competition with Indian Airlines for some months.

The immediate result has been that India has already seen fares wars, the poaching of trained staff by one airline from another, and a cram of airlines scheduling on popular routes at peak times while other routes go unserved.

It is reckoned that carriers will need occupancy rates of 70 per cent and more to survive in the deregulated Indian market. This means that all airlines unions' will try to concentrate their operations on the high density trunk routes which connect the larger cities.

15 companies hold permits to fly and twice that number have been issued no objection certificates. Already there have been casualties. UB Air, Air Asiatic and Citi Link have gone bankrupt.

There is now concern that the struggle for survival will lead airlines to cut corners on safety.

Almost all the private operators use Boeing 737s which are on average 10 to 12 years old. Few private operators have the resources for their own maintenance and repair services, or for the training of air crew and engineers.

According to a number of industry sources, to cut down on hard currency overheads some of the airlines with more than five planes use their fleet sparingly, to save on maintenance bills.

The Indian press has pointed out that Sahara India was already involved in desperate survival measures and had been offering hefty fares discounts.

Although new entrants are meant to meet certain basic safety standards, these are less stringent than those expected for Air India and Indian Airlines.

In fact, remarkably little has been asked of the private carriers. They have been asked to follow a voluntary code of conduct to maintain non profitable public service routes, to voluntarily refrain from poaching trained pilots from the two state airlines, to make voluntary contributions to national training facilities, and to listen to lectures on aviation safety from the Aviation Ministry.

The Indian unions have frequently warned the government of the likely consequences of deregulation. In January 1992 Jagdish Lal, Convenor of the All India Co-ordination Committee of Aviation Trade Unions wrote to the Indian Prime Minister Narasimha Rao warning: "privatisation of airlines is likely to mean that profits override service standards, reduce safety levels and produce greater instability in the industry."

There have been a number of major strikes by unions against deregulation and privatisation. Safety has been a particular issue in the run up to deregulation. Two of the major issues which triggered the 1992-93 Indian Airlines strike were safety and safety monitoring.

Yet the government introduced no significant new aviation operational rules or guidelines to meet the drastic changes about to take place in Indian aviation. In fact there have been no substantial rule changes since the Air Corporation Act of 1953.

There are few resources to monitor or enforce any safety standards. The Directorate General for Civil Aviation (DGCA) is understaffed and underresourced. Its total pilot strength is said to be seven — three each for Indian Airlines and Air India, leaving one pilot for inspecting planes belonging to private operators.

According to one DGCA source recently quoted in the Indian press: "The entire safety supervision system is massively overloaded and woefully understaffed."

The National Transport Safety Board which was set up in 1989 was disbanded in 1992 amid the growing commercial pressures linked to domestic deregulation.

# ITF Cabin Crew unions to pu

The ITF Working Group on cabin crew licensing met on April 11-13 in Montréal to discuss the ITF future strategy for cabin crew licensing and improved minimum training standards.

At the ICAO General Assembly in September 1992 the ITF put forward a working paper which proposed that ICAO should set up a working group to study the issue of cabin crew licensing. The proposal failed, however, to get enough support from ICAO member states.

On cabin crew training the ITF succeeded in gaining a commitment from ICAO to improve and update the ICAO Cabin Attendant Training Manual.

The ITF Cabin Crew Technical Committee meeting held in October 1993 in Berlin discussed the future strategy of this campaign and agreed that the issue should be raised again at the 1995 ICAO World Assembly. It was also agreed that the campaign should be conducted primarily through a Working Group focused on unions in countries such as the US, Canada and Australia where recent political changes gave some hope for possible government support in

1995.

The Working Group meeting held in Montréal heard reports of a number of positive developments, in particular Fred Casey of the AFA (United States) reported that the coalition of flight attendants unions in the United States has, for the first time endorsed a policy in favour of a cabin crew licence.

Donna Hendricks of CUPE (Canada) reported that the government inquiry into the 1989 Air Ontario crash had led to more serious government concern about the safety role of cabin crew.

Ian Renn FAAA (Australia) reported that both the Australian government and Qantas appeared more ready to listen to discussions about cabin crew licensing and that the experience of merging the country's two main airlines and domestic deregulation had convinced the union that

## Dryden Cor FAA say cha culture towa

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***The perception of two distinct crews, co-operating only under rare circumstances, accurately reflects reality within some airlines. Clear organisational differences between the two crews exist: the flight deck crew reports to the airline's operations department, and the flight attendants typically do not. The working area of the cabin crew is public the flight deck is private. Differences in status, power and salary favour the flight deck; and the fact that most pilots are men and most flight attendants are women reinforces those differences.***

***Pilots are perceived to be dealing with state of the art technology in their working lives while flight attendants are perceived to be dealing largely with what could be considered "domestic" activities - serving food and caring for those who are fearful - indeed, conforming to the stereotyped feminine images of flight attendants that airlines have used extensively for marketing purposes.***

Extract from *Cabin/Flight Deck Coordination Problems Still Exist*, by Dr. Mary Edwards Phd, published in the November-December 1992 issue of *Cabin Safety*, the journal of the Flight Safety Foundation.

On March 10, 1989 an Air Ontario F 28 jet crashed at Dryden, Ontario, Canada, killing 24 people, as a result of snow on the wings. The Canadian Government Commission of Inquiry into the crash noted that the cabin crew and passengers noticed the snow on the wings while the flight deck remained unaware of this. The Inquiry tried to explain why this information did not get properly passed between the cabin crew and the flight deck. The answer it came up with was that both training procedures and corporate culture preferred to treat the air crew as two separate crews.

Dr Dave Adams, an expert on human factors, reported to the Commission that:

"The answer appears to be that the four crew members were not operating as one crew but rather two crews."

Dr Adams notes, moreover, not only did the flight deck and cabin crew operate separately, but the safety skills and responsibilities of the cabin crew were not adequately recognised. His report observes:

"a general industry wide relationship between flight crew and cabin crew whereby the flight crew always outranks the cabin crew: where the cabin crew are perceived to be performing unimportant subservient tasks; where the flight crew

# sh on ICAO Training Manual

licensing was vital to maintain high uniform safety training standards.

Danièle Jullien SNPNC (France) reported that European unions were continuing their pressure for a European licence (see below).

