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July 1993

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Privatisation threatens the world's railways

The day before union representatives from 40 railway unions gathered in Luxembourg for the ITF Section Conference, the British Parliament gave final approval to a bill which will break up and privatise British Rail.

The spectre of privatisation haunts the railways of the world. Railway workers — highly skilled, well organised in trade unions and, until recently, generally



A British cartoonist's vision of a privatised rail system.

guaranteed a fair degree of job security — are now facing restructuring, "new" management techniques, and an uncertain future.

For many years ITF railway unions have strongly advocated the development of the railways, arguing for a recognition of the social and environmental benefits of rail and demanding that rail and road infrastructure be treated the same way by the authorities.

It is tragically ironic that, at a time when global public opinion is coming round to our point of view, governments throughout the world are letting the neo-liberal vandals of privatisation loose on the railways.

Over 100 delegates from 40 unions in 28 countries attended the ITF Railwaymen's Section Conference in Luxembourg from 26 to 28 May.

The conference was opened by Josy Konz (FNCTTFEL, Luxembourg) who called for railways to be defended, not broken up.

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Delegates at the ITF Railwaymen's Section Conference

Continued from page 1

ITF Railwaymen's Section Chairman Jimmy Knapp (RMT, Great Britain) welcomed the representatives from Eastern Europe and Russia who were attending their first section conference. He stated that the British government's decision to privatise British Rail would directly result in line closures, job losses and drastic service deterioration.

RAILWAYS IN DEVELOPING COUNTRIES

The conference discussed the problems of railways in the developing countries. ITF Assistant General Secretary Graham Brothers said that while there might be some grounds for optimism in Asia, the situation is bleak in Africa. Restructuring in Argentina has led to a catastrophic loss of jobs.

The conference received reports from all of the developing countries unions present.

ITF Executive Board member Raphael Okang'a (RAWU, Kenya) cited World Bank and IMF aid conditions which demanded a reduction in jobs on Kenyan Railways from 21,000 to 14,000 by 1996.

In India the World Bank is also pressing for privatisation and the AIRF is calling for a strike this September.

Zimbabwe has instructed the railways to operate "profitably" without any state support. World Bank and IMF targets are to blame, again. Privatisation has been announced and many jobs are threatened.

In Ghana, the World Bank has been involved in a "rehabilitation" study of the railways, and 4,000 jobs have been lost.

Malaysian railways have been "corporatised". Full privatisation was stopped by union action, and there have been no redundancies yet.

The terrible situation in Argentina was highlighted, where privatisation (of five out of six lines) and incompetent management has seen the workforce contract from 90,000 to 20,000.

In conclusion, the conference agreed to draw up a statement on railways in developing countries which stresses the ITF's support for its affiliates' efforts to prevent the break up and privatisation of their railway networks. The statement was adopted at the end of the conference.

THE FUTURE OF THE RAILWAYS

The Deputy Director General of French railways SNCF C. Gressier spoke in support of the maintenance of public interest in railways. While not opposed to the use of private capital in rail joint venture and specific projects, he felt that public support was the only way to maintain proper long term planning and secure adequate levels of safety.

The conference discussed the inequalities in treatment of rail and other transport modes. Brothers reported from an ITF survey that showed that most countries still treated railways less favourably than other modes.

The conference received a positive report on the changes taking place within German railways. Many of the demands made by the GdED union had been accepted by the government, and the union had welcomed the integration of the Eastern railway as a positive step. Most debts were being written off, and no redundancies were promised. Furthermore, the union's representation in railway administration bodies was being substantially increased (because of the change from state ownership to a limited company).

In Japan, the situation was not so bright. Since the break up of the JNR in April 1987, the workforce had dropped from 350,000 to 199,740. Line closures and service reductions and a deterioration of the working conditions of the remaining staff had all taken place.

Statements were adopted by the conference on the separation of railway infrastructure from operations, opposing the break up and privatisation of state railway networks, on support for rail unions in developing countries and on the responsibilities for creating railways of the future.

FUTURE ACTIVITIES

It was agreed that the ITF should campaign against privatisation and for the railways.

Suggestions for this campaign included a campaigning document detailing national experiences of privatisation, conferences, days of action and other activities. The Section Chairman, Assistant General Secretary Graham Brothers and Acting General Secretary David Cockroft have been asked to produce a paper of suggestions for campaigning activities to be circulated for discussion amongst affiliates.

ITF communications meeting

ITF affiliates have agreed to establish a Communications Network to improve the exchange of information and encourage skills sharing between transport unions.

This was decided at the ITF Communications Meeting, held in London, England on June 17 and 18, 1993.

The meeting was attended by 54 participants from 39 unions in 24 countries, and by the staff of the Research and Publications Department, Acting General Secretary David Cockroft, Assistant General Secretary Graham Brothers, Asia/Pacific Regional Secretary Shigeru Wada and Computer Services Manager Colin Anstey.

A discussion about the usefulness of affiliates exchanging printed materials concluded with a decision to produce a directory of publications produced by affiliates that are available for exchange.

Participants were asked for their comments on *ITF News* and other publications. Most comments were positive, though it was felt that some stories were too long and that the quality of printing and photo-reproduction were poor. Many participants suggested that *ITF News* should be produced in colour. Spanish speaking delegates also complained that the quality of the translation was unacceptable (this edition of *ITF News* is being translated by a new Spanish translator and should, we hope, be much better).

It was noted in the ITF Communications Survey that the only ITF unions who expressed the feeling that *ITF News* was not relevant to their work were railway affiliates. Participants from this industry agreed with this criticism, but, as the Turkish Railway Workers pointed out, more news would be printed if rail unions provided it.

Affiliates, in the survey and at the meeting, expressed support for the idea of an ITF Features Service. The Research and Publications department aims to begin such a service later in the year.

MEDIA RELATIONS

The meeting then turned to an examination of union relations with the outside world (media and public image).

Lennart Johnsson (Swedish Seafarers' Union) gave a presentation on union media relations with the assistance of a series of graphic overhead slides produced by Swedish artist-seafarer Lars Melander.

He emphasised that the SSU had begun, in 1982, from a position of having an extremely poor media image. The union then devised a media strategy and then put this plan into effect.

The key to this strategy was being open, accessible and truthful with the media. The union always treated journalists with respect and tried to understand that they also had their jobs to do.



Last month's edition of *ITF News* in Japanese, translated and produced by the ITF's Japanese affiliates and the ITF Tokyo Office every month. Affiliates who are interested in producing national language versions of *ITF News* and who are willing (through, for example, the national ITF Co-ordinating Committee) to contribute resources to this project should contact the ITF to discuss how we can help.

Media training for officials, regular press conferences and innovative newsworthy events were all components of the strategy. He also underlined the importance of working with "populist" movements (like environmentalists and anti-racist movements).

Johnsson described two successful Swedish union campaigns against the Black Prince ship and the Second Register (familiar to readers of *ITF News*) where the "media strategy" was combined with political lobbying and innovative events, often organised by younger and new members of the union.

Participants stressed the need to develop good media relations in advance of a dispute and the need for media awareness training was called for by many people.

INFORMATION TECHNOLOGY

Computerisation and electronic mail were examined in detail. The ITF's new Computer Services Manager Colin Anstey described what he saw as the "second wave" of computerisation, where information processing replaces automation and creates rather than destroys jobs.

The Communications Director of the Swedish Government Seamen's Service (HKF) Christer Hederström described the work of his organisation which is using electronic mail and the INMARSAT satellite system to communicate with ships and even send newsletters to vessels.

The meeting also discussed union use of electronic mail and the advantages of computer communications.

Demonstrations of electronic mail and compact disk computer technology were also given.

COMMUNICATIONS NETWORK

In conclusion the meeting agreed to establish an ITF Communications Network — drawing upon designated individuals within affiliates who will operate as national or regional contacts. The network will provide a backbone for greater information sharing amongst ITF affiliates and should also assist in the production and dissemination of the Features Service.

Discussions begin on ITF centenary

Preparations for the ITF's 100th birthday in 1996 began with a meeting in London on June 16th that was attended by representatives from ITF affiliates, retired transport union people and labour historians.

This unique gathering of academics and trade unionists produced many ideas and recommendations to the ITF about how the anniversary may be marked, and set up a working group of historians and ITF unions.

The meeting recommended to the ITF that the 1896-1996 anniversary should be a major project, involving publications, exhibitions, audio-visual displays and other promotional materials. These elements should not be a dry academic account of history, but should seek, as former ITF Vice President (and Spanish civil war veteran) Jack Jones said to "be directly relevant to ordinary transport workers".

Dutch labour historian Bob Renalda suggested that ITF affiliates should use the anniversary as a device for examining the future of the international trade union movement in the light of its past victories and defeats.

The meeting discussed what ITF archival materials exist in various places. The ITF maintains an extensive archive at the Modern Records Centre (Warwick University, England) and co-operates in sending German language material to the FES archive in Germany. Additional material is also deposited at the International Social History archives (IISG) in Amsterdam. The meeting was told by Michel Vermote (AMSAB, Belgium) that recently opened Nazi archives in Potsdam, Germany also contained an extensive section on the ITF. It was agreed to attempt to produce a directory of all ITF sources.

1996 EXHIBITION

It was agreed to recommend that the ITF should seek to mount an exhibition in 1996. It was suggested that there should be two exhibitions — one for museums and a portable copy that could be dispatched to different countries for meetings organised by affiliates.

There was extensive discussion about the production of publications. The ITF has already begun work on a history of the flag of convenience campaign, and a publication to mark the

50th anniversary of the death of inter-war ITF General Secretary Edo Fimmen will soon be appearing. Participants recommended that former ITF Research and Publications Secretary Ken Golding's unpublished manuscript on the early ITF history (1896-1916) should be published and also that Fimmen's 1924 book *Labour's Alternative* should be reprinted.

It was agreed to set up five editorial working groups, with designated co-ordinators to cover different aspects of the ITF history (the early years, 1896-1916; the anti-fascist struggle, 1919-1945; the anti-colonial struggle, 1920 on; the modern era, 1945 on; and the Flag of Convenience campaign, 1948 on). Additional co-ordinators for video materials and the exhibition were also agreed.

TRANSPORT WORKERS' MEMORIES

It was also recommended that the oral history (recollections of transport workers themselves) should form an integral part of the history.

