Suisan Bay Mariners Turn to SIU For Help During Investigation

Editor’s note: This story follows a feature piece in the last issue of the Federal Mariner (“Thorough Knowledge of Weingarten Rights Essential to Federal Mariners” – Volume 2 – Issue 1). That story provided details about protections for employees during investigations when the employee believes he or she may be subject to disciplinary action.

It began, seemingly out of nowhere, with a frightening email message. The dozens of federal mariners working with MARAD’s Suisan Bay Reserve Fleet in northern California were shocked to receive an email last February informing them they were facing investigatory interviews over alleged wrongdoing. Most of them had no idea what the investigation was about. All they knew was they were looking at some frightening prospects.

“The email said there was a criminal investigation going on and we were subject to arrest and removal from position. Everybody got (the email) in our department and everyone freaked out,” said SIU Suisan Bay Delegate Paul Gary.

“We were hearing you could get up to five years in jail and lose your job. It was terrifying.”

Fortunately, Gary added, lawyers and other officials with the SIU are highly skilled at handling such situations. One of the first things he did after seeing the email was contact the SIU Assistant Vice President Chet Wheeler in the SIU’s Oakland office.

“Anytime something like that happens, it’s important to contact your union immediately,” Gary said. “You can get some people who know what they’re doing – they know the laws. You can get together and figure out a plan of attack and where to go from there.”

Allowing unions to step in and protect workers during investigations are a set of policies known as Weingarten Rights. Established through a 1975 U.S. Supreme Court decision, Weingarten Rights ensure an employer is able to obtain all necessary facts related to an investigation while also allowing unions to protect the interests of bargaining unit employees during the investigation process.

CIVMARS are allowed to ask for union representation during an investigation and a union representative or union delegate is allowed to be present during any interviews. Employers are required by law to allow this to happen and must reschedule an interview if no union representatives are available at the time of the original meeting.

“It’s a very good law,” Gary said. “I’ve definitely gotten a lot more familiar with it.”

As noted in previous Federal Mariner pieces, knowledge of Weingarten Rights is essential to employees facing investigatory interviews, but employers are not required to inform those being interviewed that they are allowed representation. This can create problems for uninformed workers.

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Are You Clear? Keeping Security Clearances and Your Job

They may not realize it, but the economic troubles of recent years may hurt a federal mariner’s ability to obtain and keep a government security clearance.

Security clearances— which are issued following an extensive background check— are often required before a federal mariner can work on a government vessel. While many people think of criminal activity when they think of background checks, government investigators also look into a candidate’s financial history. Financial issues actually play a larger role than criminal ones when it comes to a security clearance denial.

In fact, financial problems are the most common factor in terminating a security clearance.

According to recent data by the U.S. Department of the Navy—which encompasses the Military Sealift Command (MSC)—financial problems are the single largest barrier to obtaining and keeping a security clearance. Approximately 40 percent of the Navy’s security clearances denials are financial. But that’s more than the percentage of personal conduct- and criminal-conduct-related denials combined.

William Henderson, a retired federal clearance investigator writing for Clearclosels.com, noted that the number one concern for clearance investigators is delinquent debt. And when it comes to a troubled economy, the amount of delinquent debt inevitably increases among those applying for clearances.

“High debt-to-income ratio and excessive indebtedness are listed as a potentially disqualifying condition, but this rarely comes into play unless you have past or present delinquent debt or obvious signs of unexplained income.” Henderson wrote.

Henderson said that delinquent debt scores are not listed as a potential disqualifying condition, because factors unrelated to debt affect credit scores. Henderson went on to say that when it comes to debt, the response to the debt and the amount of debt is important.

“Cause of debt is generally more important than the amount of debt, because it reveals more about a person’s reliability, trustworthiness and judgment,” Henderson wrote. “If the debt was caused by unpredictable income, bankruptcy, or debt consolidation, the significance of the problem is substantially reduced.”

When delinquent debt is a result of a security clearance investigation, the response of a candidate’s financial history. Financial issues actually play a larger role than criminal ones when it comes to a security clearance denial.

Clearances and Your Job

Are You Clear? Keeping Security Clearances and Your Job

SIU Continues Its Fight Against Federal Furloughs

The SIU and its allies are not sitting idly by as thousands of hardworking federal employees are needlessly sent home for unpaid furlough days. We’re working to end this unnecessary and ill-advised policy. The SIU is working to keep federal workers where they belong— on the job and supporting our troops.