Participants also received advice from members of the ICAO secretariat concerning ICAO procedures and on raising the issue at the next ICAO Assembly. Presentations on the work of different sections of ICAO were given by Paul Lamy chief of the ICAO Personnel Licensing and Training Practices Section and by Marcel Cadieux chief of the Operations/Airworthiness Section.

Concerning the ICAO Cabin Attendant Training Manual, Paul Lamy informed the Working Group that his department was about to begin a review of the Manual and hoped to have a first draft finished by August 1994. He offered to consult with ITF cabin crew unions at different

stages of the process. The Working Group welcomed the offer of consultation which they stressed is absolutely vital to any revision of the manual, and they are concerned that there should be a very full form of consultation.

They are also concerned that ICAO should operate to a realistic timetable in order to properly consider all the new material that has been amassed on cabin crew training in the eighteen years since the current Manual was issued.

- On March 22 the Committee of Transport Workers in the European Community held a cabin crew working group in Brussels which agreed to step up the campaign for a European Union cabin crew licence. Unions are being asked to raise the issue with their national governments and to raise public awareness on the issue.

## mission and ge corporate ds cabin crew

are perceived as highly skilled professionals while cabin crew are perceived as unskilled workers."

This is not an isolated observation. In 1988 the National Training Safety Board in the United States investigated cockpit and cabin crew co-ordination. Its report noted exactly the same combination of organisational and cultural factors.

On the one hand it noted that FAR rules only refer to co-ordination between cabin and flight deck crew during emergencies, when co-ordination is required throughout the whole of normal operations, and that most training manuals do little to explain the duties of one group of crew to another and only five airlines listed in its report implemented any joint training of flight deck and cabin crew.

On the other hand prevalent industry stereotypes frequently led flight deck crew to view cabin crew as unskilled workers and fail to recognise their vital safety role: "In fact pilots are often surprised to learn the extent of the flight attendant's training and responsibilities" the NTSB report noted.

Many cabin crew unions believe this airline culture is a bigger barrier to improved training practices than the organisational changes needed. Airlines may have been forced to move

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The ITF-affiliated union CUPE organises Canadian cabin crew. CUPE are currently pressing the Canadian government to back the ITF call for cabin crew licensing.

In a submission to the Dryden Commission they have highlighted the following lessons from the Air Ontario crash, all of which would be greatly assisted by a cabin crew licence:

- The need for safety-oriented training, with more emphasis on safety issues rather than grooming and passenger handling matters
- Increased practical "hands on" training for the operation of safety equipment, including mandatory operation of doors, exits and chutes; fighting real fires, finding equipment in the dark; and using live rather than dummy equipment
  - Consistent and high standards of training that is not "hit and miss" dependent on the airline or instructor in charge of the programme
  - Longer in depth training, with mandatory training on technical matters such as the theory of flight, general functioning of the aircraft and the effects of wing contamination.
- Joint training for flight attendants and pilots on each others' roles and procedures, and improved communication and co-ordination between flight deck and cabin crew

# Air Niugini: unions win court ruling

The Papua New Guinea courts have ruled that 132 member of the National Airline Employees Association (NAEA) and Papua New Guinea Flight Attendants' Association (PNGFAA) were illegally dismissed by Air Niugini in September 1992. (See ITF News, October and November 1992).

The verdict was passed on a sample case of one of the dismissed employees Veronica Patjole. More than 100 other employees have identical law suits filed against the company. The verdict makes the company liable for fines, and the unions are to pursue reinstatement and compensation.

Senior Magistrate David Rea told the court that the Industrial Relations Act was meant "to protect workers from being prejudiced or dismissed by employers for participating in industrial action, which includes strike action".

He told the court that:

"There is no law in this land prohibiting the taking of strike action by registered trade unions.....Air Niugini assumed the functions of a court of law by deciding that the strike action was illegal. As a result, 494 employees were suspended as of 1st September 1992, and subsequently 117 members of the National Airline

Employees' Association including Veronica Patjole were terminated."

The NAEA has received assistance from ITF affiliates who contributed to a fighting fund to help them fight legal actions against Air Niugini.

## Cabin crew lawsuit on smoking

Flight attendants can sue tobacco companies and airlines in the US courts for injuries suffered as a result of exposure to passenger cigarette smoke.

According to the Association of Flight Attendants (AFA) a group of US flight attendants are being represented by a Miami-based attorney Stanley M. Rosenblatt in bringing a legal action.

The court of appeals has just ruled that the lawsuit should be certified as a class action, meaning that it can be expanded to include all those non-smoking flight attendants who are suffering from medical problems which they believe have been caused by such exposure. Involvement is not just restricted to US citizens or US airlines.

## ...Cabin crew perform a critical safety function

Continued from page 13

on from the days when Continental Airlines employed Playboy bunnies on board as a promotion, but the industry still appears to regard the main job of the cabin crew as being to look attractive, serve drinks and keep the passengers soothed and happy and it daily promotes this "hostess" image in its millions of dollars of advertising (in which male cabin crew rarely appear).

It is for this reason that unions have fought to replace the term "stewardess" or "hostess" with "flight attendant", and most unions now believe the term "cabin crew" better represents the real role of being members of an aircraft crew.

One of the important elements of the union demand for a cabin crew licence is not only its functional value in ensuring high and uniform industry standards in cabin crew safety training, but its effect in shifting the airline culture by providing formal recognition to cabin crew as "safety professionals".

The recommendations of the NTSB for joint training of flight deck and cabin crew members and its promotion of Crew Resource Management training, aimed at improving communication and co-ordination between cabin crew and flight deck (with an implicit recognition of the cabin crew safety role), mark an improved approach by the aviation authorities. The Dryden

Commission Report also gives substantially more recognition to the cabin crew safety role. Nevertheless cabin crew are still seeking formal recognition by the aviation authorities of the cabin crew safety role.

The Dryden Commission Report and the NTSB report should be compulsory reading for the Joint Aviation Authorities which is currently drawing up new European rules on cabin crew training, and for ICAO which is currently revising the ICAO Cabin Attendant Training Manual.

The ITF has already informed the JAA that it does not consider that its present draft rules provide adequate minimum standards, and has pointed out that they appear out of touch with much of recent research and approaches on cabin crew training.

