



# FOREMEN'S UNION

411 North Harbor Blvd., Ste. 303, San Pedro, California 90731  
(310) 832-1109 • (310) 832-1079 • FAX (310) 832-2142

Brothers and Sisters of Local 94,

Enclosed in this mailing are two important documents. The first one is Local 94's **NO TOLERANCE POLICY** statement for any and all forms of discrimination, harassment and retaliation. A "Statement of Policy on Fighting Hate" from the International is reprinted on the reverse side of this bulletin. The second is the **TWIC Bulletin** from the Coast Guard. The International has advised us to follow the procedures outlined, and recommends that you apply by appointment as soon as possible. Please read both documents carefully, take them seriously, and retain them for your records.

## PAID HOLIDAYS:

Christmas Eve, Christmas Day, New Year's Eve, New Year's Day

In order to be paid the Christmas Eve and Christmas Day Holidays, you must work or be available (and not pass up a job) **2 of the 3 days between December 26-28, 2007.**

Similarly, in order to be paid the New Year's Eve and New Year's Day Holidays, you must work or be available (and not pass up a job) **2 out of the 3 days between January 2-4, 2007.** However, this provision does not apply to absence while on vacation or because of sickness or injury "which is verified." (See Section 5.315 of the PCWB&FA). Please be sure that you have not exhausted all of your vacation weeks if you are planning to take time off during the holidays. **If you are going to be on vacation during this time, please call the Local so that we can record it.** Vacation must be taken Monday – Friday.

## CHRISTMAS PARTY:

As announced at the previous two Membership Meetings, this year's Christmas Party at the Renaissance Hotel in Long Beach (co-hosted by Local 94 and Local 13) will be this Friday night, December 21st. There are only a few tickets left, so when you receive this bulletin call the office immediately if you wish to attend.

## REMEMBER...

Once again, this is the time of year when we need to remind ourselves of how privileged and grateful we are for having our Union and our jobs to support our families. As we gather with family and friends to celebrate Christmas and the New Year, take a moment to reflect on those who went before us, and contemplate what is necessary to pass on these blessings to the new workers who are follow us. "God bless Harry Bridges." The Officers wish you a Merry Christmas and a Blessed New Year.

Fraternally,

Daniel G. Miranda  
President

Edward Alexander  
Vice-President

Frank F. North  
Secretary-Treasurer

**AN INJURY TO ONE IS AN INJURY TO ALL!**

International Longshore and Warehouse Union

International Executive Board

San Francisco, CA December 6-7, 2007

Statement of Policy on Fighting Hate

The ILWU has a proud history of taking leadership against injustice, hatred, and discrimination. We were one of the first unions to oppose discrimination within our own ranks. The founders of our union, including Harry Bridges, worked tirelessly to promote unity and solidarity as powerful weapons to protect workers against “divide and conquer” tactics practiced by bosses and politicians.

Discrimination takes many forms, including race, gender, religion, sexual orientation, political beliefs, or cultural practices. It may be expressed in writing, speech, symbols, attitudes, or practices. All these forms are based on ignorance, fear, and intolerance to the differences within the broader human family.

We recognize that injustice, bigotry, and ignorance are never entirely behind us, and that new efforts must be made by each generation to educate ourselves about past struggles and the new challenges that we must face to keep us moving forward and building unity.

The International Executive Board reaffirms our opposition to the use of any object or symbol to express hatred, bigotry, or discrimination of race, gender, religion, sexual orientation, political beliefs, or cultural practices; violations will not be tolerated.



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## NO FORM OF HARASSMENT OR DISCRIMINATION WILL BE TOLERATED

The ILWU Local 94 has a **ZERO TOLERANCE POLICY AGAINST ANY AND ALL FORMS OF HARASSMENT AND DISCRIMINATION**. To further that policy, each and every member of the ILWU Local 94 is immediately directed to re-examine and study the no tolerance discrimination/harassment policy provisions and guidelines set forth in the ILWU-PMA Pacific Coast Walking Bosses and Foremen's Agreement (including Addendum) and repeated, in part, below.

Each member is also hereby specifically notified that the display of any hangman's noose or depiction thereof, in any form, at the worksite, dispatch hall, training site or other location is prohibited. Each member is also hereby specifically reminded that it is his or her obligation and responsibility to ACT to combat and prevent any and all forms of harassment and discrimination.

### SECTION 13.1

There shall be no discrimination in connection with any action subject to the terms of this Agreement (including at work sites, joint dispatch halls, training sites, and other locations, when reasonably related to employment covered by this Agreement) either in favor of or against any person because of membership or nonmembership in the Union, activity for or against the Union or absence thereof, race, creed, color, sex (including gender, pregnancy, sexual orientation), age (forty or over), national origin, religious or political beliefs, disability, protected family care or medical leave status, veteran status, political affiliation or marital status. Also prohibited by this policy is retaliation of any kind for filing or supporting a complaint of discrimination or harassment. (See Addenda, Equal Employment Opportunity Policy).

