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Canadian Merchant Service Guild

A NATIONAL ASSOCIATION OF

MASTERS — MATES — PILOTS — ENGINEERS AND OTHER MARINE OFFICERS

La Guilde de la Marine Marchande du Canada

ASSOCIATION NATIONALE DES CAPITAINES — OFFICIERS BREVETES ET PILOTES

INTERNATIONAL MARITIME PILOTS' ASSOCIATION

AFFILIATED WITH

INTERNATIONAL TRANSPORT WORKERS' FEDERATION

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NOTICE TO MEMBERS

May 5th, 2008

This bulletin is being sent to all Guild Members to bring your attention to the following five important developments:

- 1) On March 28th, 2008, the Guild's National President, Lawrence Dempsey, retired after a career with the Guild spanning 30 years. Larry was employed as a Navigating Officer on Great Lakes ships until 1978 when he became the Eastern Branch's Business Agent in Thorold, Ontario. Larry moved to the Ottawa office in 1987 as the National Secretary-Treasurer and in May 2005, he was elected as National President. Larry's unwavering dedication to this organization and its Members will be remembered by all of us well into the future. Larry is an avid recreational boater and is looking forward to spending more time on the water. The Guild sends our very best wishes to Larry and his family for a long and enjoyable retirement.
- 2) Following Larry's retirement, the National Board of the Guild appointed Capt. Mark Boucher as National President and Joy Thomson as National Secretary-Treasurer. Mark was a Government Ships' Officer (GSO) Representative on the Eastern Branch Executive Board for a number of years until he became a commanding officer in a management exclusion position and joined the Canadian Association of Masters and Chief Engineers. After becoming a Guild staff member, Mark worked as the Labour Relations Officer in the Maritimes District until becoming the Secretary-Treasurer of the Eastern Branch. Mark was born and raised in British Columbia and after graduating from university with a Bachelor of Arts Degree, also completed certificates in continuing education in the field of industrial relations from Queens University and St. Mary's University. Mark has held various positions on vessels sailing on both coasts and in the Arctic and prior to becoming employed with the Guild was a Launch Master with the Atlantic Pilotage Authority and Captain on tractor tugs in Nova Scotia for a number of years. Mark moved to Ottawa in 2004 when he was appointed as the National Secretary-Treasurer of the Guild and the Canadian Marine Pilots' Association.

Joy Thomson is a First Class Marine Engineer and has been a Business Agent in the Guild's Vancouver office since 2003 negotiating numerous Collective Agreements and providing labour relations services to Members of the Western Branch. Joy has sailed on the East coast and in the Arctic and prior to becoming employed by the Guild, she was a Chief Engineer on vessels sailing on the West coast. For a number of years Joy was an Engineering Instructor at the Pacific Marine Training Institute. Joy is a graduate of the Canadian Coast Guard College in Sydney and also has a Diploma in Shipping & Marine Operations and has completed professional development studies in the field of Maritime Technology. Joy's work and efforts on behalf of Members of the Western Branch will be greatly missed, but she is looking forward to moving to Ottawa this summer and taking on the challenges that her new position of National Secretary-Treasurer will bring.

The elections for eight members of the National Board will take place at the Guild Convention in Victoria, BC during the last week of May 2008. Only Delegates to Convention are eligible to be elected to the National Board. The two Branches have already notified the 49 Members who have been selected as Delegates to the Convention.

- 3) A significant change has been made to the Guild's "Marine Officers Protective Service" (MOPS). As you may be aware, the MOPS plan comes under the authority of a Board of Trustees which is comprised of the Guild's National Executive Board. The MOPS plan is functioning well, and it is important that the Trustees continuously monitor the program to ensure that it remains sustainable and a valuable cornerstone of Guild membership. At a recent meeting of this Board of Trustees, a decision was made that **MOPS coverage will only be available** to Members in good standing who are paying full monthly Guild dues at the "employed rate". Furthermore, a Member in good standing who is working as a pilot (and not a Member of the ship's complement) whether in "Compulsory Pilotage Areas" or in "Non-Compulsory Areas" (including ice-pilots) will only be eligible for MOPS protection if he/she is paying monthly dues to the Canadian Marine Pilot's Association in addition to the Guild dues.