The ITF campaign for cabin crew licensing still meets with a cool reception from the authorities responsible for drawing up cabin safety regulations. We can only wonder how many accident reports there will have to be before the argument that cabin crew safety training needs not only improved quality but formal recognition and respect becomes accepted.

Those who question cabin crew licensing should talk to Sonia Hartwick the sole survivor of the Air Ontario crash who told the Dryden Commission: "I want to be treated with respect and as the professional that I am."

# ITF tells JAA cabin crew unions will campaign against "unsafe" FTL rules

The ITF is preparing to campaign against proposals for Europe wide rules governing flight and duty time limitations being proposed by the Joint Aviation Authorities.

If the JAA does not make significant improvements to its current draft then ITF unions will organise a campaign throughout the JAA member countries, in co-ordination with the pilots' organisations, to draw public attention to the effects of the rules on aviation safety. Unions will also mount a campaign to oppose the rules being drafted into EC legislation, without major changes being made.

The JAA has just completed its second consultation period on its draft rules with a deadline for comments of 30 April 1994. The ITF, along with the pilots' organisations, has sat on the JAA Working Group discussing these rules since 1989. It has been a bitter and frustrating experience.

During the consultation process the unions had few illusions that they would be able to establish the level of standards set in the ITF's own policies.

Unions were also aware that the consultation process was one in which the JAA were always able to ignore the comments of unions and impose their own measures if they so wished.

Nevertheless it is always imperative that the voice of cabin crew should be heard in any regulatory discussion about flight and duty times.

The unions approached the consultation process in a constructive spirit. On a number of issues they were prepared to accept sometimes difficult compromises if this would lead to a set of rules which provided reasonable protection to crew members.

However, in the competitive atmosphere of civil aviation in Europe, it appears that reasonable and responsible approaches to aviation safety are not on the agenda.

Throughout the consultation employee comments and recommendations have been consistently ignored. In contrast there appears to have been a constant readiness by the JAA to bend to the pressure of the operators.

The latest final draft proposals do nothing to change that pattern.

The JAA also appears to have bowed to political pressures undermining the principle of harmonisation, which have always been a linchpin of the JAA's work. Certain areas of the new draft have become optional rather than mandatory

and left to the discretion of the national authority.

In the current climate of intense competition, this "flexibility" can only lead to downward pressure on safety standards.

When the JAA presented a "final" draft set of proposed rules for comment in the NPA process ending 31 March 1993, the ITF informed them that those draft rules did not provide adequate protection against crew fatigue, nor even meet the very basic minimum requirements considered necessary by the unions.

The ITF particularly drew attention to three specific areas in which the proposed measures represented a reckless disregard for basic aviation safety principles. These were split duty, crossing of time zones, and standby duty.

The JAA had nearly one year in which to consider all the comments it received in the NPA process, before it issued these latest draft rules.

The latest draft has been analysed in depth by our FTL Working Group, made up of serving flight deck and cabin crew members. They point out that the JAA has not only totally ignored our comments, but has produced a draft which is even more unsafe than its predecessor, including in those three areas we drew attention to in the first consultation.

The consultation process will effectively conclude at the JAA Operations Committee on August 29 -September 2. While the ITF believes there is little reason, on past record, to hope for any improvements, our representative will be at the meeting to ensure that the JAA fully understands the position of cabin crew unions.

Already a number of national authorities, medical experts and even some airline operators are (rather belatedly) questioning the safety of these measures. For the sake of aviation safety it is to be hoped that enough pressure can be brought to bear on the JAA to get them to fundamentally rethink these rules.

The ITF has informed the JAA:

"We believe that the rules as a whole are inadequate and that the most basic safety requirements have been disregarded. We would urge the JAA, even at this late stage, to conduct a complete re-examination of these draft rules within a more serious spirit of consultation. If the current draft is adopted in its present state, our organisation will actively and publicly condemn and oppose these rules, and we shall urge our affiliates to do the same."

# Turkish pilots win duty time battle

**Turkish Airlines** pilots belonging to the ITF affiliate Hava-Is have forced a company climbdown over proposed increases in flight duty times.

Management at the airline had announced that flight duty time limitations for pilots would increase to 14 hours, with a corresponding increase in monthly hours from 95 to 110.

The union argued that such an increase would not only seriously aggravate pilot fatigue, but could compromise the safety and security of passengers and undermine public confidence in the airline.

"While pilots fly eight hours a day in the West, some Turkish Airlines pilots are required to fly 17 hours" said a union representative. In response to the unilateral imposition by management of the new flight duty times, six hundred pilots of Hava-Is stopped work on April 11th, and called for the withdrawal of the new duty time limits.

The refusal to fly the new hours led to the cancellation of all the carrier's domestic and international flights.

In the face of this action and the strength of opinion it represented, the Turkish Prime Minister, Tansu Ciller, gave the union a guarantee that the problem would be resolved, leading the pilots to resume their duties on 13th April.

## JOB LOSSES IN EUROPE AND THE USA

The **Air France** restructuring plan, involving a US\$3.44 billion injection from the French government over the next three years, is intended to see cost cutting of 10 per cent per year matched by an equal rise in productivity. At the forefront of the measures are plans for a cut in the workforce from 40,000 to 35,000 by 1997. **SAS** has reached agreement with its pilots for 300 redundancies as part of its restructuring. Other concessions agreed by the pilots include increases in duty hours and numbers of daily landings, and flexibility changes. The airline also said that 680 cabin crew jobs are to go as part of the plan. In total **SAS** is cutting 2,900 jobs, one in seven of its workforce, to slash costs by US\$380 million by the middle of 1995. **Olympic Airways** has announced a major shakeup of its operations in the context of proposals for debt write-offs and cash injections from the Greek government. Employee numbers, which have declined by 11 per cent over the past six years, are set to fall by a further fifteen per cent through voluntary redundancy by the end of 1996. An overhaul of work practices is a top priority for management, including flight and duty times for cabin crew.

**US Air**, the sixth-largest carrier in the US is to seek \$1.5 billion in concessions from its unions over the next three years. The carrier, under pressure from its partner **British Airways** to cut

costs, announced an overall target 10 per cent cut in operating costs, with employees being asked to shoulder most of the burden.

