



SOC PRESIDENT'S NEWSLETTER

August 2018

This is my first newsletter as SOC President. Here are a few items we are dealing with, but certainly not limited to:

Canada Shipping Act Marine Personnel Regulations

For the better part of a decade, we have been waiting for the new draft changes to the Marine Personnel Regulations (MPR). We were expecting them this summer, however, I received notice from Transport Canada (TC) that the MPRs will not be out until September. After which we will not have much time to go through, make comments or propose changes. We were told the new regulations are going to have positive changes to engineering Sea Time Accrual for 3rd Engineers seeking higher certificates. Furthermore, the MPR's will fall in line with STCW Manila 2010 amendments which have significant changes to Engineering Certificates. While we do expect some changes to Navigation Officer Certificates, the changes are not significant. We will have to watch out for certificate requirements for vessels sailing within inland waters, as some of the proposed drafts in the past greatly reduced those requirements.

Also included in the MPRs update, we hope to see more provisions relevant and applicable to cable ferries. A 2014 letter to the Union, from at the time Transport Minister Honourable Lisa Raitt stated:

The proposed amendments for cable ferries will include the application of the Safe Manning Requirements for Complement and Master and Deck Officers under Sections 207 through to 212.

Hopefully, we will finally see Transport Canada regulate a ferry that should not have been given the leniency it was when put into service.

Salish New Job Classification

With the introduction of the Salish vessels and LNG, we feel we have an argument that the work on these ships is a new job classification, one in which attracts higher pay. Initial discussions with the Company were stalled for some time as they required time to see how the operation went. I have made this grievance one of my top priorities and will be pushing for a resolve.

Passengers on Enclosed Car Decks

Cargo Fumigation and Tackle Regulations (CFTR) Section 152, came into effect in 2007. The regulation states no passengers are to be on enclosed decks while the ship is underway. We have had to date two joint meetings with Transport Canada and the Company. These initial meetings have been productive in working out resolves for our member's safety and the vessels compliance. Unfortunately, not all passengers feel they need to oblige by this regulation, and enforcement is creating very difficult situations for crews. While this is something that causes great grief for us, there is another problem to think about; the regulation states the Master can give a passenger consent to enter the deck, provided no packaged goods (DG) are onboard.

However the Company's Operation Bulletin OB2017-03 and Operational Directive OD2017-03 state:

The "Masters Consent" clause may not be used because our vessels carry small quantities of dangerous (packaged) goods on nearly all sailings.

Therefore, if the Master decides to sail with passengers on the car deck, the vessel is in non-compliance.

Now take the unlikely event there is a fire on the car deck, and people die or are injured. I am going to assume if legal action were taken due to a death or injury, Transport Canada would stand behind its iron clad regulations, and if I were a lawyer for the Company, I would stand behind the Company's operational directive stating the Master cannot allow passengers on the car deck. So who does that leave with their neck sticking out? Those of our members who relieve up as Master, this is something to think about, when deciding to sail the ship in noncompliance of a safety regulation.

More to come soon.

In Solidarity,

BC FERRY & MARINE WORKERS' UNION



Brother Dan Kimmerly
Ships' Officers' Component President