As many of you know first-hand, furloughs began on July 8 for nearly 700,000 civilian Defense Department employees. They are required to take one in 14 days, for a period of up to 11 days, with no pay. This is an unfair burden on employees who are often members of families with multiple dependents and who cannot afford to go without pay.

That is unacceptable. The SIU has always fought for its members, and we’re fighting for them now. The Defense Department has already reduced the number of furlough days from 22 down to 11 thanks to the lobbying efforts of the SIU and its allies.

We’re fighting for you and will continue to do so. As part of the Federal Workers Action Alliance (FWA), the SIU is participating in a grassroots campaign to lobby Congress for the elimination of these harmful furloughs. Our coalition is holding in-office Congressional visits, requesting our members write electronic constituent letters to their representatives protesting the furloughs, making phone calls, using social media activism and more. We won’t rest, and hopefully Congress and the administration will fix this mess soon.

The Defense Department certainly doesn’t want these furloughs taking place. The furloughs are required as a result of across-the-board spending cuts made necessary by the “sequestration” that went into effect following Congress’ failure to reach a deal on the federal budget.

If Congress were to allow federal departments more flexibility in implementing these cuts, however, then fur- loughs could be reduced drastically or eliminated entirely.

Put simply, the attacks on federal workers must stop. They have already given more than their fair share. Over the last three years federal workers sacrificed more than $103 billion in pay and benefits cuts to help reduce the na- tion’s deficit. Enough is enough.

When FWA Chairman William Dougan said recently that “behind every soldier is a team of dedicated Defense civilian employees,” he couldn’t have been more right. SIU employees who have always been there to support our country’s de- fense and meet the needs of other maritime objectives. The SIU is proud to have you among our ranks.

As federal workers face these painful furloughs, the SIU remains solidly in your corner fighting to ensure you are able to perform your important duties and receive the compensation you deserve. That is what the SIU—and the labor movement—is all about. We’ll always be there fight- ing to give workers a fair shake and the protection they need and deserve.

Seafarers International Union Directory

Michael Sacco, President
Augustina Teller, Executive Vice President
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Kermit Mangram, Vice President Government Services
Chester Wheeler, Assistant Vice President Government Services
Brian Ahern, online@siu-seafarers.org

To protect your credit and employment. Once those reports are obtained, Donley recommended reviewing them for errors and any agreements you have reached to reduce your debt to that lender.

Make a chart of all the loans you owe with the name of the lender, the amount and the interest rate on the load. Pay the most you can to the credit card with the highest interest rate. Continue to pay the minimum amounts on all the other cards you owe. Each month, write down how much the interest rate is paid, pay the same amount, plus more if you can to the card with the next highest interest rate.

Keeping your job means keeping your security clearance. Don’t wait to address this important part of your career.

Michael Sacco
SIU President

FEDERAL MARINER
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President’s Column

SIU Continues Its Fight
Against Federal Furloughs

SIU is proud to have you among our ranks.

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Understanding Your Benefits And How to Secure Them

Long-Term Care Insurance Can Be a Vital Tool for Elders and Those with Disabilities

For federal mariners, the benefits of federal health insurance can go far beyond standard health care and pension-related benefits offered in the private sector. It’s important to know what is available to you or a family member if you need care.

Long-term care is care for individuals who cannot perform daily activities such as transferring from a bed to a chair, preparing meals, bathing, using the bathroom, shopping and house cleaning.

While the need for this type of care can seem far off, long-term care needs can result from a chronic illness or a disability arising from an injury. That includes many younger people as well. This type of care can be expensive and exhaust your savings quickly.

According to the federal government’s 2013 long-term care handbook, 23 percent of people receiving care are between the ages of 65-69. The need for care among younger people could be due to an accident, stroke, multiple sclerosis or other chronic health issues.

Many individuals who require care after they reach the Medicare eligible age of 65 believe the government or regular health insurance will cover this type of personal care, but in fact taking care of personal day to day needs is not covered by Medicare. Long-term care insurance that covers the elderly population.

Purchasing this type of benefit is a big decision. It’s impossible to know what the future may hold concerning health care needs for ourselves and our family members. This type of insurance can be quite expensive.

But it is worth taking a look at, and federal mariners have a choice when it comes to purchasing long-term care insurance. Long-term care policies can be purchased through the government’s program administered by the U.S. Office of Personnel Management or through the private long-term care insurance market.