A number of promotional materials should also accompany the project. A badge based on the old ITF logo (which appears on the cover of the redesigned *ITF News*), posters, postcards, T-shirts, songs, audio-visual materials and cartoon strips were all recommended.

1996 MEETING?

On the question of an ITF meeting in 1996, participants felt it was a good idea, but any decision needs to be taken by the ITF. ITF affiliates present from Sweden, Germany, Holland and Belgium announced their agreement to propose to the 1994 ITF Interlaken Congress that a special ITF Congress be held in 1996 to mark the anniversary.

A working group was established by the meeting with representatives of ITF affiliates and the academic editorial co-ordinators which aims to meet again in three months' time.

The ITF has established a mailing list and database of affiliates and individuals interested in the centenary. Anyone who wants to be added to this mailing list (to receive regular updates about the project) should write in to the ITF Research and Publications Department.



1896 • 1996

COMMENT

As well as a new look to *ITF News*, this month sees the start of a new feature — an editorial. This is intended not as a vehicle for expressing my personal opinions about great geopolitical events, but as a means of highlighting some of the most important issues and developments occurring during the month which are of importance to the ITF and its affiliates, and of sharing some of the ideas which we in the ITF Secretariat have for the future.

Readers' comments on the idea of having an editorial as well as on its contents will be, as ever, very welcome.

Within the ITF Secretariat, there have been some important changes. At the beginning of July, we welcomed Kees Marges onto the ITF staff. Kees, originally a Rotterdam docker who comes from the Dutch transport workers' union *Vervoersbond FNV*, will be responsible for co-ordinating the ITF's future work in the field of trade union education and assistance, concentrating particularly on Central and Eastern Europe.

Kees will also co-ordinate relations with the ITF's regional structures in Africa, Asia/Pacific and Latin America. Although the first two are in good shape, activities in Latin America have been at a low level in recent years and revitalising them is now a major priority. A meeting of ITF Civil Aviation affiliates — the first for five years — will take place in Buenos Aires at the end of this month, and plans are underway to hold the next Regional Conference in March next year.

EUROPE

In Europe, an important meeting took place at the end of June between the European members of the ITF Executive Board and the Presidium of the "Brussels Committee", the body set up in 1958 by ITF unions in the European Community to look after relations with the EC. The meeting of the ITF-BC "Liaison Committee" reached agreement on some minor changes to the Committee's constitution and accepted the urgent need to draft a working agreement on the respective functions of the Brussels Committee and the ITF European Committee which would ensure close working relations and avoid overlap or duplication. After nearly a year of difficult discussions following calls by (the same) European unions for both bodies to expand their fields of activities, this meeting will hopefully mark the beginning of a new phase of co-operation in the interests of all European transport workers.

Privatisation and deregulation of public transport and attacks on the railways continue to be

a feature of the economic policies of far too many governments as delegates to the ITF Railwaymen's Section Conference in Luxembourg at the end of May made clear. The Secretariat, together with the Section Chairman, have been charged with putting forward plans for a new phase in the long standing Section campaign to promote the railways and oppose privatisation, something which will inevitably be a major focus of discussion at the ITF's 37th Congress in Interlaken, Switzerland next August. That Congress will also provide the opportunity for us to prepare for the ITF's 100th anniversary in 1996, something which we began work on during a meeting of ITF historians in London in June.

Interlaken will provide the opportunity for a major review of the last four difficult years as well as the opportunity to make trade union



By ITF Acting
General
Secretary
David
Cockroft

policy for the year 2000 and beyond. I intend to make proposals to the ITF Executive Board meeting in October for a major policy document to be put to the Congress in order to provide a focus for this debate, following on the report "Changes facing Transport Workers" which was presented to the 35th Congress in Luxembourg in 1986.

MULTINATIONALS AND INTERMODALISM

One of the major challenges facing the ITF and its unions is the increasingly international and intermodal nature of the transport industry. This cuts across the ITF's traditional sectional boundaries and requires an integrated approach. In the first of a series of activities aimed at multinational transport undertakings, the ITF, together with the "Brussels Committee" and the Post and Telecommunications international, is planning a major international conference next December on the international parcel/integrator companies (UPS, Federal Express, TNT, DHL etc.). This will build on recent experience when the ITF organised a tour of European sites for the negotiating team of the US Teamsters' Union which is currently engaged in contract discussions with UPS management in the US and which has invited the ITF and its European affiliates to sit in on the negotiations.

The spread of multinational companies to developing countries has led to increasing pres-

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...Comment

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sure on those countries' governments to violate basic trade union rights. This development was much in evidence at the annual Conference of the International Labour Organisation (ILO) in Geneva which I attended at the beginning of June. The ILO finds itself under attack from two sources. One is an increasingly aggressive employers' group which argues that the body should abandon its role of setting minimum labour standards and dedicate itself to improving productivity and profits. The other is a group of (mainly Asian) government who argue that ILO standards like the right to form trade unions should not be universal but should vary according to a country's level of development or social, religious or cultural background. Needless to say, the ITF strongly opposes any such moves.

STATE ORGANISED OPPRESSION

In the seafaring industry, more than any other, the ITF receives first hand evidence every day of

the results of gross exploitation of workers by employers. The military dictatorship of Burma, the geriatric rulers of China and the government of the tiny Indian ocean state of the Maldives have all actively taken steps to imprison members of ships' crews who have been involved in ITF actions.

Finally on a positive note, July will see the publication of the 8th edition of the *ITF Seafarers' Bulletin*, now without doubt the most widely circulated and widely read of any international trade union publication. Its phenomenal success has caused one of the greatest problems facing the ITF Secretariat today — too much work. It is a problem which has arisen because governments, while paying lip service to the need to control substandard shipping, still refuse to tackle the Flag of Convenience system at its roots, by outlawing fake flags. As a result, the ability of national seafarers' unions to defend their members' interests continues to decline, and the day to day workload placed on the ITF Special Seafarers' Department continues to grow. I intend to make absolutely certain that our capacity to cope with this workload grows at least as quickly.

Namibian railway workers condemn anti-union practices

Namibian railway workers roundly condemned anti-union practices at a seminar sponsored by the ITF for members of the affiliated Namibian Transport and Allied Workers' Union (NATAU), and conducted by Gideon Shoko, visiting from

the Zimbabwe Amalgamated Railwaymen's Union, also an ITF affiliate.

The seminar was held in Windhoek, Namibia, on 23 -27 May.

Workers discussed trade union principles and structures, collective bargaining, problems faced by workers, handling grievances, wages and working time.

Shoko insisted on the importance of union recognition.

"Any company failing to do that, does not care for the health and safety of its workers, and that, in the end, can severely affect the economy of the country.

"There should always be dialogue because if morale drops it will be reflected in production. Companies are generally of the opinion that unions are there to destabilise them. In fact what we want is recognition and rights for the workers," he said.

The twenty one participants in the seminar, most of whom were shop stewards, enthusiastically agreed to continue to work to strengthen the trade union through forming study circles.

They emphasised the importance both of self-reliance and of the need for trade union activists to understand and interpret labour legislation, and supported the fostering of national, regional and international solidarity through follow-up meetings.

Romanian trade union centres merge

In May, three Romanian confederations agreed to form a new organisation, to be called the National Confederation of Free Trade Unions in Romania — *Fratia*.

The new organisation will have 3,370,000 members and is made up of the ICFTU-affiliated organisation *Fratia*, of which some ITF affiliates are members, the *Univers* confederation, which has members in the public service industry, and two other organisations (formerly part of another centre, the Alpha Cartel) representing petrochemical and telecommunications workers.

A merger Congress was held on June fourth.

New Zealand trade unions lodge case against government with ILO

Trade unions in New Zealand have lodged a series of complaints against their government with the International Labour Organisation (ILO).

The New Zealand Council of Trade Unions (NZCTU) has acted over breaches of Conventions 87 and 98, on Freedom of Association and Collective Bargaining, and Convention 17, on Workers' Compensation.

All three Conventions have been violated since the introduction in 1991 of the Employment Contracts Act.

COLLECTIVE BARGAINING

There has been a 45 per cent fall in the numbers of workers covered by collective bargaining agreements since 1989-90 — clearly showing that the Act does not encourage or promote collective bargaining as envisaged by Convention 98 — but is in fact "obstructive and hostile" to the concept.

Under the Act, collective employment contracts can be formed without a trade union and without the process of collective agreement by workers. "Such contracts are not true collective agreements but simply aggregates of individual agreements," say the NZCTU, giving examples of employers concluding "collective" employment contracts directly with workers who had previously authorised a union to negotiate for them in accordance with the Act.

One of the examples was the behaviour of the Ports of Auckland Ltd. which used the Act to speed up its restructuring process. The company wanted to save money by altering pay methods, and to break the unions — the ITF-affiliated Waterfront Workers' and Harbour Workers' Unions in the process. Workers were approached individually, and those who refused to sign the collective contract withdrawing union authorisation to bargain, were sacked (see *ITF News*, January 1992).

When the Harbour Workers' Union took the case to court, the judge said that the case was outside the court's jurisdiction.

Collective employment contracts concluded through non-union "agents" have meant a loss of trade union rights.

Since the introduction of the Act, trade union rights to access a workplace have been reduced or abolished in 12 per cent of enterprises.

Twenty-six per cent of workplaces have stopped or obstructed the supply of names of members to unions, 25 per cent have stopped deducting union fees, and 22 per cent have cut time off for union members.

There has been a drop of over 90 per cent in the

number of collective agreements settled with more than one employer, and in the number of workers covered by industry-level agreements.

RIGHT TO STRIKE

Limitations on the right to strike under the Act are severe, and there are effective penalties against those who strike illegally. Industry-wide strikes, secondary action and strikes on general political, social or economic issues are prohibited.

"This is a fundamental restriction of the right to organise in contradiction to the principles of Convention 87" says the NZCTU.

WORKERS' COMPENSATION

The centre is also complaining to the ILO about reductions in cover for employees injured as a result of work accidents. Injured workers have been left to bear the cost of the difference between the reduced amounts now reimbursed by the Accident Compensation Corporation under regulations introduced in July 1991, and actual costs of medical treatment.

Article 9 of ILO Convention 17, ratified by New Zealand, requires that medical treatment for work injuries be provided at no cost to the injured worker.

The ITF fully supports the complaints made by the New Zealand trade unions.