**American Airlines** has announced that it will be seeking further redundancies amongst its remaining 9,500 flight-deck crew. The carrier has already laid off 510 pilots during the past year. Fierce competition between carriers in the USA has also had an effect on **Continental Airlines**, which intends to cut a further 1,000 jobs before the end of 1994.

## AEROLÍNEAS DEAL CLEARED

An Argentine federal tribunal has cleared the way for **Iberia's** US\$500 million injection into flag-carrier **Aerolíneas Argentinas**. The move will involve the Spanish airline taking an 85 per cent stake in **Aerolíneas**. As reported in **ITF News** of April 1994, the takeover had earlier been put on hold as a result of legal action backed by unions concerned about the loss of national control over the flag-carrier.

## UNION REACHES LANDMARK AGREEMENT

The Association of Flight Attendants, **AFA**, has reached a breakthrough deal with **Alaska Airlines** following a three-year strategy of negotiations and collective action. The deal is modelled on the contract covering employees at **Southwest Airlines**. **AFA** President Dee Maki described the settlement as "an incredible breakthrough" and praised the Alaska attendants "who put their jobs on the line." Attendants had triggered short work stoppages and delays ranging from 20 to 90 minutes to push management to the bargaining table. The carrier had challenged the legality of the union's tactics, but once their claim was rejected by the courts, there was little they could do to fight the attendants' actions.

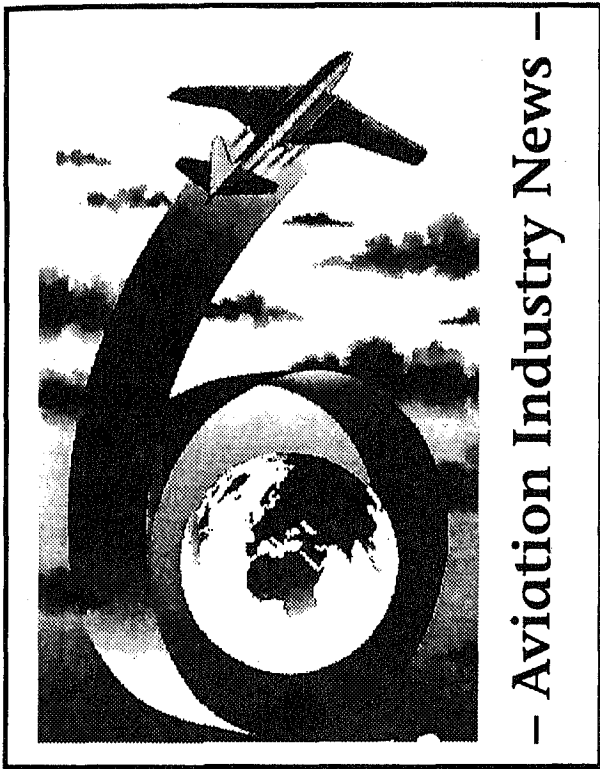
Meanwhile, the campaign by the International Association of Machinists to support 150 **Alitalia** members, who had been locked out of their jobs and on strike since September 3rd 1993, continues to grow. A major rally is planned for the end of April, and the union is calling for a boycott of the airline in the USA.

## LORENZO OUT

Frank Lorenzo, head of **ATX Corp**, and former chief of **Eastern Airlines** and **Continental Airlines** has finally been denied a certificate of fitness to operate an airline by the US Department of Transportation. Lorenzo, whose former carriers were both led into bankruptcy, blamed trade union influence for the rejection.

Lorenzo had applied to run a new low-cost airline out of Baltimore/Washington International Airport, but the judge in the case, Robert Barton, ruled that Lorenzo's past companies had "lived on the edge of the law" and commented





that "the compliance problems of Lorenzo-controlled airlines were persistent and pervasive and compromised safety to such an extent that I cannot find the applicant fit."

International Association of Machinist president George Kourpias praised the decision "This in no way can make up for the thousands of lives Lorenzo ruined, but at least the world knows our members were right when they stood bravely and fought the biggest business tyrant of the last half of this century".

#### US AUTHORITIES SLACKEN ON SAFETY

Safety standards in United States airlines are slipping, according to one of the USA's most popular Public Broadcast System television shows.

The programme, *We do the Work*, which examines issues from a workers' point of view, revealed the extent to which USA airlines and the Federal Aviation Administration (FAA) are sacrificing public safety for the sake of higher profits.

The programme focused on the use of overseas

maintenance and repair facilities, arguing that language and monitoring difficulties meant lower standards of safety. The show revealed that the FAA certified foreign repair stations, even though the FAA's own licences for mechanics and technicians and their own standards for parts inspection did not apply overseas.

The show reported that while the FAA has 900 Inspectors based in the USA, only 35 are assigned to locations outside the United States. According to the Inspector General of the US Department of Transportation, Schiavos, "Air maintenance people and quality control people have been the first line of defence".

#### CIVIL AVIATION AUTHORITY'S SELL-OFF

The British Government is expected to act soon on its proposal to privatise the UK Civil Aviation Authority's air traffic control services.

Under the plan, the CAA would retain its regulatory role, but all air traffic control services would become part of a new private company.

The move has sparked concerns about safety since the new body would be under pressure to improve profit margins. Air traffic control accounts for about two-thirds of the CAA's total payroll of 7,300. Meanwhile, France's civil aviation authority DGAC has spun off its airworthiness inspection and approval facilities into a joint venture with the privately owned maritime classification society **Bureau Veritas**, which reports that at least two other European countries had approached it with the idea of forming similar semi-private commercialised enterprises in the sector. BV and other private ship classification societies have been strongly criticised for placing the profit motive above safety considerations.

#### WALKING TO TOKYO

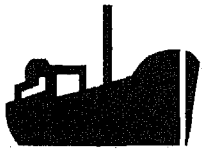
Recently **Japan Airlines** supplied the cabin staff on a flight from London to Tokyo with pedometers. The aircraft took nearly 12 hours to cover 10,000 kilometres, during which time the cabin crew had covered an average of 8 kilometres each through the aisles of the Boeing 747.



## PEOPLE

ITF Executive Board member Alf Karlsson will be retiring as head of negotiations of the Swedish State Employees' Union (SF) on reaching his 60th birthday on 6 May. ITF Assistant General Secretary Graham Brothers will be attending the farewell gathering being held in Stockholm to mark Karlsson's retirement when he will be passing on the ITF's good wishes for a long and happy retirement.