People who are eligible to use the federal government programs includes current federal employees, annuitants (retirees receiving government annuities including federal workers), retired members of the uniformed services receiving retirement and survivor benefits, federal retirees and their “retired” gray annuitants, even if they are not yet receiving retirement pay, and qualified family members. Qualified family members include spouses of annuitants listed above, survivors, parents (of active and retired members of the uniformed services who are receiving a federal survivor annuity). Par ents, grandparents, stepparents, parents-in-law, stepchildren, and children of living employees or annuitants listed above are also qualified.

Important to know is that if you purchase long-term care insurance under the federal government programs, you are responsible for the premiums. The government programs will pay the benefit.

For those who are federal employees, annuitants (retirees receiving annuities including federal workers), retired members of the uniformed services receiving retirement and survivor benefits, federal retirees and their “retired” gray annuitants, even if they are not yet receiving retirement pay, and qualified family members, anything you pay in premiums is a pre-tax deduction, whether you choose government long-term care insurance or purchase your own private policy.

If you have not signed up to receive what is available to you or a family member, you may want to start thinking about this. The government programs are designed to be flexible with this deadline. To learn more about this benefit, you can visit www.opm.gov. In Suisan Bay, Gary said, the vast majority of the mariners had no idea they were allowed representation during the interviews. Once they learned the SIU would be there to protect them, however, their initial fears regarding the interviews began to subside. “Everyone felt a lot better knowing the union was there having our back,” Gary said. “You have to look at it for what it is – the union is there to protect you.”

While unpleasant, Gary said the ordeal was a warming experience for the mariners. “Five more people signed up for CIVMAR, and what better way to keep the union after (the investigation) – just seeing that first frightening email turned into what was a warm experience,” Gary said. “I think that was exactly the right thing to do when facing some scary circumstances and we were also reminded of why belonging to the SIU is so important.”

The court decision overturned the Defense of Marriage Act (DOMA), which defined marriage as the union between one man and one woman. The decision made same-sex marriage legal in all 50 states.

In light of the recent Supreme Court decision overturning the Defense of Marriage Act (DOMA), the Office of Personal Management (OPM) has released guidance about how the federal government will offer benefits to legally married same-sex couples of federal employees covered under the Federal Employee Health Benefits Program.

Currently, same-sex couples can be married in 13 states and the District of Columbia. For health care benefits to be available to their spouses and families, employees will have 60 days from June 26 for the initial enrollment period for the spouse of the enrolled employee, their children, adopted children and stepchildren.

OPM is requesting that agencies be flexible with this deadline. To learn more about this change you can read the OPM’s FEHBP Program Carrier Letter No. 2013-20 Coverage of Same-Sex Marriages.

Second Quarter CIVMAR Notes

Comp Time for Work-Related Travel

The SIU and Military Sealift Command (MSC) are in the process of negotiating procedures, eligibility for payment and other issues which will apply to CIVMAR who are on official duty or travel that is not previously compromised. To learn more about this change you can read the SIU Local 2013-20 coverage of same-sex marriage.

Tips Offered to Protect Personal Information

We all know that personal identity information (PII) can be compromised by hackers who steal information from credit card companies, insurance companies and other large entities which retain critical financial and personal information about you.

But this information can be mistakenly released by your employer as well. In the last three years there have been several breaches of CIVMAR personal identity information at the Military Sealift Command (MSC). The SIU and MSC are negotiating what protections mariners will receive should they fall victim to this mistake.

If you learn you are victim of this type of mistake or crime, act now. Make sure you notify your credit bureau or your employee as well. In the last three years there have been several breaches of CIVMAR personal identity information at the Military Sealift Command (MSC). The SIU and MSC are negotiating what protections mariners will receive should they fall victim to this mistake.

If you learn you are victim of this type of mistake or crime, act now. Make sure you notify your credit bureau or your employer as well. Make sure to review your credit report at least once a year or at least every four months if your PII has been previously compromised. To learn more, check the following websites: www.id theft.gov, the Federal Deposit Insurance Corp. at www.fdic.gov, the Helping Victims page at the Federal Trade Commission www.ftc.gov.

While unpleasant, Gary said the ordeal was a warming experience for the mariners. “Five more people signed up for CIVMAR, and what better way to keep the union after (the investigation) – just seeing that first frightening email turned into what was a warm experience,” Gary said. “I think that was exactly the right thing to do when facing some scary circumstances and we were also reminded of why belonging to the SIU is so important.”

That situation, Gary said, even convinced some non-union mariners to become dues-paying members of the SIU. In fact, those membership dues are what support the kind of legal representation and expertise that has helped the mariners in Suisan Bay and others like them. While the legal aid is provided to the mariners free of charge, it is important for federal mariners to join the SIU and become dues-paying members as a way of ensuring that legal support is available for all mariners in similar situations.