Banda frees Chihana

Malawian trade union leader Chakufwa Chihana is free (see *ITF News*, May/June 1993). He was released from jail on June 12, just two days before the national referendum in which the people of Malawi voted by almost two to one in favour of multi-party democracy.

Speaking just after the decisive referendum result, Chihana, who also heads the opposition Alliance for Democracy (Aford), proposed that Banda remain for the time being as the figure-head President of a transitional coalition government which would draw up a constitution and prepare for democratic multi-party elections before the end of the year, when a new head of state would take over.

But the ageing Banda is still obstinately clinging to power. While claiming that he accepts the results of the referendum he is insisting that the government will not resign or be replaced by an interim administration.

European working time directive excludes transport workers

It was an important month for transport workers in the European Community, with agreement having been reached on a controversial point — the Working Time Directive.

WORKING TIME DIRECTIVE AGREED

European Community Council of Ministers reached a common position on the draft Directive on the Organisation of Working Time at their meeting on June first.

The Directive, aiming to reduce the number of accidents in the workplace, sets out a series of principles:

- All workers must have eleven consecutive hours of rest within each period of 24 hours;
- A break must be provided for each workday of more than six hours;
- Each week the worker must (in principle on Sunday) have 24 consecutive hours of rest, in addition to the 11 hours of rest from the preceding or following day (35 hours) — but under certain conditions, the 24 consecutive hours may be sufficient;
- All workers have the right to four weeks of paid holiday each year;
- The working week may not exceed 48 hours, including overtime;
- Night workers should not work more than 8 hours per 24 hours period, they must have a regular medical examination and be transferred wherever possible to day work if their health is affected by night work;
- Work must be "suited to the worker", in theory, ruling out the imposition of an excessively rapid pace.

Member States may of course, adopt provisions which are more favourable to their workers, and must not use the conditions to downgrade existing protection.

TRANSPORT WORKERS EXCLUDED

The Council confirmed its decision that all transport workers, including ocean fishing workers, workers in continuous service or production such as port workers and others such as some tourism industry workers, are to be excluded from the Directive.

These workers are to be covered by special directives for their industries. The transport unions within the ITF and the Committee of Transport Workers' Unions in the European Community have opposed this exclusion.

The Council has provided no definition of "transport worker" and no rationale is given for the exclusion other than the "special needs" of

the industry.

This leaves it unclear, in civil aviation for example, which, if any categories of ground staff would be covered by the Directive and which would be left outside its provisions. It is also unclear whether subcontracted workers are considered part of the transport industry workforce — this raises the possibility that among workers doing identical tasks some could be covered by the Directive and some not.

Unions are ready to recognise the need for special measures on working time for some workers who are actually in transit while they carry out their jobs — such as air crew and possibly some seafarers, but see no real reason why non-mobile transport workers should be treated differently from other workers in other industries.

The Directive already allows for a high degree of flexibility, permitting exemptions for work that may not be interrupted for technical reasons or under exceptional circumstances.

WORKS COUNCIL DIRECTIVE STILL BLOCKED

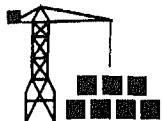
Talks on the Directive seeking to establish works councils in companies with a Community-wide dimension had to be abandoned at the meeting. The UK would not contemplate backing down on the issue, and problems over the definition of a Community enterprise further snarled up the talks.

SAFETY PROVISIONS ADOPTED

A Danish proposal for compromise eased the way of a future Directive on safety on board fishing vessels — it has now been agreed that the Directive will apply to new vessels over 15 metres in length, and existing ships over 18 metres long will be required to comply with the Directive's provisions, which bring to the fore ship-owners' responsibilities for ensuring seafarers' safety.

Transport Ministers meeting on June eighth adopted a Resolution on shipping safety welcoming a Commission proposal for a Directive on shipping classification companies. The Directive is designed to provide for assessment of shipping classification societies' safety competence and inspection policies, and proposes the establishment of joint safety standards applicable from November 1994.

The ministers also adopted a Resolution asking the Commission to draw up strict measures dealing with unsafe vessels. Common rules for detaining substandard ships are to be developed.



DOCKERS

Trinidad port workers fight mass redundancies

Dock workers are fighting a legal battle against the elimination of a permanent stevedoring labour force and the sackings of union officials in Port of Spain, Trinidad.

Since February 1993, large numbers of port workers in Port of Spain, members of the ITF-affiliated Seamen and Waterfront Workers' Trade Union (SWWTU), have been laid off. Hard work and intense negotiations by the union had meant it was able to save 113 jobs (see *ITF News*, January and March 1993).

But a second wave of redundancies was announced on June 14. Notices were issued to a further 249 workers — bringing the total of jobs lost in 1993 to over 900.

"On close examination of the workers who were retrenched, the Port Authority has completely wiped out the Stevedoring Section and are utilising casual labour to replace the permanent labour force; the Transport and Warehouse divisions are reduced by 60 per cent. In one word, the Authority has re-casualised the industry," said Francis Mungroo, President of the SWWTU.

Among the workers who were sacked were most of the union's officials and shop stewards, raising concerns of anti-union discrimination.

The ITF wrote to the Port Authority of Trinidad and Tobago condemning the fresh job losses and the singling out of trade union activists.

The Authority's reply placed the responsibility on public spending cuts — the result of structural adjustment policies imposed upon the government by institutions such as the World Bank and the International Monetary Fund (IMF).

"The Authority traditionally has been heavily subsidised by the government of Trinidad and Tobago. Within recent times, as a consequence of severe financial constraints at national level, the Authority was advised that it was impossible for this subvention to be continued after 1993," said Clive Spencer, the port's General Manager.

Spencer also said that the sacking of trade unionists was "coincidental".

Docks affiliates were asked to forward letters of protest to the country's Prime Minister, Patrick Manning.

Fellow dock workers internationally have sent messages to Trinidad — from as far afield as South Africa and New Zealand, Finland and Sweden, St. Lucia and Antigua, as well as the Netherlands, Japan, Great Britain and the United States.

ITF aids US dockers to defend union

ITF Foc coordinator in the US, John Sansone, helped dockers to beat non-union labour in Port Lavaca, Texas at the end of April.

Members of the ITF affiliated International Longshoremen's Association (ILA) in the port were alarmed when they were told that a cargo of palletised aluminum flouride would be loaded by non-union workers in the publicly-owned dock of Point Comfort.

The cargo had been handled by ILA labour over the past 20 years, but when the Cyprus-flag *Prodomos* arrived in the port, dockers discovered that workers were being brought in from a different terminal to do the job.

ILA official George Polinard called the non-union company, *Gulf Stream Stevedoring*, and offered ILA labour to do the work — but was turned down. Next he tried the vessel's agents, who also refused to cooperate. He checked whether the unionised firms had been ap-

proached to bid for the job (they hadn't) and recommended them to do so.

The charterers, a London-based company called *PG Pateras Shipping Ltd*, were the next step for Polinard — but they refused to discuss the case.

"My district office recommended that I call Mr. John Sansone... he offered me advice and applied pressure in places in Argentina where I feel that I could never have reached," he explained. "Mr. Sansone advised me to talk to whoever I talked to that the ITF was on the case".

When the agents called Polinard later, they had decided to use the ILA-organised workers, and Polinard was able to give them details of the companies to call.

Shippers Stevedoring, whose workers are members of the union, loaded the vessel on April 24th.

PORT NEWS

Italian law "saves too many jobs"

The Italian private employers' federation *Confindustria* has criticised Italy's planned port reform — because it believes the law protects too many jobs.

The legislation, which has been approved by the Senate and is currently being discussed by the Italian parliament, will abolish old port management bodies and create port authorities to function in conjunction with privately-run terminals. The private terminals will have to use the present workforce for cargo handling over the next four years.

Strike breakers recruited

UK port employers in Southampton recruited 80 potential strike breakers and retained them on £175 per week before announcing redundancies to the work force at the end of May.

The substitute workers were recruited through an employment agency and told they would have to be prepared to cross picket lines. They were then told to go home and wait by the telephone, said a spokesman for the ITF-affiliated Transport and General Workers' Union.

The company intended contracting out work, and wanted to make around a third of the 500 workers redundant.

Workers at Southampton Container Terminals (STC) had earlier accepted drastic changes to their working conditions, including a pay freeze until December 1994.

New contract for Grenada

Members of the ITF-affiliated Seamen and Waterfront Workers' Union of Grenada have rejected a contract with the Grenada Ports Authority.

The contract would mean a significant deterioration in working conditions. The union suspects that the authority have presented it with an unworkable arrangement in order to provoke a dispute and thus enable the work to be tendered out.

The union has presented a Collective Agreement containing alternative conditions.

Ports are paralysed over 24 hours

Nearly all Spain's ports shut down on May 18 as workers struck in protest against the recent port law and against government reluctance to negotiate on the basis of the "Framework Agreement" agreed by the unions.

Eight unions, including the ITF's Spanish affiliates, and over 90 per cent of the country's dock workers, supported the 24-hour action.

Taipei dockers' 36 per cent wage hike

Over a thousand TAIPEI dockers took part in a slow down in June.

The action ended successfully on June fourth, after shipping firms in Kaohsiung harbour agreed to a 36 per cent wage increase

Indian privatisation

Indian port workers have demanded negotiations with their country's Surface Transport Ministry following approval by the Law Ministry of a port privatisation proposal.

The transport ministry wants to privatise container facilities and convert existing loans into equity to enlarge the ports' borrowing capacity.

The proposal suggests that a committee of experts review existing labour conditions — but unions, led by the All-India Port and Dock Workers' Federation, want bipartite negotiations, and have warned the government that they are prepared to strike on the issue.

US union agrees on cargo-handling

A US union and Japanese tramper companies have reached an agreement over cargo-handling for Alaskan ports.

The agreement allows for handling of fish cargoes in Alaska by tramper crews if there are no American dockers available to do the job.

Both unions and interested parties in the industry will support a lobby for Alaska to be specifically excepted from the 1990 immigration legislation which prevents foreign seafarers from handling cargo unless reciprocal arrangements exist in their countries.

The remoteness of many Alaskan areas means that US workers are not always available

New study exposes the true costs of deregulating Britain's ports

A new study of the real costs of deregulating Britain's ports was published on July fifth.

