

INTERNATIONAL
LONGSHORE &
WAREHOUSE UNION



MARINE CLERKS ASSOCIATION
LOCAL 63 LOS ANGELES and LONG BEACH HARBORS

350 WEST 5TH STREET, SUITE 200

SAN PEDRO, CALIFORNIA 90731

JAMES C. SPINOSA
PRESIDENT

BULLETIN – SEPTEMBER 2009

MEETINGS – September 3, 2009 – 6:00 p.m. – 2nd Shift Stop Work Meeting
 September 8, 2009 – 6:30 p.m. – Grievance Committee Meeting
 September 9, 2009 – 6:30 p.m. – District Council Meeting
 September 16, 2009 – 3:00 p.m. – Board of Trustees Meeting
 September 17, 2009 – 5:30 p.m. – Executive Board Meeting
 September 23, 2009 – 12:00 Noon – Promotions Committee Meeting

BUSINESS OFFICE CLOSED – Please note that the business office will be closed on Monday, September 7th in observance of the Labor Day holiday.

PAID HOLIDAY – MONDAY, SEPTEMBER 7, 2009 – LABOR DAY – is a no work paid holiday. To be eligible for holiday pay, you must be available for work at least two of the four days, Tuesday – Friday, September 8th – 11th. If you are off work sick or injured, you must submit written medical verification to the Business Office covering you for this period. If you will be on vacation during this period, you must notify the Records Clerk no later than September 11th. To be eligible for any holiday pay or for filing a claim, you must have worked at least 800 hours (700 if age 60 or over) in 2008.

INTERNATIONAL BALLOTS – Any member who has not received their ballot from the ballot company can telephone Election Services Solutions at 1-800-864-1263. Members must call personally and will receive a confirmation number for their request. The deadline for voting is 8:00 a.m. on September 10, 2009.

NEW CONTRACTS & SAFETY BOOKS – Please stop by the Business Office to pick up new copies of the contract, safety book, special grievance handbook, and container freight station supplement.

WORKING THROUGH THE MEAL HOUR – It has come to the Officers' attention that Local 63 members are increasingly working through part, or all of the meal hour without pay. This is a violation of the provisions of Section 2 of the Pacific Coast Clerks' Contract document (PCCCD). No member has the right to unilaterally waive his/her rights under the PCCCD. Please protect the contractual provisions that have been negotiated for our members, past, present and future.

COAST ARBITRATION C-10-2009 – FLOWING THE CARGO – Local 63 has won three (3) Area Arbitrations with Arbitrator Miller over Marine Clerks' jurisdiction under the hook. While Coast Arbitrator John Kagel upheld Area Arbitrator Miller, he modified Miller's awards in order to recognize the Foremen's role as to safety. Regardless, Kagel confirmed that it is Marine Clerks' jurisdiction to flow cargo, despite the Employers' best efforts to remove this job function from the Marine Clerks and completely eliminate the hatch clerk position, in this case, at PAG/Evergreen. However, because Kagel was vague in some areas of this decision and seemed to have incorporated information geared outside the Coast Arbitration hearing, the Marine Clerk Locals coastwise, are seeking clarification from Kagel on the full intent of his language. We will update the Membership as soon as possible regarding any clarifications. Meanwhile, the recommendation is to read C-10-2009, which is posted in the Dispatch Hall and at www.ilwu63.net.

AREA ARBITRATION SCAA-0033-2009 – UPDATING SEAL NUMBERS AND CARGO DIMENSIONS IN THE T.O.S. AT SSAT – On July 22, 2009, Local 63 pressed its claim against SSAT, Berths 245 and 90, that non-Marine Clerks were performing Marine Clerks' work, namely, the updating of seal numbers and cargo dimensions into the terminal operating system (t.o.s). The Employers failed to convince Arbitrator Miller that the Port Supplement and historical practice allowed assignment of this work to non-Marine Clerks. The Union argued, and continues to argue, that per Coast Arbitration precedent, it may enforce its Section 1 jurisdiction rights at any time. Arbitrator Miller ruled in favor of the Union, found SSAT guilty of violating PCCCD, Section 1, and ordered that this work be assigned to Marine Clerks.