**John Halas**, General Secretary of the Pan-Hellenic Seamen's Federation (PNO), has been elected Chairman of the Hellenic Marine Environment Protection Association (Helmepa). Halas is the first seafarers' union leader to head the environmental association and his election is being interpreted as recognition of the important role that seafarers have played in Helmepa's development.



## IMO and US Coast Guard collaborate on ship information database

US Coast Guard officials, working together with the International Maritime Organization (IMO) are currently combining efforts with other maritime safety organisations for the establishment of an international ship accident database.

The push to create a worldwide accident database became more urgent after the Salvage Association announced in April that it was terminating its 137-year old practice of publicly releasing ship accident information, because of concerns that the data was used unfairly to paint some shipowners as poor operators. The IMO and other industry officials, pushing for greater openness in the industry as a means of encouraging careless owners to either improve or leave the business, were highly dismayed by the association's decision.

The void left by the Salvage Association creates, however, new incentives for the creation, through an industry wide co-operative effort, of a global reporting network: "If we can report among all of us (government maritime authorities) the types of things we're finding on certain ships, we can look at those ships more closely when they come into our ports," said Coast

Guard Captain Ken Ervin, who is chairing an IMO steering committee developing such a database.

Named the International Ship Information Database, originally proposed by the Coast Guard to the IMO, the project led by Mr. Ervin would compile information about ship boardings by maritime authorities, and about accidents. At a meeting, scheduled for late in April, the steering committee will meet to discuss technical options involved in setting up the database. In addition, the USCG will demonstrate its own Port State Information Exchange database, which went on-line in October 1993, and contains information exclusively from inspections and boarding by US authorities. The database is, however, capable of being expanded to contain information from other nations. Databases used by other maritime safety organisations will be demonstrated at the meeting as well.

The steering committee expects to make its final report in November, after which it will take a year for the database to become operational, Mr. Ervin said.

## Maritime interests team up to boost US-flag cruise ship industry

US port, labour, and cruise interests joined forces in mid April in support of legislation designed to spur a US-flag cruise ship industry. The proposal, designed to provide a "level playing field between the United States and foreign interests in the cruise industry," according to the chairman of the National Cruise Ship Alliance, would permit foreign operators to carry passengers between US ports if they agree to build US-flag replacement ships within three years. Absent from the meeting which discussed the measure, were foreign cruise representatives, who would, of course be effected by the legislation. And the Clinton administration has yet to take a position on the legislation.

The measure includes two bills. The first provides a way around the restrictions of the Passenger Vessel Act, which prohibits foreign-flag

cruise operations between US ports. Foreign operators could get an interim US documentation certificate allowing them to reflag their ships and operate in coastal waters not already served by US cruise ships. The owner would agree to replace the interim vessel with one of equal size built in a US ship yard.

The second bill, which comprises a series of tax incentives, including federal loan guaranties will most certainly not make it through the passage procedure: "The economic problems of our country and the related budgetary concern of this Congress, may make it more difficult to enact legislation designed to provide American entrepreneurs with additional tax incentives," said a member of the US House of Representatives.



Seafarers visiting the Korean port of Incheon now have a union built waiting house where they can shelter from the weather, take refreshment and meet other crew. The seafarers' waiting house — built by the ITF-affiliated Federation of Korean Seafarers' Unions (FKSU) — was formerly opened on the 11th of March 1994 in a ceremony attended by dignitaries from labour, management and government. The port of Incheon is divided into an outer and inner port. Seafarers needing to go to ships that are loading and unloading and ships which are moored in the outer port are ferried from a point on the coastal pier — this is where the new waiting house is located.

## Clay bill clears Congressional labour panel

The long-lived, and now internationally very controversial Clay bill, a US legislative measure that would extend US labour laws to foreign ships calling at US ports, passed a House of Representatives' labour panel on April 13, paving the way for it to make it to the House floor for debate sometime this year. This is an important milestone for the important maritime bill, making it the first time it passes the committee stage during the six years it has been under consideration.

The measure extends the protections of the Fair Labor Standards Act and the National Labor Relations Act to foreign ships regularly engaged in US commerce. Jurisdiction would extend to passenger vessels, cargo vessels, and factory ships that perform manufacturing or processing operations in US ports or off the US coast. Workers on those vessels would have the right to organise and bargain on their employment conditions and would receive US minimum wage protections.

Immediately following the Clay bill's passage through the House labour panel, a great number of countries from around the world sharply objected to the US legislation. In a diplomatic note to the US State Department, the European Commission, and the governments of Japan, Canada, as well as the 12 European states of Belgium, Denmark, Finland, France, Germany, Greece, Italy, the Netherlands, Norway, Portugal, Spain and the United Kingdom, said the bill

was "deeply objectionable" because it is "contrary to international law and practice; would distort free and fair competition; and could lead to serious disruption of international maritime trade." In addition, they claimed that the Clay bill will "breach international law and customary practice under which flag states remain solely responsible for the application of labour, administrative, technical and social laws, to ships on their register."

## New Zealand seafarers prepare for dispute

Seafarers in New Zealand are bracing themselves for a major industrial confrontation on the inter-island ferry services.

The American company which now owns New Zealand railways has demanded that the seafarers accept mass redundancies and an increase in working hours by May 1st — when their new contract comes up (see ITF News April 1994). Wisconsin Central Transportation Corporation has advertised in Australia and Britain for scab labour to run the ferries — despite the fact that there is still no dispute under way.

Seafarers are clearly worried that the company intends to lock them out and attempt to run the services with scab labour. Workers on the Cook Strait ferries are taking turns to guard the ferry terminals throughout the night in order to fend off any potential strike breakers.

# Fourth year of consecutive growth for Greek fleet

## — The ITF's Flag by Flag Roundup —

The Brazilian government will make a second attempt on May 11 at privatising its shipping company Lloyd Brasileiro, after the failure of the first sale attempt at the end of March, due to a lack of adequate bids (see ITF News, March 1994). If the sale fails at the second auction, where the reserve price for the financially troubled company has been set at US\$26.5 million, the alternative probably will be to liquidate the company, a spokesperson for the company said.

