

ILA~USMX JOINT RESOLUTION ON PORT SAFETY & HEALTH

WHEREAS, the International Longshoremen's Association, AFL---CIO (ILA) and the United States Maritime Alliance, Ltd. (USMX) recognize the necessity of maintaining a proactive approach in relation to occupational safety & health (OSH) issues which must be soberly and responsibly addressed by both parties; and

WHEREAS, the ILA and the USMX have created a Joint Safety Committee (JSC) comprised of three (3) ILA Members, three (3) USMX Members and a Technical Facilitator, to initiate the industry's review of relevant OSH issues; and

WHEREAS, the JSC has made significant progress in creating a greater awareness of OSH issues on an industry wide basis, and will continue to assist labor and management interests throughout the various port districts in successfully approaching OSH issues, *to wit*:

■ Providing guidance and knowledge to ILA, its Local Unions; USMX and its member Port Associations in relation to a diverse range of OSH issues; utilizing 29 CFR Parts 1917 & 1918 as mandatory OSH rules and supplementing such rules at the discretion of the JSC.

■ Working closely with the National Maritime Safety Association (NMSA), Port Associations, individual employers and ILA Local Unions to develop uniform OSH practices, policies and procedures to be followed at all Master Contract ports. This would include efforts to initiate the development of a greater number of industry-wide safety training procedures and, to the extent practicable, job specific standards for all relevant crafts.

■ Requiring every Master Contract port to establish an ILA---Employer joint safety committee (where none presently exist) to review and investigate accidents, to monitor and improve workplace OSH conditions and to develop and enforce reasonable, effective and compassionate disciplinary procedures.

■ Monitoring local port compliance with all provisions of the Master Contract Drug and Alcohol Testing Program, including Random testing provisions & enforcement protocols.

■ As necessary, appoint subcommittees that are comprised of knowledgeable and well motivated local ILA and Port Employer Members to supplement the work of the JSC.

NOW, THEREFORE, the undersigned adopt the following amendments to the ILA---USMX Master Contract:

1). The Joint Safety Committee (JSC) shall be a standing committee and shall discharge the following responsibilities:

a). It shall provide OSH---related guidance and knowledge to USMX and ILA (including local Port Employers and Labor Locals) with the goal of making each and every Master Contract marine cargo handling activity a safe place for all employees to work.

b). It shall monitor each local port's compliance with the Master Contract Drug and Alcohol Testing Program.

c). It shall serve as a clearinghouse; in coordination with the National Maritime Association (NMSA) Technical Committee, for reporting and analyzing all serious accidents occurring at Master Contract marine cargo handling operations.

d). At the request of Management and ILA leadership at any Local Port or District, or on its own initiative, the JSC shall be empowered to investigate any serious accident occurring at Master Contract marine cargo handling operations.

e). It shall be authorized to appoint subcommittees that are comprised of knowledgeable and well---motivated local ILA and Port Employer Members to supplement the work of the JSC.

f). It shall submit quarterly activity reports to ILA and USMX leadership, detailing the work of the JSC.

g). It shall ensure that each Master Contract port establishes a local joint safety committee comprised of equal numbers of subjectively well---versed and well---motivated labor and management representatives. Labor representatives so appointed shall not hold concurrent elective office.

Such local committees shall have the authority to review and investigate accidents, to establish local OSH procedures and policies (in consultation with and approval of the ILA---USMX Joint Safety Committee) and to develop and enforce appropriate disciplinary procedures; provided that such procedures remain consistent with those already agreed upon and in place at the relevant port(s).

Dated: January 15, 2014

International Longshoremen's Association, AFL-CIO

By Harold J. Daggett
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