"*The Price of Deregulating Britain's Ports*", published by Cardiff Business School and written by Peter Turnbull, Vicki Wass and Syd Weston, provides further evidence of the disastrous social and economic costs of the British model of port labour restructuring.

The abolition of the National Dock Labour Scheme in 1989 resulted in the mass redundancy of around 72,000 registered dockers. The figure proved to be nearly five times the number anticipated by the government, the study affirms — and it cost five times as much as originally estimated.

Taxpayers in Britain bore a £132 million (US\$198 million) outlay from public funds; total costs, including those generated by compensation, are now estimated at around £244 million (US\$366 million), the study proves.

According to the UK government, abolition of the National Dock Labour Scheme, which regulated port work, should have created 4,000 jobs in the ports.

But port employment instead declined by 11,000 between 1989 and 1992. At the time over 80 per cent of workers felt they had no choice other than to accept redundancy payments.

Trade union activists, older dockers and all those workers who were medically restricted to lighter jobs in the port were targeted by employ-

ers for what was effectively compulsory redundancy, the study proves. Those who remained in the industry have suffered a dramatic deterioration in their terms and conditions.

There is now a greater risk of accident and injury in the industry as a result of inadequate health and safety provision. There has also been a recasualisation of the docks and a "wider casualisation and the perpetuation of poverty wages in the surrounding dockland labour market", explain the authors.

Many dockers who were made redundant in 1989 have since been reemployed in the industry in the same or a similar job, it is discovered — some employers used the redundancy and compensation scheme to lay off and then reemploy their workers under worse conditions; at a cost of £30 million (US\$45 million).

Another cost never taken into account by government statisticians is unemployment benefit. One in 20 dockers have been continuously unemployed since they lost their jobs — at a price of around £9 million (US\$13.5 million).

The Price of Deregulating Britain's Ports: The Socio-Economic Costs of the Dock Labour Compensation Scheme is available from Cardiff Business School, University of Wales, Aberconway Building, Colum Drive, Cardiff CF1 3EU. Telephone: +44 222 874417, Fax: +44 222 874419.

Finnish port workers in cargo handling protest

In June, Finnish port workers protested over cargo lashing carried out by the crew of a German ro-ro vessel on a time charter between the Finnish port of Turku and Stockholm in Sweden.

The ITF-affiliated transport union AKT met with ITF inspector Lauri Heinonen and decided that the vessel, the German flag *Transgermania*, would not be handled by dockers unless port workers were used to do this job.

"The company was told that the work had to be left to port workers" said Heinonen.

The ro-ro was carrying trailers and trucks, and the company protested that due to the depressed freight market they had to use seafarers to make the vehicles fast.

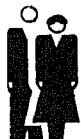
In Finnish ports this work has traditionally been done by portworkers — under ITF policy, seafarers cannot be asked to carry out such tasks

without the agreement of the local dockers' union.

The case was reported to the maritime safety authorities, who sent an inspector to the ship, and the company was reminded about safety regulations regarding cargo lashing on vessels leaving Finnish ports.

This pressure, and the threat of industrial action, persuaded the charterer and the ship's owners to capitulate, and the work was transferred back to the port workers.

Heinonen, who has a coordinating role in the Nordic Transport Workers' Federation (NTF), was pleased with the result, but remarked that the situation was not "under control" in all ports in the region. Work is still needed on this issue, he said.



PEOPLE

We extend warmest congratulations and best wishes to former ITF Assistant General Secretary **Hans Hauf**, who celebrated his 50th birthday on June tenth. Hans joined the ITF as Secretary to the Inland Transport Sections in May 1973, becoming Assistant General Secretary during the Dublin Congress in July 1977. He left the ITF in November 1983 to return to Vienna where he is currently Director General of the Civil Service Insurance Fund.

Mohammad Amin Chachi is the new President and **Amir Mohammad Balouch** the new General Secretary of the Pakistan Seamen's Union.

Virgilio Gallo has left the Italian Transport Workers' Federation FILT-CGIL to take up his new post as President of the Italian Social Security Fund for Forwarding and Maritime Agency Staff, for which he was nominated by the ITF's three Italian transport workers' affiliates. **Romolo Virarelli** has been appointed to Gallo's former post as Secretary for International Affairs.

Pentti Kesseli was re-elected President of the Finnish Railwaymen's Union at the union's 16th Congress in Esbo last month. Kesseli has been President since 1985.

Brian Orrell, who takes over from John Newman as General Secretary of the British National Union of Marine, Aviation and Shipping Transport Officers (Numast) at the beginning of August, is a 44 year old former ship's engineer, who came ashore in 1973 to work as a National Organiser for the MNAOA (NUMAST's predecessor). In 1979 he moved to head office when he was

appointed National Secretary and then in 1988 came his election to Assistant General Secretary.

Michel Pernet was elected as the new General Secretary of the French Transport Workers' Federation FGTE-CFDT at the union's 6th Congress in Caunterets. Also newly elected at the Congress were Assistant General Secretaries, **Gérard Balbastre**, in charge of international affairs and finance, and **Claude Debons**, in charge of negotiations and transport policy. Gérard Balbastre is a member of the Committee of the Railwaymen's Section and its Sub-Committee on Transport Policy.

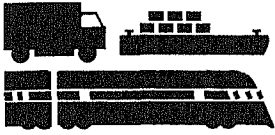
Klaus Zwickel was elected President of the International Metalworkers' Federation (IMF) at its 100th anniversary Congress. Zwickel has been Vice President of the German Metalworkers' Union IG Metall since 1989 and is currently Acting President. The Congress also re-elected **Marcello Malentacchi** as IMF General Secretary.

Czech Republic and Slovak Republic: at the end of May members of the Trade Union of Railway Workers (part of the ITF-affiliated Association of Transport Workers' Unions) voted to divide the former federal union into two independent bodies, one in each of the two republics, and elected new leaders to the successor trade unions. **Zdenek Skop** was elected the new Chairman of the rail union in the Czech Republic, with **Jiri Ryvola** and **Miroslav Kapoun** as joint Vice Chairmen, while its counterpart in the Slovak Republic is led by Chairman **Imrich Sedlacek** and Vice Chairman **Michal Hanko**.



FORTHCOMING MEETINGS

10-13 August	Offshore Standing Committee/ Seminar	Fremantle (Australia)
6-10 September	Inspectors' Seminar	Eastbourne
4-6 October	North Sea and English Channel Ferry Conference	Rotterdam
18 October	ITF Management Committee	London
19-20 October	ITF Executive Board	London
26-27 October	Cabin Crew Technical Committee	Berlin
8-10 November	Civil Aviation Section Committee	London
11 November	Ground Staff Technical Committee	London
17-19 November	Tourism Services Section Conference	Granada



INLAND TRANSPORT

Central European rail unions sign co-operation accord

The ushering in of a new era of closer inter-union cooperation was heralded on May 14 when the Presidents of four major Central European rail unions signed a three-point agreement drawn up at the close of a two-day meeting held in the Hungarian capital Budapest.

At the invitation of the ITF-affiliated Hungarian Free Trade Union of Railway Workers (Vasuti Dolgozok Szabad Szakszervezete), the leaders of two ITF unions, the Croatian Railroad Engineers' Trade Union (Sindikát Strognog Osoblja Hrvatske) and the Slovenian Railway Locomotivemen's Union (Sindikát Strojvodij Slovenije) came to Budapest where they were joined by a third — non-affiliated — Croatian union for the meeting.

Encouraged by the personal contacts he made while attending the ITF's Prague Seminar on Central and Eastern Europe, VDSzSz President Gasko Istvan has begun the process of forging a more formal system of closer relations between the new democratic rail unions in the region.

The four rail union leaders have decided to hold further meetings and to keep in touch, as well as looking into the possibility of mounting joint union actions.

In a significant move, all four unions pledged themselves to expand international trade union links and to consider how they might establish a forum to promote regular and continuing contacts between unions in both Central and Eastern Europe to further their mutual interests.

EC road transport agreement

The EC's Transport Ministers managed to reach an agreement on road taxation at a special meeting on June 19th. An annual European tax disc will be introduced in Germany, Denmark and the Benelux countries from January 1995.

Hauliers from outside those countries will have to buy daily passes to operate within those countries.

While Greece, Ireland and Portugal negotiated discounts on the daily pass for their hauliers, on the basis of their special needs, Spain's arguments for similar treatment failed.

Total liberalisation of road cabotage services has been scheduled for July 1998, with the transitional period to start from January first 1994. During this period, each Member state will be obliged to allow non-national carriers to carry out domestic road haulage on a temporary basis without making them subject to national quantitative restrictions.

A cabotage quota has been allocated. It will start in 1994 at 30,000 operations per year between the Community states, and will increase 30 per cent annually.

OBITUARIES

Jack Ashwell, former National Secretary for Road Transport of the British Transport and General Workers' Union, has died at the age of 67. After war service in the Royal Navy, Jack first joined the TGWU while working as a tugman in the Yorkshire port of Hull. He later became a full-time TGWU official representing bus workers and fishing industry members before moving on to take charge of the truck drivers. Jack will be remembered for his close involvement with the work of the ITF Road Transport Workers' Section over many years, latterly as its Section Vice Chairman. Elected on to the Section Committee in 1980, he made an important contribution to the task of the Section in fighting for better

conditions for all those employed in the road transport industry. His very considerable talents were given due recognition at the Luxembourg Congress in 1986 when he was made Section Vice Chairman. As one of the Section's top officials Jack won very real respect for his determined efforts to secure regulation at the European level on drivers' hours and rest periods. He retired at the ITF's Florence Congress in 1990.

Viscount Rochdale, who headed two major transport inquiries in the 1960s, has died at the age of 86. His first report, dealing with the

Continued on page 14

British docks industry, recommended the development of the ports of London, Liverpool and Southampton and the setting up of a national ports authority, of which he was to become, in 1963, the first chairman. Four years later he left the National Ports Council to head up another inquiry, this time into the state of British shipping. He produced a far-reaching report incorporating the now internationally known Rochdale criteria, six points which are widely accepted as the standard industry definition of a Flag of Convenience.