### "A" LETTER OF UNDERSTANDING RE ILWU-PMA EQUAL EMPLOYMENT OPPORTUNITY POLICY & PROCEDURES

#### **1. POLICY AGAINST DISCRIMINATION, HARASSMENT & RETALIATION**

All workers in the longshore industry shall be treated with dignity, respect and courtesy. It has been for decades and continues to be the policy of the Pacific Maritime Association (PMA), its member companies and the International Longshore and Warehouse Union and its Locals (ILWU) that discrimination, harassment, and retaliation of any kind for filing or supporting a complaint of discrimination or harassment, committed by anyone, will not be tolerated in connection with any action subject to the terms of the Pacific Coast Longshore & Clerk's Agreement (the PCLCA or Agreement) (including at work sites, joint dispatch halls, training sites, and other locations, when reasonably related to employment covered by this Agreement).

#### **2. RESPONSIBILITY FOR FOLLOWING SECTION 13.2**

All longshore workers, clerks, walking bosses/foremen, superintendents or managers, outside truck drivers, vendors, contractors and others are required to follow this Policy and shall not engage in any Prohibited Conduct in connection with any action subject to the terms of the PCLCA (including at work sites, joint dispatch halls, training sites, and other locations, when

reasonably related to employment covered by this Agreement). It is important not to assume that the Employers, PMA or the ILWU know of particular incidents of discrimination or harassment. Discrimination and harassment can be eliminated from the workplace only if everyone working under the PCLCA who experiences or sees such problems files a grievance using the Special Section 13.2 Grievance Procedures for discrimination and harassment. It is also important if you believe you are a victim of discrimination, harassment or retaliation that you immediately inform the offending party that you find his or her conduct offensive and ask that it be stopped.

### 3. EXAMPLES OF PROHIBITED CONDUCT UNDER SECTION 13.2

Discrimination and harassment can take many forms. Certain actions or even words can constitute discrimination and harassment. As a general matter, it is a violation of this Policy for anyone to treat another in a way that is threatening, intimidating, embarrassing or offensive, or that denies a person equal treatment and opportunities because of his or her sex, race or other unique characteristics. So-called "good intentions" or "joking around" (as determined by the Arbitrator) does not excuse Prohibited Conduct.

To assist you in recognizing and avoiding behavior which may be considered harassing, discriminatory, or retaliatory, the following examples of Prohibited Conduct are listed:

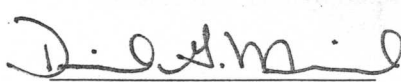
**Physical Harassment:** Unwelcome touching or grabbing or sexual assault, blocking someone's movement, standing unnecessarily close.

**Verbal Harassment:** Racial or sexual jokes, name-calling, using slurs, derogatory terms, belittling remarks, or abusive language related to a person's gender, race or other defining characteristics.

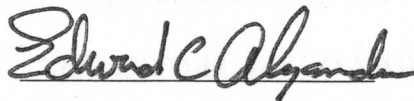
**Visual Harassment:** Displaying objects, messages, pictures, pornography, graffiti, or drawings of a sexual or racial nature; engaging in offensive and unwelcome personal conduct such as offensive gestures, staring (especially at particular body parts), mooning, leering; showing a lack of respect for privacy in toilet facilities and locker rooms.

**Unwelcome Romantic or Sexual Attention:** Unwelcome flirting, pressuring another for a date and unwelcome sexual advances; also demanding sexual favors or romantic attention as a condition of any type of employment benefit.

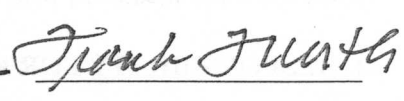
**Discriminatory Dispatch, Job Assignments and Discipline:** Assigning work based on sex or race, segregating workers by sex or ethnic group on work assignments, disciplining or evaluating women more harshly than men (or vice versa), setting someone up to fail, hard-timing (such as failing to help co-workers of one sex or ethnic group to the same degree as you help co-workers of another sex or ethnic group), filing false reports because of the person's sex or race.



Daniel G. Miranda, President



Edward C. Alexander, V.P



Frank F. North, Sec.Treas.

"AN INJURY TO ONE IS AN INJURY TO ALL"



# TWIC is Coming!

(Transportation Worker Identification Credential)

Working Together to Ensure the Safety of Our Nation's Ports

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## TWIC Enrollment at the Port of Long Beach will Begin December 12, 2007

### ● What is TWIC?

TWIC is a common identification credential for all personnel requiring unescorted access to secure areas of MTSA-regulated facilities and vessels, and all mariners holding Coast Guard-issued credentials. TSA will issue workers a tamper-resistant "Smart Card" containing the worker's biometric (fingerprint template) to allow for a positive link between the card itself and the individual.