For the fourth year in a row, the Greek controlled merchant fleet has grown considerably, standing now at 3,019 vessels of over 120m dwt, an increase of 16.69 dwt for the year, making it by far the largest fleet in the world. Greek interests control 16 percent of the world's fleet in dead weight terms, or nearly one out of six tonnes of cargo carried. In terms of flags used by Greek shippers, Greece showed a 7.18m dwt growth, Cyprus 3m dwt and Malta, which is now the third largest register used by Greek interests, showed an increase of 2.8m dwt. Totally, in dead-weight terms, Greek interests now control 27 percent of the world's combined carrier fleet, 20.5 percent of the ore and bulk fleet and 18.1 percent of the total tanker tonnage. Orders for new ships doubled compared to last year, but the phenomenal consecutive growth record for the Greek fleet was mainly due to the massive purchasing of second-hand tonnage. Even considering this fact, the average age of the Greek fleet only grew by 0.1 year since March 1993, comparing favourably to the 0.2 years of the world fleet. Still, the average age of Greek-controlled vessels now stands at 18.7 years, against 15.8 for the world fleet.

The turmoil of politically motivated personnel changes that have seriously troubled the Panamanian Flag of convenience register, the world's largest, will not affect maritime safety, says Victoria Garibaldo, head of the registry, who expects she, too, will soon lose her job in the political storm. With more than 12,000 ships on the registry's books – including many oil tankers and most of the Japanese-owned merchant fleet – both environmentalists and ship owners are highly conscious of the need for the registry to police its fleet effectively and without political interference. The Panamanian registry has long been accused of corruption and unjustified po-

litical influence, accusations which recently reached a peak, with the firing of 17-year registry veteran Sabina Gonzalez, the popular head of the organisation's safety office in New York, who was quoted criticising the government for inadequate support to the registry (see ITF News, March, 1993). Ms. Garibaldo rejects criticism on this point, however, stating that: "The registry is not based on a person," "We have to convince people that our registry is based on a policy. The policy has been the same and will stay the same." The chairman of the Federation of American Controlled Shipping, which represents the interests of US owners of ships registered in Panama and other open registries, Phil Loree, disagrees with Ms. Garibaldo on this point: "Politics had something to do with the departure of Sabina Gonzalez. We don't want it (politics) cutting in on the technical side," he stated. Labour – with the ITF in the foreground – and environmental interest groups have always been opposed to flag of convenience registries, which have recruited the bulk of the world shipping fleet with their low taxes and liberal labour laws. But recently, even strong supporters of open registries have been pressuring for more stringent safety standards. Mr. Loree asserts that the future of open registries relies on their ability to collectively upgrade and improve their administrations. Ship owners fear that if open registries do not improve, tougher regulations will be forthcoming from nation states in North America and Europe, citing the US Oil Pollution Act of 1990 (which came about following the oil spill caused by the Exxon Valdez) as an example. Other obvious deficiencies regarding the Panamanian register, include the fact that it is in arrears in its dues to the International Maritime Organisation, though Garibaldo says she is moving quickly to bring the dues up to date, having paid US\$1 million this year, which cleared the debt for 1993, and part of this year. In addition, the register is sharply criticised for not requiring its vessels to hold certificates from major classification societies, although a study is currently being done into a classification requirement.. Garibaldo is certain to lose her position as head of the registry, when current Panamanian President Guillermo Endara, who appointed her in December, 1993 expectedly loses the upcoming general election.

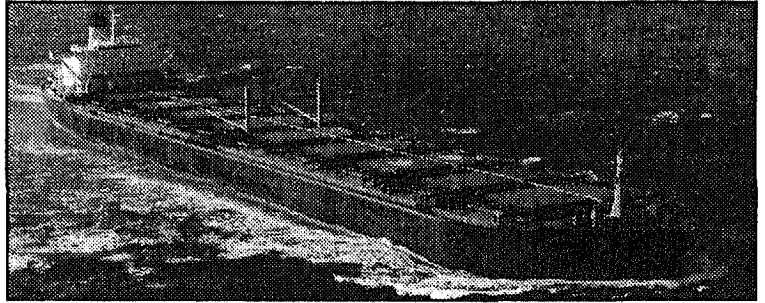
# ITF to look for Derbyshire wreck

A new chapter is about to be written in the 14 year campaign by the ITF maritime affiliates RMT and NUMAST to uncover the truth behind the loss of the oil bulk ore carrier MV *Derbyshire*. The vessel, which was lost in typhoon "Orchid" in September 1980, was the largest UK registered vessel ever lost and resulted in 44 deaths. The *Derbyshire* has become a cause célèbre and has become a focus for all those, like the ITF, who campaign on behalf of seafarers world-wide working on board bulk carriers and other large ships. Over 686 seafarers have lost their lives in 63 bulk carrier sinkings since 1988.

The ITF has contracted the services of a US based company - Oceanering Technologies (Otech) - to undertake a deep ocean side scan sonar search for the wreck of the *Derbyshire* in an attempt to prove beyond reasonable doubt that the *Derbyshire* broke in two at the surface and, by doing so, compel the UK maritime safety authorities to re-examine the circumstances of the vessel's loss with a view to re-opening the Formal Inquiry. The official view of the UK Government is that the vessel was "probably overwhelmed by the forces of nature" - a conclusion drawn by the Formal Investigation held in 1989. However, there is growing body of evidence and opinion that the vessel sank as a result of massive structural failure.

It is hoped that the successful conclusion of the ITF's mission will arouse world-wide public interest in maritime safety, and in particular the plight of seafarers of all nationalities working on board bulk carriers and other very large ships and provide increased focus by maritime agencies on the vulnerability of these types of vessel.

It is the ITF's view that flag states can not simply avoid their responsibilities by declaring the loss of vessels in unusual circumstances, such as those surrounding the *Derbyshire*, as simply force majeure particularly when so many



seafarers' lives are being lost. This mission will illustrate that it is possible to investigate serious maritime losses in a similar fashion to that which is used in the civil aviation industry. The deep ocean is no barrier for modern technology only political will stands in the way of the truth.

With a view to maximising media exposure a camera team from the UK based Independent Television News (ITN's) Channel Four Home

Affairs Unit will be accompanying the ITF on the mission to provide news coverage and produce a full length documentary on the circumstances of the *Derbyshire*'s loss. ITN were chosen from a number of news agencies who had contacted the ITF about the *Derbyshire* expedition because of their long term commitment to the project and their network contacts in the UK and abroad, notably with ABC, CNN and public broadcast stations in the USA.