Vincent J Sirabella, until lately Director of Organisation of the US Hotel Employees' and Restaurant Employees' International Union (HERE), died on April sixth, just one month after he retired. He was 71. Sirabella's impressive record as a local HERE union official in the state of Connecticut for over twenty years first attracted the attention of HERE General President Edward Hanley, who appointed him as one of his own personal Administrative Assistants in 1979. After a spell as Director of the HERE's Western Regional Office in Los Angeles, Sirabella was promoted to the key post of Director of Organisation some four years later. For the next ten years, Sirabella masterminded the union's organising activities, employing innovative recruitment techniques that brought many new members into the union. As well as building up membership, he also forged close links with overseas unions organising in the hotel and catering trades who backed HERE during a three month strike against Las Vegas casino-hotels in 1984. More recently ITF unions gave support to Sirabella who won the backing of the ITF's 1990 Florence Congress for a long-standing dispute with the Japanese-owned Nikko hotel in Chicago. Sirabella was also elected on to the Section Committee of the Tourism Services Section in Florence.

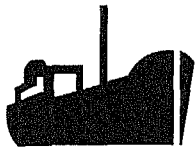
Jim Slater, former General Secretary of the British National Union of Seamen (NUS), died on 29 May in Liverpool while attending the fiftieth anniversary commemoration of the Battle of the Atlantic. He was 69. Jim was the first serving seafarer in the union's history to be appointed to a key union post, when, in November 1966, by then already on the Executive Council, he became North East District Secretary, looking after seafarers working out of the region's major ports. Four years later he moved to NUS headquarters in Clapham (London) where he worked as an Assistant National Secretary until his election as General Secretary in 1974 on the death of Bill Hogarth. Jim was to serve as General Secretary for twelve years during which time he fought tirelessly to improve the pay and conditions of British merchant seafarers. His concern for the ordinary seafarer (he had been at sea as a rating

for thirty years before he came ashore as a union official) was also reflected in his international work on behalf of the ITF. A member of the ITF Fair Practices Committee from the mid-seventies to the mid-eighties, he worked hard to win a fair deal for seafarers on Flag of convenience ships. He also made good use of his wide practical experience from his sea-going years when arguing at the International Maritime Organization for improvements in maritime safety. When he finally retired as General Secretary in 1986, Jim was given the title of President, the first former NUS General Secretary to be awarded this special honour. Paying tribute to an old friend, ITF Assistant General Secretary Åke Selander described Jim as "a forthright and honest broker of the ordinary seafarer's interests" and it is as an intrepid advocate of seafarers' rights that he will be remembered.

Harvey Strichartz, former Technical Director of the American Radio Association (ARA), has died. In a tribute, ITF Assistant General Secretary Åke Selander praised the determination and brilliant tactical skill with which Harvey as an expert par excellence in his field had defended the role of the Radio Officer as an essential link in the maritime safety network. Writing to the union to express his sadness at Harvey's death, Selander said he felt privileged to have been able to work alongside him over the years within the International Maritime Organization and other international bodies.

Ernst Thomas, a member of the Secretariat staff for twenty-two years, died on May 29, at the age of 82. Ernst, who held a law degree from Prague University, came to Britain as a refugee from his native Czechoslovakia. He had various jobs before joining the Secretariat in April 1953 where he worked at first as a clerk in the administration department. Ernst was an accomplished linguist — German was his native language, but he also spoke Czech with equal fluency and had a good knowledge of several other European languages, including of course English — talents which stood him in good stead in helping deal with the material in many different languages that is received by the ITF. He was later (in 1959) to move on to work in the Research and Publications Department before retirement in October 1975. Ernst is survived by his widow Marie, to whom we extend our sincere condolences on the loss of her husband.

Leif Thue, who retired as President of the Norwegian Railwaymen's Union at the end of last year, died on 13 June, at the age of 64. Thue headed the union for eight years, having earlier served as its Vice President. One of his last major tasks before retiring was to organise the celebrations for the union's centenary. He was an active member of the ITF Railwaymen's Section, latterly as a member of the Section Committee.



SEAFARERS

1992 Port State Control report highlights Foc registers' bad record

Flag of convenience registers continue to demonstrate poorer safety records than national flags.

The 1992 report of the Memorandum of Understanding on Port State Control (MOUPSC) reveals that 55 per cent of all ship detentions came from ITF designated Flag of convenience (Foc) registers — but their ships are only 34 per cent of the world's fleet by tonnage (see chart).

The MOUPSC authorities, who prefer to work on the basis of a detention percentage (calculated on the percentage of ships visited that are detained), have also produced, for the first time, a target list of substandard registers, more than half of which are Foc.

In 1992, a total of 10,455 ships were visited (up from 10,101 in 1991) and 588 were detained for safety reasons (1991 — 525). Dividing these two figures, they come up with a "detention average" of 5.62 per cent.

A table is then produced every year with the ship registers whose detentions exceed this percentage.

Now the MOUPSC have created a "rolling average" over the last three years and, from that, have created a target list of registers whose ships have consistently come in over the detention average. This list is supposed to be used by maritime authorities to prioritise ships for inspection from these registers.

That list contains nine registers, five of them ITF Focs (Cyprus, Panama, Malta, St. Vincent and Honduras) and four national flags (Romania, India, Egypt and Iran).

The ITF continues to doubt the viability of averaging averages and working on the basis of percentages (which is why we produce the chart) and still believes that the actual number of ships detained is more important — in which it is clear that Panama (70 detentions) and Cyprus (68) far outclass even Romania (22), India (17), Egypt (8) and Iran (3).

The most important point is political, and one that the MOUPSC still cannot make, and that is that Foc registers, by definition, are both unwilling and incapable of improving safety standards on the vessels that chose their flag. Sub-standard owners chose certain Focs because they know they can do what they like — if the register "improves" the standards necessary to stay with the flag, a sub-standard owner simply registers somewhere else.

National registers (and it is clear that those mentioned in the hit list have problems) are capable of improvements, and ITF unions in India and Romania are fighting for better conditions on their ships. This is a battle that can be won, but the greatest threat to national standards remains the existence of Focs and the fact that they offer a refuge for sub-standard owners.

This is the tenth annual report published by the MOUPSC. The original states who signed the Paris Memorandum in 1982 have now been joined by Poland and Canada.

Canada also ratified International Labour Organisation Convention 147 (minimum standards on merchant ships) on June first, one of the basic conventions that underpins port state control and deals (uniquely) with labour and social conditions.

Along with the MOUPSC's expansion, and the enforcement of ILO 147 by the USA and Japan, new regional port state control regimes are being established in Latin America and the Pacific.

ITF Flags of convenience (Focs) number of ships detained in 1992	
Foc	Detentions
Antigua & Barbuda	15
Bahamas	31
Bermuda	1
Burma	1
Cayman Islands	3
Cyprus	68
Honduras	28
Hong Kong	1
Lebanon	1
Liberia	27
Malta	29
Marshall Islands	1
Mauritius	1
Netherlands Antilles	6
Panama	70
Singapore	2
St. Vincent & Grenadines	41
Vanuatu	1
Total Foc detentions	327
Total (all flags) detentions	588
Foc percentage	55%

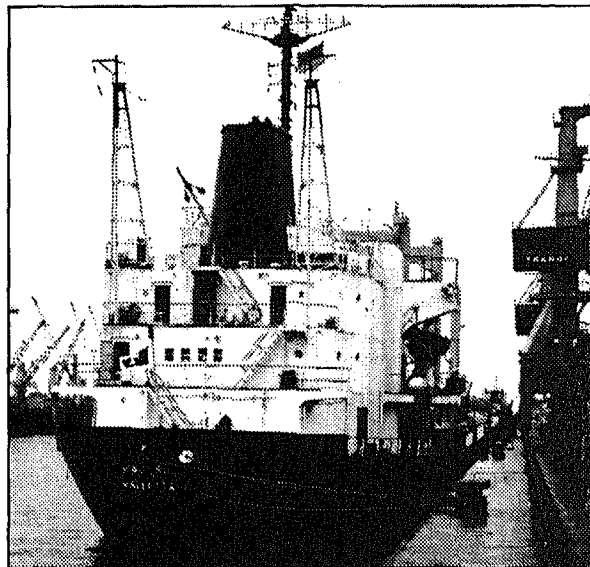
Source: MOUPSC 1992 Annual Report

Maltese rustbucket detained by Coast Guard in Baltimore

The rusty Maltese Flag of convenience *Advance*, home to 18 seafarers, one stowaway and hundreds of rats, sits at Canton Marine Terminal, Baltimore, USA. The 452 foot South American owned vessel sailed into Baltimore's Inner Harbour in May to unload 11,000 tons of unrefined sugar. Then the Coast Guard ordered it to dock, saying it wasn't safe enough to sail. Its massive bulk is peppered with holes: its water tanks are contaminated by sewage and fuel oil. Stairs are rusted through and its hatches are so corroded that sea water destroyed tons of cocoa beans earlier this year. And the living quarters remain infested with rats. "It is substandard even for a Third World country ship", says Lt. Mark Williams, safety officer for the Coast Guard. Until repairs are made, the Coast Guard won't let the *Advance* leave Baltimore. So far, the ship's financially strapped owner in Call, Colombia haven't come through with money for repairs. On board are 18 Ecuadorian crew members and one stowaway. The crew members haven't been paid for weeks and they have run out of fuel for generators that provide lights, refrigeration and hot water. Their food supply is dwindling. Besides the cook won't cook until he's paid. "We have food, but not enough," said one crew member, "We want to go home to our families". ITF Inspector Edd Morris says "If this were a national flagged ship, it couldn't happen".