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These changes come into effect on July 1st, 2008. This bulletin is intended to provide advance notice to Members who are not currently paying full monthly dues, but who are currently eligible for legal defence protection under the existing terms of the MOPS plan until June 30th, 2008. For example, Members paying reduced dues because they are employed for less than seven days per month or because they are "working under the jurisdiction of another union", **will no longer be eligible for MOPS coverage after June 30th, 2008.** In order to continue to be protected by the MOPS plan, these Members will need to contact their Branch office prior to July 1st and arrange to begin paying full monthly dues. For Members who are not on a payroll deduction plan for their dues, the Guild recognizes that there may be delays of a few weeks to process payments of monthly invoices. In order to address this, after July 1st, in the event that a Member who is continuing to pay reduced monthly dues at the unemployed rate (or who is holding a Withdrawal Card) becomes employed in a position that requires legal defence protection, this Member needs to begin making arrangements to pay full monthly dues and must immediately notify their Branch office in writing (by letter, fax or e-mail) that their employment status has changed and that they require MOPS coverage. Verbal notification by telephone is not acceptable. A Member who has not been paying full monthly dues or who is holding a Withdrawal Card will not be eligible for MOPS coverage in the event of a marine mishap unless the Branch has received prior notification in writing of the change in the Member's employment status. **At the time that this proper notification has been received by the Guild from a Member in good standing, MOPS coverage will commence.** If necessary, the Branch will eventually send an invoice to the Member so that any adjustments to monthly dues can take place.

The Trustees have made these important changes in order to ensure the continued success and effectiveness of the MOPS program and to make certain that the benefit of necessary legal defence protection will be available for Members in the event of a marine incident. As a result of these changes, the information in the text portion of the MOPS wallet card has been updated. A new wallet card is included in this package. There are no changes to the phone numbers or contact information on the wallet card.

There have recently been a number of serious and very unfortunate marine incidents involving Members of the Guild that have been widely reported in the media. The MOPS toll-free number to call in the event of an accident is available 24 hours a day and is listed on the wallet card. In the event of a marine incident, the Guild will advise you that you may be questioned by various authorities and that you need to be aware of your obligation to cooperate with the Transportation Safety Board of Canada (TSB). The role of the TSB is accident prevention and not to assign blame. The facts and information that Members provide to the TSB are confidential and privileged and cannot be used by other authorities. However, this protection of information applies only to interviews with the TSB and not to interviews with other authorities. This is the type of important information that will be provided to you in the event of a marine incident by contacting the Guild promptly.

- 4) In February of this year, all Members employed as Ships' Officers in the federal government (GSO's) were sent detailed information regarding the status of collective bargaining. In accordance with the information in this bulletin, on April 14th, 2008, the Guild negotiating committee once again assembled in Ottawa, as requested, for a final mediation session with the employer's representatives. This session did not result in an agreement being reached on any contract items and once again, the employer did not table any offer of settlement. The Guild's intentions as well as the employer's submission to the arbitration panel were both outlined in the bulletin that was sent out in February. Obviously it is short-sighted and not sustainable that the employer is seeking concessions during a period of a worldwide shortage of ships' officers. The process now advances to an arbitration hearing on May 23rd, 2008. Guild Counsel is David Jewitt and Alison Longmore. The Guild nominee to the three member arbitration panel is Joe Herbert and the Chairman of the panel is Yvon Tarte. The Guild side has prepared several volumes of documentation in support of our position. This information has been provided to the arbitration panel to review prior to the hearing and is clear and accurate and well researched. Members will be kept informed of the outcome of the arbitration.
- 5) One of the benefits of membership in the Guild is an opportunity to apply for Group Life Insurance. As the result of a marketing exercise, the Guild was able to obtain a reduction in the monthly premiums that Members pay for coverage under this Group Plan. Members who are already covered by this Plan would have noticed a reduction in their monthly premiums effective in the fall of 2006. Members who do not currently participate in this Optional Group Plan are encouraged to read the enclosed brochure which details the competitive monthly premiums and includes updated information about the program and an application form. Only Guild Members are eligible to participate in this Group Plan. Additional application forms and brochures are available at your nearest Guild office.