The search for the wreck of the *Derbyshire* is scheduled to commence on or about 21 May 1994, with mobilisation taking place in Yokohama, Japan. The mission should be completed by 4 June.

## Ships over 100,000 dwt currently trading

According to Lloyd's Register there are currently:-

- 898 tankers with an average age of 13 years - 498 of which (60%) are over the age of ten;
- 191 OBO's with an average age of 17 years - 123 (87%) are over the age of ten;
- 386 bulk carriers with an average age of 9.5 years - 190 (49%) over ten years old;

Making a total of 1355 ships over 100,00 dwt or roughly 30,000 seafarers at risk (assuming ITF manning scale 6 i.e. 21-23 per ship).

The *Derbyshire* was 4 years old when lost and weighed in at 169,044 dwt.

Source: Lloyd's Register of Shipping, December 1993

\* UK Shipping Minister Lord Mackay has told the ITF that "I understand the continuing concern of the bereaved families about the loss of the *Derbyshire* and I will be interested to hear of further developments in the search. I wish the ITF well in supporting the project."

# US Coast Guard introduces new ship inspection regime

More rigorous ship safety inspections have been announced by the United States Coast Guard (USCG), which claims to be about to implement the toughest anti-substandard shipping programme in the world.

The apparently bold USCG initiative targets a clear set of objectives: "The programme's goal is identifying and eliminating substandard foreign vessels from US waters, and encouraging those committed to trading with the US to adopt management philosophies that ensure compliance with accepted standards...by systematically targeting boarding efforts at high-risk vessels." It seeks, in addition, to "aggressively pursue penalties for port-state control deficiencies discovered during boarding, deny substandard ships entry into US ports until deficiencies are corrected, and bring to the attention of the International Maritime Organization (IMO) information concerning such vessels."

The USCG's new definition of a substandard vessel is one whose hull, crew, machinery, or lifesaving, fire fighting, and pollution-prevention equipment are substantially below the standards required by US law or international conventions due to:

- the absence of principal equipment or arrangements required by US law or international conventions;
- gross non-compliance of equipment standards or arrangements with relevant specifications of US law or international conventions;
- substantial deterioration of the ship's structure or its essential equipment;
- non-compliance with the operational and/or manning standards required by US laws or international conventions;
- a clear lack of appropriate certification, or the crew's demonstrated lack of competence.

The effort, aimed at attacking the root of substandard shipping woes, establishes specific targeting guidelines for each of the following categories:

Owners, operators or managers of any vessel subject to a US port-state intervention carried out under authority of an international convention will be singled out. The designation applies to every vessel associated with the targeted owner, not just the ship subject to the intervention.

Flag states will be targeted based on a comparison of the vessel intervention ratios of various flag states. Intervention ratio calculations in

turn are based on the number of vessels of each flag state that are intervened in US waters versus the number of ships from that flag state that are not. This data is compared to the average for all flag states, with those exceeding the mean being subject to inspection.

The Port State Control Initiative also designates priority-categories, which outline which ships to target for boarding, and when boarding should take place. Priority I ships, which must be examined, with eventual deficiencies needing to be corrected prior to US port entry, include vessels that are stateless, suspected of posing a danger to the port or the environment due to a hazardous materials release or outgoing oil discharge; and vessels that are specifically targeted by the USCG Officer in Charge of Marine Inspection (OCMI) or Captain-of-the-Port (COTP), based on specific information or other identifiable criteria indicating a high likelihood that the vessel is substandard.

Priority II vessels, which will face inspection prior to the start of cargo operations or passenger embarkation, with eventual discrepancies needing to be corrected prior to cargo or passenger loading, are vessels that do not have or are past due for annual Tank Vessel Biennial Certificate of Compliance, or Annual Control verification Examinations; have overdue outstanding requirements issued at previous USCG examinations; lack a record of previous USCG examination; or have not been examined since being released from a port-state intervention by the US or any other party to the applicable convention.

Priority III vessels, targeted for examination after port entry, without restrictions on the start of cargo operations or passenger embarkation requiring discrepancies to be corrected usually prior to departure include those without or past due for an annual Freight Vessel Examination or quarterly Passenger Vessel Re-examination, and those alleged to be substandard by a crew member, a professional or other association, a trade union, or any other interested persons.

Priority IV vessels include those possessing none of the critical criteria within the higher priorities, which will not be targeted for boarding, but may still be boarded at the discretion of the OCMI or COTP.

The US Senator in charge of the Congressional committee that ordered the USCG to come up with a new inspection programme promises to keep the pressure on to ensure proper and complete implementation of the new scheme.