FIRST ITF CASE IN FORMER EAST GERMANY

At the beginning of June 1993 the German Inspectorate had to deal with their first big case in Rostock, in eastern Germany. The 21 year old Maltese flag general cargo ship *Kaveri* stopped in Rostock on May 26th for bunkering, en route from Brazil to St. Petersburg in Russia with a cargo of sugar. Port state control in Rostock stopped the ship from sailing when it was discovered that it was overloaded. The vessel was ordered to discharge its extra cargo, and on finding some of the sugar cargo to be wet, port state control investigated further. Various holes and cracks in the deck near the hatches were soon discovered. There was a hole in the starboard lifeboat, the fire equipment was substandard and the fire boxes, rusty and holed. The crew had had no fire drill over the previous month, and did not know how to put the lifeboats into the water. Port state control found that the food on board was of insufficient quantity, and that washing and toilet facilities were appalling. Hamburg inspector Ulf Christiansen visited the vessel on June third. He found that part of the crew were paid under the ILO minimum. The ship was owned by an Indian company and crewed with mostly Indian seafarers — one

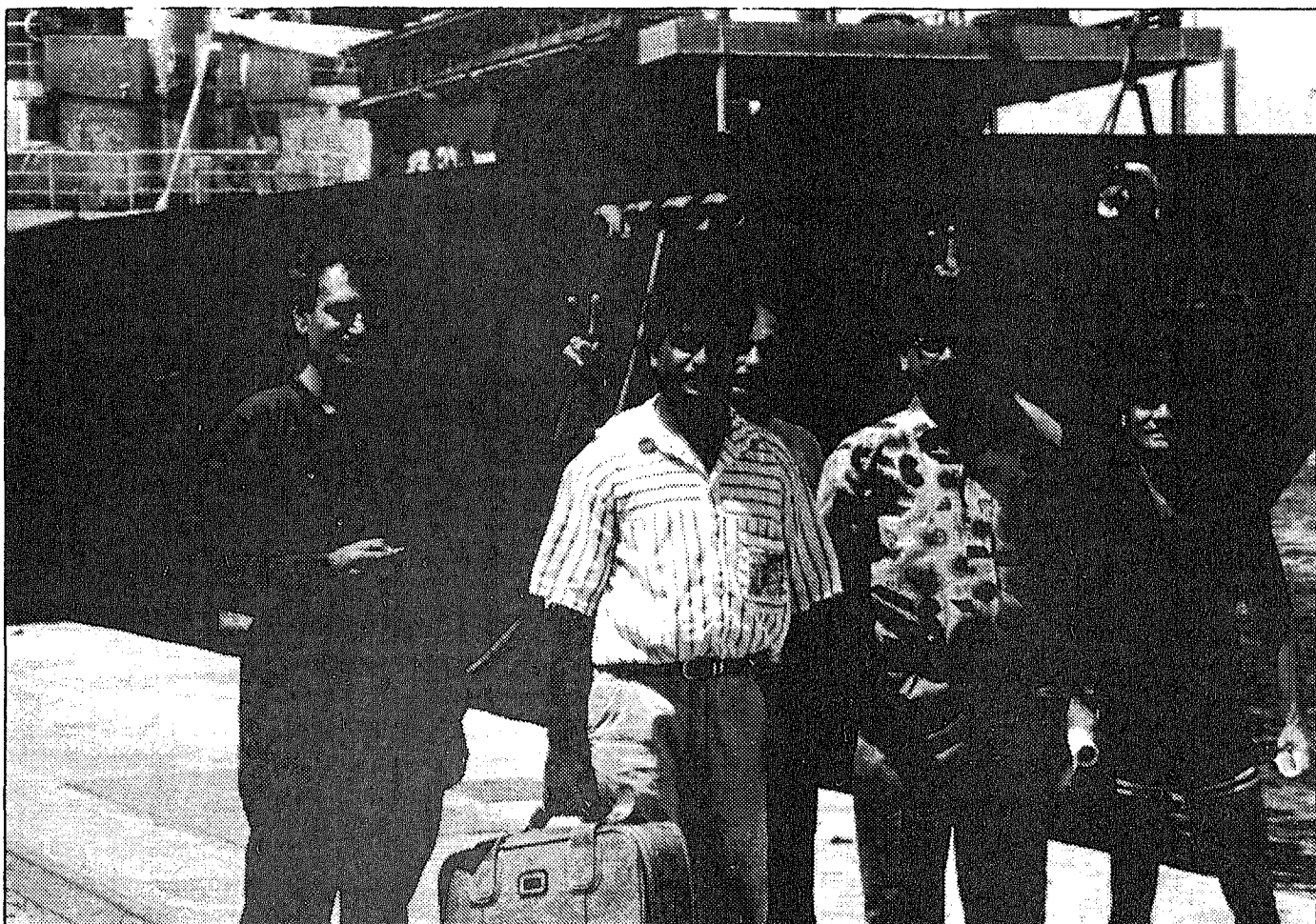


The *Kaveri* — in Rostock.

Russian and two Burmese were also on board. A backpay claim of US\$5,000 for the Russian electrician was quickly settled, and claims for the Burmese seafarers' backwages and repatriation were presented to the company. However, the ÖTV union was particularly disturbed that the vessel's classification society, the American Bureau of Shipping (ABS), ordered only minor repairs in Rostock, from where the ship was to go to a dry dock in Russia or Poland for a complete overhaul. In the view of both Christiansen (and of some Rostock port state control officials) this was unacceptable for a ship which already had water leaking into the holds — "the vessel should be scrapped" said Christiansen. The ITF asked United States affiliates to pursue the case with ABS, and the ÖTV union contacted the German transport ministry to alert officials again to the repeated cases of unseaworthy vessels being released (after pressure from the ÖTV following previous cases of unsafe ships receiving sailing clearance).

CREW STRIKE IN AMSTERDAM

ITF Inspector Ruud Touwen visited the Panama flag *Dynamic Spirit*, crewed by Greeks, Bulgarians and Filipinos in Amsterdam on June eighth. Touwen checked the contracts and wage accounts with the master and found out that the crew was not paid in accordance with the current PNO agreement which expired on 31st January 1993. Touwen calculated the wages for the total Filipino crew (the Bulgarians were not interested in claiming any money) — a claim of roughly US\$90,000 for a six month service period. Touwen contacted the owners by telephone and informed them that the money should be brought in cash on board or be transferred into an ITF account before the departure of the vessel



The *Kyriakoula D* crew leave Greece.

on Friday. "We addressed the full claim by telefax to the owners and I informed them that they were not allowed to go on board the vessel when I was not there to put pressure on the crew to withdraw their claims. They agreed and they addressed a fax to my home address that same evening that a representative of the owner should come with all the funds to Amsterdam on Monday". This was agreed by the crew. But Touwen contacted the company the next morning thinking they had cheated him. "The owner informed me that I had to go immediately to the vessel in Amsterdam where their representative was on board the vessel and the Philippine crew was on strike and waited for me." Touwen negotiated with the master and the representative about the claims and settled the matter for \$70,006 plus free tickets back to the Philippines. "I informed the crew about the outcome and they were happy." They received their money and their seamen's books in which was stated that they had finished their contract and the performance was Very Good. "We ordered a boat to collect the crew with all their luggage and they went by taxi to the hotel which was arranged through the agents. When I arrived at the hotel I found out that these people had a room for three persons without bath and toilet. I was also informed they were not allowed to have a dinner on account of the owners. This made me mad and I contacted the vessel and spoke to the representative about it. He told me that they

could have a room with all facilities and a dinner and he would instruct the agent about it. I had a fight with the agent because he wanted to keep the expenses down for his own pocket. But in the end he agreed. The crew went for dinner in a Chinese restaurant and had to take the taxi early in the morning for the airport." The crew returned to Manila without any interference (though the manning agent did try something, he was outmanoeuvred).

ACTION IN GREECE

In March 1992 the ITF German Inspectorate collected US\$95,000 on the Cyprus flag *West Coast* in Bremerhaven for the Pakistani and Sri Lankan crew (see ITF Seafarers' Bulletin 7/92). The owners paid the above amount in three instalments because they had no money and had to take advance payments from various charters. At that time it was known that this company — Brightest Star Maritime Corp. of Piraeus — would sooner or later go bankrupt and it did. At the beginning of March 1993 the Bremen ITF office got a call from desperate Pakistani and Indonesian crew members on the Panamanian flag *Kyriakoula D* asking for help. The vessel belonged to the same owner and was anchored at Aghios Nikolaus on Crete/Greece. The crew had not received wages since December 1992 and they were without food, water and

Continued on page 18

heating and electricity because the generator was broken and they were out of fuel oil. The shipowner had disappeared together with a lot of money which he had collected from charterers as charter payment for three vessels. The unpaid wages up to the end of March 1993 amounted to US\$150,000. We contacted the mortgagees in Copenhagen and agreed with them to supply immediate provisions, water, diesel oil and arrange for a new generator to be installed. Regarding payment of the wages it was agreed that the mortgagees should pay out one month's salary within a week's time and the remaining outstanding wages should be paid once the crew had brought the vessel with the help of a tug to Piraeus. As the vessel was arrested by other parties i.e. agents, ship suppliers etc., it was necessary to acquire permission of the court to move the vessel to Piraeus. As Aghios Nikolaus is a tourist resort and the tourist season had just started, nobody wanted the dirty and rusty vessel with its fore peak in the water and with the screw astern showing above the surface of the sea berthed there, and so the local government and authorities put pressure on the mortgagee's lawyers to move this eyesore at least a few miles. They even arranged for a tug boat to move the vessel, but because the generator was defective they could not raise the anchor. In the meantime as a result of our efforts the crew had been supplied with food, water etc. and had received one month's wages each amounting to US\$25,000. Finally, at the beginning of May, the local court agreed that the vessel be towed to Piraeus. By this time the Master had started playing a silly game, demanding all the outstanding wages. Contrary to ITF advice and assurances, together with some officers and crewmembers, he started a strike on board the vessel. This was the moment the local authorities lost their patience and put the Master and 2nd Officer in jail for a couple of hours until they agreed to move the vessel to Piraeus. Prior to departure the crew got US\$1,000 each totalling US\$22,000. The vessel reached Piraeus on 22nd May 1993. The mortgagees together with their Greek lawyers and newly appointed agent tried to force the crew to waive 30 per cent of their claims. After long discussions and pressure, the mortgagees agreed to pay out the sum of US\$159,000. A few days later they indicated that they intended to pay out this money in Greek currency (drachmas) which was unacceptable. Finally they agreed to pay out the money in US dollars which was done on 15th June 1993 in the presence of ITF Inspector Ali Memon on board the vessel. The crew was repatriated on 16th of June. The crew suffered a great deal during these months but finally they got a total amount of US\$206,000.

KANIN CASE SETTLED BY ANOTHER OWNER!