CWOG – The Employers informed the Union in June of this year that they were no longer going to honor our CWOG agreement from October 2007 and that they wanted to schedule some Hall Clerks to work on the weekend. However, they continued to honor the Monday thru Friday for Hall Clerks. They also stated that if there was a no-work holiday or a Stop Work Meeting in any given week, CWOG would be reduced by one (1) day. The Union informed them that this was a complete violation of the agreement and that CWOG could not be reduced and there was no such language to support their position. With a September Stop Work Meeting and a no-work holiday quickly approaching, the Union notified PMA that we could either use our existing agreement for these two (2) weeks which would mean that CWOG is available on the Saturday prior to the Stop Work or Labor Day or the JPLRC could schedule accordingly. As of the writing of this bulletin, PMA chose to disagree with either option and has instead decided to use subterfuge to avoid its contractual obligation to Local 63 under CWOG. As a result, we informed PMA that we would be using our CWOG agreement that has been in place since 2007. Therefore, if you are a Hall Clerk and you check-in on Saturday, August 29th and do not get a work opportunity, you must file a claim for CWOG shortage with the Records Clerk. In addition, all Hall Clerks (day and night) who check-in on Saturday, September 5th, who do not receive a work opportunity are also to file a claim for CWOG shortage. In addition, if you are a Steady Clerk, your employer must schedule you for five (5) days, in advance, for CWOG purposes, for these two (2) weeks. They do not get to reduce it to four (4) days just because there is a Stop Work meeting or a no-work holiday. If you have a problem, notify an Officer so that we may assist you in the resolve or with writing the complaint.

NIGHT LIGHTING ON DOCKS – Any member on the night-shift who feels there is not adequate lighting in the area where they are working, should call the Business Agent so it can be checked into. Using light from the machines is not good enough, the lighting should be sufficient without any extra lighting from equipment.

TWIC CARD – Any member unable to work due to an inability to receive a TWIC card and who has **not** already contacted the Officers, please do so as soon as possible.

BOYS' & GIRLS' CLUB OF AMERICA – As these difficult economic times have affected all of us, one of Local 63's longtime regular charity recipients is especially experiencing a large downturn in donations. The Officers ask the membership to consider donating to this worthwhile organization which is a positive and safe place for the youth of our harbor areas. Donations may be forwarded to "The Boys' and Girls' Clubs of the Los Angeles Harbor, 1200 South Cabrillo Avenue, San Pedro, California 90731; attn: Mike Lansing, Director.

30TH ANNUAL LABOR DAY PARADE – The Labor Solidarity March will be held on Monday, September 7, 2009. Assembly will begin at 9:00 a.m. at Broad and "E" Street in Wilmington. The march will then begin at 11:00 a.m. followed by a 1:00 p.m. rally at Banning Park with speakers, music and refreshments. Bring the entire family for fun and unity for all workers in the labor movement.

"LET'S WINE TOGETHER" – This year's Local 63 Holiday Party is tentatively set for Friday, December 11th at the Ports o' Call Restaurant in San Pedro. Per the August 20th Executive Board action, Local 63 will hold its annual party subject to sufficient pre-event ticket sales. **We must sell a minimum of 100 tickets by September 30th** with the price per ticket at \$85.00. This price includes hors d'oeuvres, butler-served champagne, dinner, wine, 1-hour open bar, and door prizes. For those who missed last year's party, it was an elegant affair with delicious food and great music! This year's theme will include wine tasting competitions and a sundry of other wine-related activities. You may reserve a table with a minimum of eight (8) tickets purchased. **Come to the Business Office to purchase your tickets by September 30th**. Tickets will be fully refundable should we not sell our minimum number of tickets.