“Five more people signed up for the union after (the investigation) – just because of the way they handled everything,” Gary said. “The SIU was absolutely fantastic.”
Federal Workers, CIVMARS Furloughed

Thousands of federal workers, including 4,200 SIU CIVMARS working for Military Sealift Command (MSC), are now taking mandatory unpaid furlough days due to Congressionally mandated budget cuts.

Beginning July 8, nearly 700,000 civilian employees working for the Defense Department (DOD) must take 11 unpaid days off – one per week – until the end of the fiscal year. During this time, workers will face a pay cut of approximately 20 percent.

The furloughs are the result of across-the-board spending cuts enacted when Congress and the administration failed to reach an agreement on the federal budget in 2012. While 22 furlough days were originally scheduled, the number was cut in half following the lobbying efforts of the SIU and its allies.

The Federal Workers Alliance – a coalition of unions of which the SIU is a member – announced in July it would fight to have the furloughs eliminated. It has established a grassroots campaign that includes in-office visits, electronic constituent letters, phone calls and social media activities.

In a statement just before the furloughs began, FWA Chairman William Dougan said it was vitally important to the country that these federal workers stay on the job.

While he praised the Defense Department’s ability to reduce the number of furlough days, Dougan said the DOD would not stop until they were eliminated entirely.

“Eleven furlough days are 11 days too many, and we will continue to speak out so long as these workers are threatened by this senseless policy,” he said.

The SIU has completed negotiations with MSC regarding the furloughs. MSC has also published furlough information and frequently asked questions documents. Copies may be requested from the CSU, your union representative or send your question to siufedmariner@seafarers.org.

CMPI 610 Inquiry System Undergoes Changes

In October 2013, after lengthy and hard-fought negotiations, the new CMPI 610 Instruction covering hours of work and premium pay for Military Sealift Command (MSC) mariners went into effect.

As was published in previous issues of the Federal Mariner and during CSU and shipboard meetings, at the start of the implementation, the CMPI 610 team set up an email mailbox to answer CMPI 610-related questions. The mailbox was widely used and the CMPI 610 team received and answered hundreds of questions. Feedback from the fleet has been incorporated into the CMPI 610 revisions which will be sent out later this summer. After six months there were so few questions that the team determined the mailbox had served its purpose and a new system for reviewing inquiries could be developed.

Any questions regarding the CMPI 610 Instruction should be e-mailed to the normal chain of command aboard each vessel for submission to MSC Labor and Employee (LER) at msfsc_ler@navy.mil. MSC LER is responsible answering these questions sent through the chain of command.

CIVMARS are welcome to also forward copies of their submitted questions to their union representatives. To do this, you may email or call your representative or send your question to siufedmariner@seafarers.org.

Please remember, it is the CIVMAR’s responsibility to ensure that he/she is compensated correctly in accordance with new provisions of CMPI 610. Make sure you review the CMPI 610 and learn the provisions which apply to your work. If you feel that you have been incorrectly denied pay which should be compensated under the new instruction, or feel that you were incorrectly compensated, you must file a premium pay dispute (PPD) in accordance with the time limits set forth in CMPI 610 and your collective bargaining agreement. More on this topic will be sent to CIVMARS via an SIU CIVMAR-GRAM.

Questions? Contact your SIU representative or write to the SIU at siufedmariner@seafarers.org.

Army Corps of Engineers Mariners Lend a Helping Hand

New York-Area Federal Mariners Do Their Part to Help Victims of Hurricane Sandy

SIU members working for the Army Corps of Engineers (ACOE) have done their part to help the New York-New Jersey area recover from the effects of Hurricane Sandy. In the above left photo are various crew members from the ACOE’s New York District in Caven Point, NY. Pictured above right is SIU Delegate Johann Aguilera.

How to Become An SIU Member

Joining the SIU is easy. The union’s website – www.seafarers.org – includes printable PDF versions of forms that mariners may use to request and authorize payroll deductions for labor organization dues. The forms are posted at: http://www.seafarers.org/memberbenefits/civmar.asp

Contact Information

Asst. Vice President Government Services Chet Wheeler:
Phone: (510) 444-2360, ext. 17
Email: cwheeler@seafarers.org

Government Fleet Representative Kate Hunt:
Phone: (718) 499-6600, ext. 223
Email: khunt@seafarers.org

Government Fleet Representative Maurice Cokes:
Phone: (757) 622-1892
Email: rocokes@seafarers.org

For contact with SIU:
siufedmariner@seafarers.org

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