The case of the Latvian owned Russian-flag *Kanin* laid up in Bremen (see *ITF News*, May/June 1993) was finally settled on July eleventh — with payment to the ITF from another owner. ITF Inspector Ali Memon had helped the 19 Latvian crew with expenses and repatriation (at the ITF's expense) on March 18. The vessel was arrested, owner Alexander Boborykin was also arrested and later released (promising to pay the money he owed, but then refusing). Then the new crew were also not paid. The owner had claimed that the money was with a solicitor but he was unable to get access to his account. The new 15 man crew said they would only leave Bremen when they had received their money. Memon described the situation. "People are now sitting without anything to eat, but they do not want to go home without their money". In the case of the first crew, the ITF advanced their wages and paid for their return home. Memon said, "we can't do this again. We know of hundreds of CIS seamen worldwide who are literally stranded in port. Here in Germany Social Security is ultimately responsible for them". He feared that if the union were to pay, the shipowner would promptly come with a new crew, leave port and somehow dispose of the ship. Memon said: "The scrap price wouldn't even cover the outstanding demands." The owner owed the ITF 60,000 Marks — he also owed 20,000 Marks in wages for the second crew plus port dues (5,000 Marks) and brokers' bills. The Latvian even tried to sell the cargo. Memon said: "But the real owner of the cargo heard rumours and collected the wood worth 250,000 Marks in Bremen." Bremen Labour Court judge Adolf Claussen issued a judgement by default on the demands of the ITF (on July 7) which will be sent to Boborykin. He has to pay 58,000 Marks plus interest for wages advanced by the ITF. As the shipowner appears to be unable to pay, a compulsory auction of the freighter seemed inevitable. The bailiff was already a familiar figure on board the ship. But his visit on July eleventh was a welcome one: he released the arrest chain. A cheque had arrived unexpectedly at the ITF which covered most of the pay demands, food and port dues. However, Boborykin did not bring the money. The solicitor Jürgen Maly, who represents the ITF, was pleased, "the money came from a reputable shipping agency". The figure is enough to settle 85 per cent of the ITF's demands. The persistence of the ITF and the solidarity of the local population with the crew paid off in the end. These and the previous *Kanin* crew members will shortly receive their money in Latvia — in US dollars. Even the fate of the freighter appears to have been settled — much to the delight of the port authorities. The Russian classification society will issue the necessary papers once a number of deficiencies have been put right. Then the *Kanin* will sail to Latvia.



CIVIL AVIATION

British Airways union victory as airline accepts social dialogue

The latest victory of the ITF-affiliated Transport and General Workers' Union this June has a long term importance beyond the immediate gains achieved for the workforce.

The ITF Civil Aviation Section Conference on globalisation in November 1992 highlighted company globalisation strategies. As well as cross-border mergers this identified the setting up of cheap labour subsidiaries, the increased use of overseas-based cabin crews with no union representation and the contracting out of airline work, as ways in which the airlines were seeking to gain competitive edge and build their empires at the expense of workers' conditions. BA was identified as the leader of the pack of airlines pursuing this aggressive anti-labour path to globalisation.

The key points of conflict in the British Airways dispute this May/June were all elements of the company's well planned globalisation strategy.

After privatisation in 1987 BA changed its industrial relations style. It was to be an example of how airlines should move from the more consensual industrial relations style of public sector companies to the aggressive profit-g geared style of private sector business. Unions might retain recognition but their role would be reduced to reacting to new conditions imposed by management.

During this time, as it made its moves to become a global mega-carrier, BA management imposed major changes in working conditions and practices on unions with minimal consultation.

BA has hit the public eye recently for the mergers with USAir and with Qantas and for its purchase of a growing network of smaller European carriers such as TAT and Deutsche BA. But it has also led the way in contracting out aviation work such as cleaning and catering, employing cheaper overseas-based cabin crew and setting up cheap labour subsidiary carriers.

On June 4, however, the biggest strike action in the history of the airline forced the company to recognise that the days of cavalier management are over.

The company has now signed an agreement that every major company policy has to be negotiated with the union. The company has had to lay out the terms of this agreement in a Staff Charter. No other company in the UK has been forced to accept such terms for future decision-making. In BA's case this means its whole future globalisation strategy.

Among other things, the company was forced to agree that:

- no future contracting out of work done by the current workforce could be done without negotiating with the union
- no more overseas based cabin crew would be employed without negotiation with the union
- no staff can be forced into the Gatwick subsidiary on worse terms and conditions
- BA must scrap any plans for further cheap subsidiary airlines. If the company ever tries to resurrect the idea it must negotiate any proposal with the union.

The strike which forced such extraordinary concessions was the first ever national strike at British Airways. The strike involved 18,000 workers, both ground staff and cabin crew employees.

There is still an outstanding dispute over pay at the Gatwick subsidiary.

Faced by such massive industrial action the BA management actually gave way to union demands on June 3. However, the unions held the 24 hour stoppage in any case. The strike action was supported by 90 per cent of the workforce, far more than had actually voted to strike in the union's ballot.

On the day of the strike only a single flight left Gatwick airport where normally 60 flights depart a day. Only 18 of the scheduled 35 long haul flights left Heathrow and only 11 of the scheduled 150 European flights were in operation. No domestic flights got off the ground.

The settlement has important implications for airline workers in other countries. The TGWU victory has forced the most aggressive, privatised globalised airline, which enjoys the most hostile anti-union laws in Europe, to accept that it cannot run the airline successfully without engaging in social dialogue.

European Community unions warn against dumping social dialogue

"European liberalisation is proving a stronger and harsher dictator in Portugal than even the Salazar regime of the sixties and seventies," José Bras, president of ITF-affiliated SNPVAC, told the plenary meeting of the European Commission Joint Committee on Civil Aviation held in Brussels on June 21.

"In its attempts to arbitrarily push through privatisation and restructuring of the national carrier TAP, the current Portuguese government has abrogated labour agreements which even the old dictatorship had been forced to accept" (see *ITF News*, May/June 1993).

His intervention took place during a debate on a statement issued by the trade union side. The union statement warned that the industry must engage in social dialogue with unions in order to tackle the current crisis in civil aviation, which has seen the loss of thousands of jobs.

The statement criticised the lack of progress on social harmonisation to accompany liberali-

sation of air transport in the Community, but committed itself to continuing to work with European Community institutions and with employers to get through the crisis. However, it warned that unions would not tolerate any attempts by employers to impose changes without negotiation and consultation with unions.

George Ryde of the ITF-affiliated TGWU (United Kingdom) noted that British Airways had recently been forced by unions to understand that even with privatisation it is not possible to run an airline without social dialogue.

The unions re-iterated their request for the European Commission to set up a "social observatory" which would monitor and analyse the social impact of liberalisation.

The Association of European Airlines issued their own statement concerning the current losses of the industry and calling for EC aid to help airlines adjust to the new environment of liberalisation.

Cathay Pacific strike leader sacked on eve of union elections

Courtney Chong, the vice chairman of the ITF-affiliated Cathay Pacific Flight Attendants' Union, has been sacked by the company on charges of stealing a magazine and a packet of macadamia nuts from the company. The union is fighting the charges, and the case is going before the Hong Kong legislative council monitoring body set up after the strike.

Courtney Chong was one of the most prominent union leaders in the Cathay Pacific strike last January. Immediately after the strike the company took Courtney off flying duties, then later accused her of missing duties during this time. She was also taken off a promotion course she was meant to attend.

By May 17 Courtney was flying again and was scheduled to fly from Hong Kong to Narita, but the day before she was suddenly switched to a flight to Singapore.

The Chief of Security for Cathay Pacific, Frank Laity, was a passenger on that flight. During the flight Mr. Laity asked Courtney for some macadamia nuts, which she fetched and gave to

him. Also during the flight Courtney says: "I picked up a magazine and gave it to the passenger seated closest to it. The passenger did not want it any more and gave it to me."

When the aircraft reached Singapore Mr Laity approached Courtney in the airport and accused her of stealing a magazine and a packet of macadamia nuts.

The company sacked Courtney and sent a circular to every cabin crew member informing them of the charges against Courtney. They sent a press release to the media which gave wide coverage to the dismissal.

All this happened just days before the union held elections for its executive. According to the union the information circulated by the company caused a lot of confusion. Many union members believed that because of her dismissal Courtney was not able to stand for re-election. Courtney was not re-elected to the union executive.

Her appeal against dismissal is still being heard.

Future of European FTL rules thrown into confusion

The European Commission and the Joint Aviation Authorities are at loggerheads over flight and duty time regulations for Europe.

The JAA has spent two years trying to draw up harmonised rules for flight and duty time limitations and minimum rest requirements. The ITF together with the pilots' organisations (IFALPA, Europilote and ECA) have participated in a JAA Working Group during this process, but union efforts to insist on rules providing proper aviation safety have been almost entirely ignored. The unions have complained that the currently proposed JAA rules are inadequate and unsafe.

JAA rules are now generally adopted by national aviation authorities, replacing existing national rules. In addition, the JAA has so far believed that its FTL rules would be rubber stamped by the legislative process of the European Community and adopted as binding EC law.

In March, however, the European Commission Transport Director Robert Coleman wrote to the JAA advising them that: "the Commission is now obliged, in conformity with the principle of subsidiarity, to limit its legislative provisions and initiatives to those fields in which a Community regulation will achieve the results desired which could not be achieved by actions at the national level".

The letter indicated that the EC no longer wanted all FTL regulations to be harmonised at a European level.

This letter threw the JAA into confusion, and it responded by putting forward a proposal to reduce the number of areas that would come

under harmonised regulation. This set out a "tentative" list of measures that would remain as harmonised JAA rules, leaving the rest to national regulations. The measures it proposed to leave out of harmonisation, however, were all ones imposing restrictions on operators covering areas vital to employees such as split duty, night duty and standby.

While flight deck and cabin crew unions would certainly prefer to keep their existing national arrangements (in full) rather than be forced to accept a harmonised European rule which makes them work longer and rest less, this new approach is likely to make matters even worse.

Firstly the idea is only to leave certain aspects of FTL limitations to national rules. Secondly, in the liberalised EC market, companies are now free to base operations in any country they like, enabling them to exploit the loophole of subsidiarity to the full.

After the JAA consultation involving operators, aviation authorities and unions, the JAA concluded that it cannot, at the present, reconcile its need to produce harmonised safety regulations with the Commission's requirements for subsidiarity. The JAA and the European Commission are to meet to try to find a solution.

Discussions on this issue are continuing in parallel inside the EC Joint Committee on Civil Aviation and within the JAA Operations Committee in which the ITF will be represented by Sebastian Roovers, VKC (Netherlands).

The worry is that as the crisis in European aviation deepens the pressures to reduce safety limits even further is likely to get stronger.