### ● What will the enrollment process entail?

During enrollment, applicants will be required to visit the Enrollment Center to:

- provide biographic information
- sign a disclosure form
- provide the necessary identity verification documents
- provide a complete set of fingerprints
- sit for a digital photograph
- pay the enrollment fee

### ● How much will the TWIC cost?

The TWIC will cost \$132.50 and is payable by Credit Card, Money Order or Certified Check. Those who hold a valid MMD issued after February 3, 2003, MML issued after January 13, 2006, HME issued after May 31, 2005, or a FAST card, may pay a reduced fee of \$105.25. Those applicants choosing to pay the reduced fee must present an MML, MMD, HME, or FAST card at the time of enrollment. If the reduced fee is paid, the TWIC expiration date will be 5 years from the date on the supporting MML, MMD, HME, or FAST card.

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*For more information, visit the TWIC Website at [www.tsa.gov/twic](http://www.tsa.gov/twic)  
or call 1-866-347-TWIC (8942)*



# TWIC is Coming!

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Working Together to Ensure the Safety of Our Nation's Ports

## TWIC Enrollment at the Port of Long Beach will Begin on December 12, 2007

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### ○ What documentation is required for enrollment?

Applicants **must** provide the appropriate documents in order to verify their identity. They must provide one document from list A or two from list B:

List A (Any 1 of list below)

- Unexpired U.S. Passport
- Unexpired Permanent Resident Card or Unexpired Alien Registration Receipt Card with photograph
- Unexpired Foreign Passport with one of the following:
  - I-551 Stamp;
  - Attached INS Form I-94 indicating unexpired employment authorization;
  - Unexpired Employment Authorization Document (I-766);
  - OR with one of the following Unexpired Visas: E-1, E-2, E-3, H-1B, H-1B1, L-1, O-1, TN, M-1, C-1/D
- FAST (Free and Secure Trade) Card
- Merchant Mariner Document (MMD)

List B (need two and one must be a government-issued photo ID)

- U.S. Certificate of Citizenship (N-560, 561)
- U.S. Certificate of Naturalization (N-550 or 570)
- Driver's license or ID card issued by a State or outlying possession of the United States
- Original or certified copy of birth certificate issued by a State, county, municipal authority, or outlying possession of the United States bearing an official seal
- Voter's Registration Card
- U.S. Consular Report of Birth Abroad
- U.S. Military ID or U.S. Retired Military ID
- Military Dependent's Card
- Expired U.S. Passport
- Native American Tribal Document
- U.S. Social Security Card
- U.S. Citizen Card I-197
- U.S. Military Discharge Papers DD-214
- Department of Transportation (DOT) Medical Card
- Civil Marriage Certificate
- MML (Merchant Mariner License) bearing an official raised seal, or a certified copy

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## What can disqualify me from getting a TWIC?

**-Criminal:** An individual is wanted for any crime, under indictment for one of the disqualifying offenses, or has been convicted or incarcerated for those disqualifying felonies within prescribed time periods.

**-Immigration:** An individual does not meet the immigration status requirements

**-Security Threat:** An individual is identified as having a connection to terrorist activity.

If an applicant does not meet the qualification standards, then they have the opportunity to participate in the TWIC appeal and waiver process. See [www.tsa.gov/twic](http://www.tsa.gov/twic) for more information.

## What are the Permanent Disqualifying Offenses?

1. Espionage or conspiracy to commit espionage
  2. Sedition or conspiracy to commit sedition
  3. Treason or conspiracy to commit treason
  4. A federal crime of terrorism (18 U.S.C. 2332(g)) or comparable State law
  5. A crime involving a TSI (transportation security incident). Note: A transportation security incident is a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area. The term "economic disruption" does not include a work stoppage or other employee-related action not related to terrorism and resulting from an employer-employee dispute.
  6. Improper transportation of a hazardous material under 49 U.S.C. 5124 or a comparable state law
  7. Unlawful possession, use, sale, distribution, manufacture, purchase...or dealing in an explosive or explosive device
  8. Murder
  9. Threat or maliciously conveying false information knowing the same to be false, concerning the deliverance, placement, or detonation of an explosive or other lethal device in or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility
  10. Certain RICO (Racketeer influenced and Corrupt Organizations) Act violations where one of the predicate acts consists of one of the permanently disqualifying crimes
- Attempt to commit the crimes in items (1)-(4)
  - Conspiracy or attempt to commit the crimes in items (5)-(10)
  - Convictions for (1)-(4) are not eligible for a waiver.

## What are the Interim Disqualifying Offenses?

Conviction within 7 years, or release from incarceration within 5 years of application, and indictments or wants/warrants associated with the crimes listed below until released:

- Unlawful possession, use, sale, manufacture, purchase, distribution...or dealing in a firearm or other weapon
- Extortion
- Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering (except welfare fraud and passing bad checks)
- Bribery
- Smuggling
- Immigration violations
- Distribution, possession w/ intent to distribute, or importation of a controlled substance
- Arson
- Kidnapping or hostage taking
- Rape or aggravated sexual abuse
- Assault with intent to kill
- Robbery
- Fraudulent entry into a seaport
- Lesser violations of the RICO (Racketeer Influenced and Corrupt Organizations) Act
- Conspiracy or attempt to commit crimes listed on this page