# Crew strike in Norway



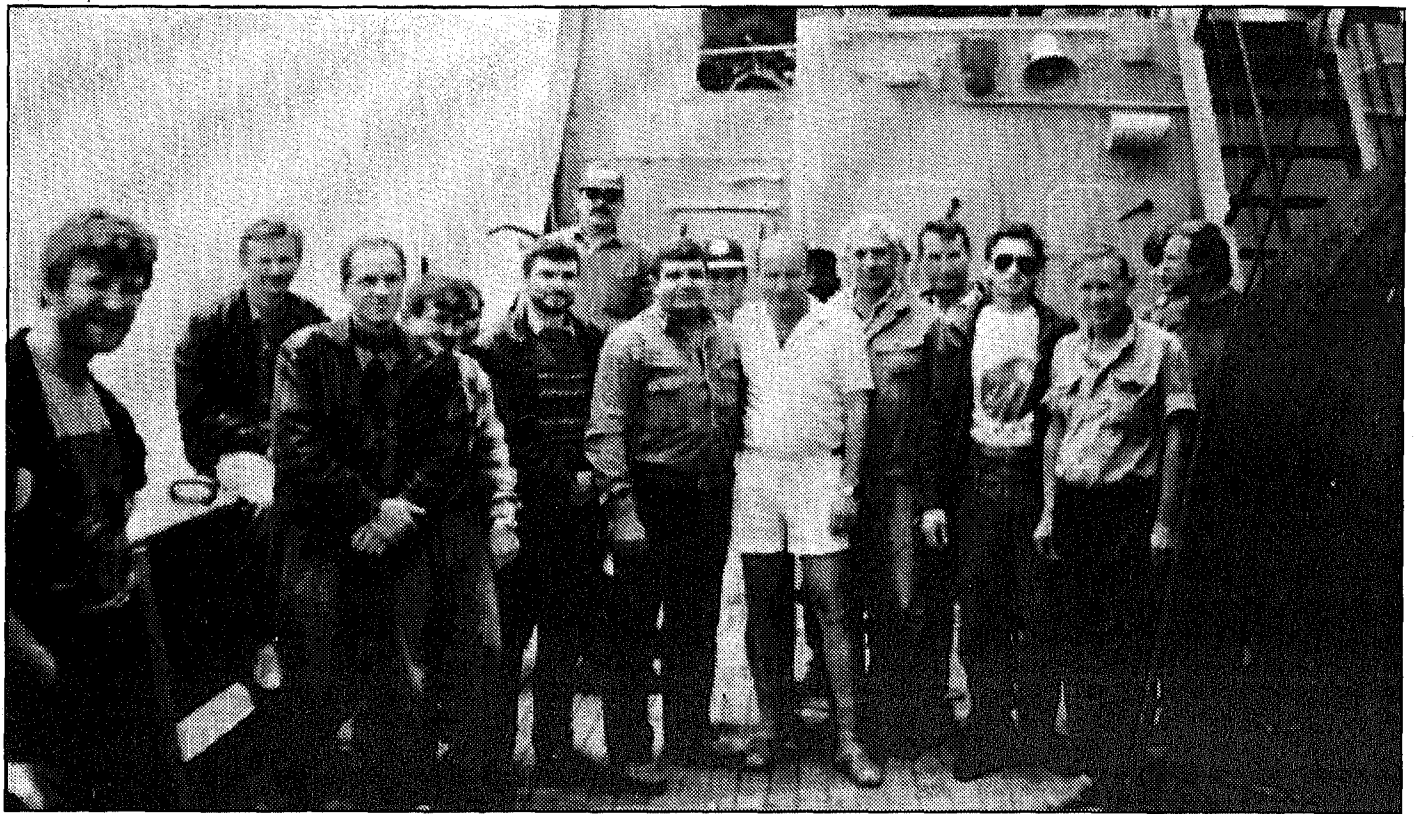
The crew of the German-owned, Antigua and Barbudan flag *Saskia Star* are on strike in Norway (BMV/Laksevåg) as we go to press. The Filipino, Polish and Norwegian crew are covered by an ITF Standard Agreement but were not paid in line with ITF rates. Boycott warning was delivered to the vessel on March 11 — but because she is in Dry Dock, no action was taken. Because of this, the crew started their own strike. ITF Inspector Steinar Garberg met with the local union, who have supported the crew with a donation of 3,000 Norwegian Crowns and have given their sympathy to the strike. Because the company has refused to settle, Garberg arranged the vessel's arrest on March 29 for a claim of US\$152,545 plus repatriation costs. Both Garberg and ITF Inspector Sverre Nilsen have visited the crew a number of times. Norwegian TV and newspapers have also been covering the case, and the ITF has advanced emergency allotment funds to the families (\$25,000).

The Cyprus flag capesize bulker *Kamari* — a 20 year old vessel carrying 120,000 tons of iron ore and crewed by 23 Filipinos, 2 Burmese and 5 Greeks, arrived at anchorage off Uruguay at the

end of February with severe damage to hull frames. Repair works on the ship ground to a halt after the owner — a Greek company — failed to pay anything. Soon after the *Kamari* suddenly reported that she was slowly sinking, a little over a metre under her keel. The authorities who had detained the ship ordered it to move sixty miles offshore near the limits of the nation's territorial waters. 22 of the crew were disembarked. The ship was unable to anchor and ended up thirty miles off Rio Grande, Brazil — in Brazilian waters. Following the intervention of the ITF's Special Seafarers' Department, payments were made to the crew for the outstanding wages that they were owed and repatriation for a number of the crew. As we go to Press, the ship is still off the Brazilian coast. The Brazilian authorities have asked the master to sail the ship out of Brazilian coastal waters and scuttle her. The master has refused because the ship lacks lubricating oil, adequate lifeboats and essentially, he fears that the vessel will sink anyway when he is trying to reach the limits of Brazilian waters.

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— Foc Campaign News —



**The Juno Trader crew**

Continued from page 23

The 23 Russian seafarers serving on board the St. Vincent flag *Juno Trader* — a fish carrier operating between Nigeria and Walvis Bay, Namibia — complained in December last year that they had received no pay since April. The vessel had changed ownership and this was still owed from the previous owner. The crew had no contracts of employment whatsoever. The ITF's Special Seafarers' Department contacted the owners but were unable to obtain anything initially. The ITF then threatened to institute arrest procedures against the vessel, the crew were informed not to contact the ITF by the owners, but finally the owners agreed to settle the crew wages account in March and repatriated the crew. A total of US\$46,500 was received by the crew who

thanked the ITF not only by fax, but also with a bunch of flowers. Reverend Chris Strattan from the Missions to Seamen in Walvis Bay should also receive credit for his strong support for the crew and his fine efforts in assisting the Russian seafarers.

Greek shipowner Lion Marine, who operate with ships abandoned in Romanian shipyards after the revolution, have been abandoning their ships all over the world and would appear to have gone bankrupt. The Panamanian flag *Askhabad* was detained by the authorities in Bremerhaven in March. Both the *Askhabad* and sister ship *Krasnovdsk* (also Panama flag) — berthed in Hong Kong — were subsequently arrested by the Berliner Bank. Following ITF intervention, the bank paid US\$105,000 to the Pakistani, Sri Lankan, Lithuanian, Russian and Greek crew of the *Askhabad*. Local agents Sunscot paid out approximately US\$90,000 to the *Askhabad* crew in April. The crew have agreed to stay on the vessel until it is sold.

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At the end of March, the ITF German office received a visit from a Nigerian second engineer who work on the Nigerian flag *River Adada*. He had just received bad news from home and wished to return. Nigerian National Lines (NNL) had told him they would send him home but not pay his outstanding wages (US\$14,668.80). The ITF Inspectors visited the NNL General Manager in Hamburg. Following a pleasant and positive discussion, the seafarer received his money in full on April 13 and was sent home at the owner's expense.