Philippino strike banned

On June 1 the Philippines government banned a planned strike by 7,000 ground staff in the ITF-affiliated Philippine Airlines Employees' Association (PALEA), citing reasons of "national interest" and that the airline "is a company where the government has substantial equity holdings". PAL was privatised in March 1992.

The Department of Labor has taken over jurisdiction of the entire dispute.

The union filed a notice of strike on fourth May after failing to reach agreement with the

management on a new collective bargaining agreement.

Now strike action is illegal and the company has also threatened to sack any employee who takes part in a work stoppage.

The Department of Labor has said it would produce a ruling on the dispute by no later than June 30.

The ITF has protested to the Philippines government about the ban.

Oberstar backs cabin crew licensing

"The number of people in the cockpit has gone from four to three to two. As the flight deck is reduced, more responsibility falls upon flight attendants for safety in time of emergency. The qualities of leadership which allow you to take charge, to be in command and to know what you are supposed to do are only demonstrated in the most dire of circumstances," says James Oberstar, chairman Subcommittee on Aviation, US House of Representatives.

"Joan Jackson, who was a flight attendant on board the Pan Am flight that crashed in Tenerife, told the story of one of her colleagues who opened the emergency exit and the chute unfolded and melted before her eyes; she could not get her passengers out of that exit. Another flight attendant who opened an emergency door was decapitated and fell into a pool of fire when a piece of metal came down on her. Joan was left with her 60 people and made her way to the overwing exit, opened the door and got her passengers and herself down the deployed chute. Then, the plane exploded. You could have heard a pin drop in the committee room with 250 people and all the television networks.

If ever a person was tested for their professionalism, their commitment to safety, the quality of their training and their courage, it was that moment. And that's what this issue of certification is about. This kind of professionalism does not happen overnight. It happens through experience, through training and retraining."

Jim Oberstar, Chairman, Subcommittee on Aviation of the Committee on Public Works of the US House of Representatives recounting testimony given by a cabin crew survivor of the Pan Am crash in Tenerife to a hearing when Oberstar was Chairman of the Oversight and Investigations Committee.

Oberstar was speaking at the Annual AFA international symposium held on May 25-26 in Washington DC. He urged US cabin crew unions to put pressure on the Federal Aviation Administration for a cabin crew licence.

"We need to press forward and get them to understand that their mission should be to establish common cause with you to elevate levels of skill and professionalism. They need to realise it is not a matter of economics or getting a few extra bucks out of the company. I think you need to come down hard on them and you need to press this campaign forward, and in the Subcommittee on Aviation you will have an unflagging ally in that cause."

Participants also heard presentations by Danièle Jullien of SNPNC (France) and chairman of the ITF Cabin Crew Technical Committee; Ulla Bolter, HTF (Sweden) and ITF representative on the JAA working group covering safety and training; and Stu Johns, ITF representative at ICAO. These looked at the history of the ITF's campaign for cabin crew licensing and improved training standards within European bodies such as the European Commission and the Joint Aviation Authorities, and at a world level at ICAO.

Stu Johns told the meeting that at the 1992 ICAO Assembly the ITF had been unable to get enough ICAO member states to support a proposal for an ICAO Working Group to study the need for a cabin crew licence. The next ICAO Assembly was in three years' time and the ITF and its affiliates would be preparing a strategy to push this proposal once more.

Participants agreed that there was a key role for unions in countries whose representatives opposed the ITF proposal in 1992, but which might be open to influence by union pressure to change their position for the next ICAO Assembly. These included the United States, Canada and Australia.

According to AFA vice president Fred Casey, the change of political climate which has come with the Clinton administration has created new opportunities which US aviation unions must not be slow to seize. The US Government had opposed the ITF proposal at the ICAO Assembly in September 1992. This position might be changed at the next ICAO Assembly in 1996.

Unions were urged to send information concerning violations of safety rules by airlines and the vital safety role of cabin crew to the ITF Secretariat to help back up the ITF's arguments for a licence.

A full renewed international union campaign and strategy for cabin crew licensing will be determined at the ITF Cabin Crew Technical Committee in Berlin on October 26-27.

United threatens to set up non union subsidiary

United Airlines is considering the idea of setting up a non union subsidiary. The airline says the new carrier would take on unprofitable domestic routes.

The idea follows the pattern set by airlines like British Airways and Lufthansa who have aimed to set up cheap labour subsidiaries for short haul markets. Unions at UAL, including ITF-affiliated AFA, are keeping a close watch on the situation. They view such management statements seriously but currently regard them as being part of a management bluff in UAL negotiations. Were the company to make such moves the unions say they would have war on their hands. As one

airline analyst put it "The unions will burn the airline before they acquiesce to some sort of end run".

- Aer Lingus is looking at setting up a low cost transatlantic operation in order to compete with transatlantic flights out of Manchester. This would require setting up a cheap feeder airline from the UK to Shannon. The new subsidiary is to be called Aer Lingus Express and would involve lower pay rates for staff. BA flights out of Manchester have managed to lower their fares due to the lower labour costs they gained by setting up BA Regional and transferring transatlantic routes to it.

Nationair goes out of business

Nationair finally went out of business last May with the loss of 1,300 jobs. The ITF-affiliated Canadian Union of Public Employees whose cabin crew members suffered more than a year

of company lock out says there are lessons for airlines from Nationair's fate.

The airline only agreed to settle its dispute with the union at the last moment in order to gain access to government aid, but still went under.

The union says:

"The union showed we are able to wage a war of attrition against any airline that becomes a union-buster. We know our campaign hit the company's business. No one likes to see a carrier go under, but the reality is that our members would rather see no airline at all than an airline imposing the kind of conditions Nationair wanted to impose on us. The airline mismanaged its finances and it mismanaged its industrial relations."

EC sets up aviation strategy group

The European Commissioner for Transport and Energy, Abel Matutes, has set up a "Committee of Wise Men" to look at the current situation in the civil aviation industry in Europe, and to make recommendations on its future development. Among those appointed to sit on the Committee is René Valladon of ITF-affiliated FETS-FO (France). Valladon is also chair of the EC Joint Committee on Civil Aviation and Chair of the ITF Civil Aviation Section European Regional Committee.

The Committee will be looking at such problems as the financial difficulties of the industry, infrastructure problems and congestion with a view to drawing up recommendations for short term measures as well as a long term strategy.

The EC Committee of "Wise Men" is sitting at the same time, and appears to have similar goals to the US National Commission to Ensure a Strong Competitive Airline Industry, and reflects a similar perception that liberalisation and deregulation have created serious problems for the airline industry and that some strategic intervention is required. Two representatives from ITF-affiliated unions in the US sit on the US National Commission.

The "Wise Men" committee will make its initial findings known before the end of the year.

UPADEP wins case

The ITF-affiliated Unión Personal Aeronavegación de Entes Privados (UPADEP) in Argentina has won an important ruling in the Labour Court against Air France. Air France has been trying to remove union privileges from UPADEP executive committee member, Mario Ricci. The company made this move against him after he attended a meeting with the ITF-affiliated FGTE-CFDT which is one of the unions which organises in Air France at its home base, back in October 1991.

The union says the company action has been part of a long campaign of harassment against Ricci resulting from his union activities. The court threw out Air France's case.

Mexicana stand off

Moves by the Mexican airline Mexicana to become a major force in Latin America have been accompanied by attempts to undermine unions.

Mexicana has bought into its major Mexican rival Aeromexico and recently purchased Aeroperu.

An immediate result of the Mexicana - Aeromexico merger was that the company laid off 65 Mexicana pilots.

According to the ITF-affiliated Asociación Sindical de Pilotos Aviadores de México (ASPA) the company has now tried to undermine union organisation by replacing scheduled flights using unionised pilots with a new charter service using non union pilots. Indeed pilots on the new service had been pressured by airline management to give up their union membership. The company refused to hold talks on these issues.

In response pilots threatened a strike in both airlines and in smaller regional carriers. The unions also published an ITF statement of support in the Mexican press.

The company has now agreed to reach a solution with the union through negotiation.

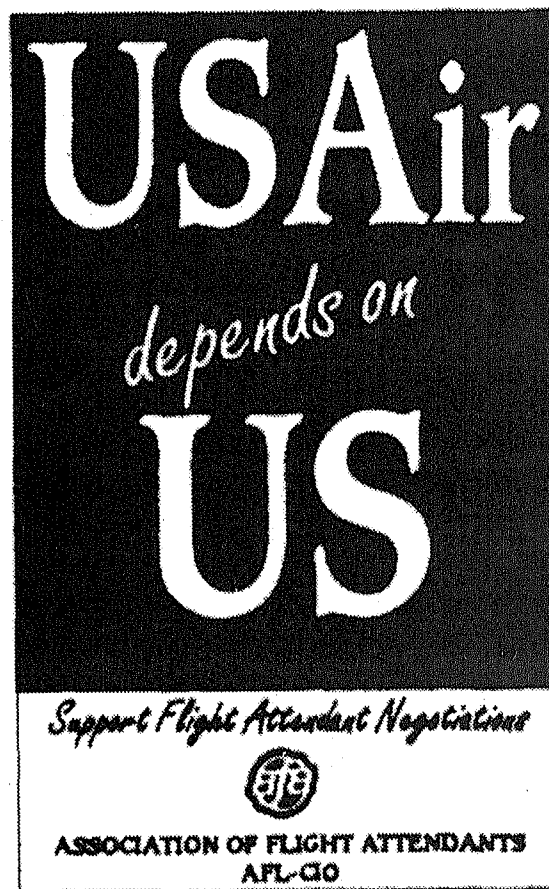
Northwest future uncertain

The future of Northwest Airlines is still under discussion. The company is continuing negotiations with all its unions concerning wages concessions in return for shares in the airline, including places on the board. Previous company offers have not been able to gain full union agreement.

Acting General Secretary: David Cockroft

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"USAir depends on us". Cabin crew members at USAir produced union luggage tags to spread their message to passengers during a recent dispute.

Where the flag comes from...

This redesigned
ITF News
incorporates the
ITF flag logo that
appeared on *ITF
News* from its
first appearance
in 1924 till the
first redesign in



1928. The ITF Flag was also used in lapel buttons produced in the 1920s and 30s. As the ITF approaches its 100th birthday, this historical emblem will, we hope, come to represent the link between the ITF's past and present.