

PRINCIPLES OF AGREEMENT BETWEEN  
GLOBAL TERMINAL AND LOCAL 1588 (ILA)  
April 7, 2006

As a result of a series of discussions over time, a number of important potentially contentious issues have been examined and resolved to the mutual satisfaction of the respective parties. In each case, the foundations of the agreement was a principal which the current administration of the union believes to be critical to the future integrity of labor management relations. The past was replete with practices which operated to the detriment of the both the rank and file membership of the Union and the Company. To prevent repetition of the past after government oversight of the Union ends, it is important to create systemic safeguards which are transparent and enforceable for the mutual benefit of all parties. The various agreements as to the specific issues over the past number of months have all been predicated upon the practical application of a system based upon the principles of pier seniority. These principles are easily applied and enforced and, therefore, serve the interests of everyone involved. Accordingly, the Union and the Company agree that hiring, training, work assignments and promotions shall be governed by pier seniority wherein the most senior qualified worker has the opportunity or the right of first refusal as to something which is deemed to be desirable. The Union recognizes the Company's right to establish reasonable qualifications; and, in the unlikely event of a disagreement over the reasonableness of a particular qualification or as to whether a particular worker is qualified, the parties may submit the matter for resolution under the grievance mechanism as provided in the collective bargaining agreement.

DAVID W. BRADY  
Vice President for Administration

ROBERT C. STEWART  
Deputy Administrator

SPECIFIC POINTS OF AGREEMENT ON SENIORITY ISSUES  
Between  
GLOBAL TERMINAL AND LOCAL 1588 (I.L.A.)  
(June 26, 2006)

**TRAINING**

If a worker fails a trainings course, he or she will go to the bottom of the pier training list for that particular piece of equipment.

If re-certification is mandated by industry regulations (exclusive of those relating to accidents), those workers who need to be re-certified will be the first trained. These re-certifications shall be the company's priority and the re-certification shall be as expeditious as possible.

In-Service Training Rotation for certified RTG, Top Loader, and Empty Handler operators working the ship: Recognizing the need to maintain trained personnel with experience to work against the ship to be available and supplement more senior operators, the company and the union agree to an in-service training rotations for the RTG, Top Loader and Empty handler against the ship that shall work as follows:

- On any given day from April 15 to June 30<sup>th</sup>, when four (4) gangs or more are working, and any of the usual senior most operators are unavailable, the company may fill-in for the maximum of two absent regular operators from the rotation pool. This shall consist of the next eight qualified operators in order of seniority after the regular pool of operators.
- No substitute operator in the rotation pool who in a calendar year has worked 40 or more hours as a substitute shall be assigned additional such shifts until all other rotation pool workers have been offered at least 40 hours of such work. When every operator in the pool has been offered 40 or more hours of such work, all assignments shall revert to the regular seniority basis.

**POSTING FOR VACANCIES**

The posting and signing-up for all ILA positions shall allow all those who wish to be considered for those positions, the opportunity to fairly apply and will ensure that the selections process is transparent and not subject to improper influence to the detriment of the workers or the company.

The company shall post and allow members to sign-up for a period of 14 calendar days for promotion or assignment to ILA foreman, training or staff position, including but not limited to field boss, ship foreman, yard foreman, hatch boss, paper-man, machine boss, gear-man, sweeper, and their reliefs who fill in when there are absences and vacations.

## **STAFFING**

If the more senior qualified employee declines an assignment, the company must off the work in order of seniority among those who are qualified; and, if no one accepts, the work may be assigned in reverse order of seniority beginning with the most junior qualified employee.

## **REPLACEMENT ORDERING**

When ordering extras or replacements, the company will hire available workers by pier list seniority before it hires outside workers in the section or the port. Card or industry seniority shall not be applied in the selection of Global List members for Global work.

## **ASSIGNMENTS FOR THE “LOW GANG”**

“Low Gang” or “Last Gang Out” shall mean the working gang with the least amount of hours for the period in question. Generally, the “low gang” will be the last gang to finish the ship and receive the most hours for that particular assignment – except that a higher gang may be retained to finish the last hatch where the task involves no more than two hours of work.

The company shall fill any vacancy from the “Low Gang” to the “High Gang” according to pier seniority from those qualified, first from the available ship gang list members then from available filed list members.

JOSEPH BATTAPAGLIA  
Global Terminal

ROBERT C. STEWART  
ILA Local 1588 (Deputy Admin)

**Memorandum of Agreement Ship List Seniority**  
**Global Terminal and ILA Local1588**

This agreement serves to clarify ordering from the ship list. It builds upon the previous Global seniority agreements. Nothing herein shall contradict Waterfront Commission rules and regulations.

**Ship list seniority, definition:**

Ship list seniority is a gang member's seniority in relation to all other gang members on the pier.

**Filling temporary empty gang positions when gangs are broken up:**

The company shall fill empty positions in gangs ordered:

- First, from among available gang members in order of their ship list seniority and certifications.
- Second, from among available pier list members in order of their pier list seniority and certifications.

**Official lists:**

Before 2/08 the ship list shall be frozen and those members already on the list shall remain in their position. *(The attached and signed ship and pier list shall be the base seniority list.)*

From the frozen 2/08 list forward, all members joining the gangs shall be placed at the bottom of the approved ship list in the order of the date they sign into the gangs. From the frozen 2/08 list forward, a new ship list member shall accrue ship list seniority starting from the date they sign into any gang on the pier. If more than one member joins the gangs on the same date, their pier list seniority shall govern.

To resolve any disagreements beforehand when the company posts for openings, it will send the union a copy of the list of applicants after the list closes but before the list is certified.

John Atkins                      1/30/09  
Global Management      Date

Anthony Falcicchio                      1/30/09  
ILA Local 1588                      Date

## Memorandum of Agreement

### **Removal from the hiring system for list members:**

In order to facilitate hiring and bring a level of stability to the lives of Global list members, the company and the union agree to the following regarding removal from the hiring system:

### **When On the Pier:**

To remove him or herself from the system, a list member may sign and submit the agreed on form by 12pm.

*Forms, Time-Date Stamp and Locked Box:* The Company shall provide forms and a time-date stamp machine next to a locked box in a convenient location near the front office. The form shall have a carbon copy, with the original submitted to the hiring agent and one copy for the member. The member must fill out the form, stamp it and place it in the box by 12pm. The employer will have the key and check the box.

### **When out of the area:**

#### *TEXT and EMAIL:*

A list member may send an email or text message to the following Global email address, [hiring@global-terminal.com](mailto:hiring@global-terminal.com) , by 12pm to be properly removed from the system. The member will maintain a copy on their phone or computer and the employer will print a copy of the message. The email or text must include the member's last name and Waterfront Number. An email or text must come from a members cell phone on record with the company or an identifiable email account to be valid.

Or

For those list members who state in advance that they are unable to use the above technology, they may call the hiring agent by 12pm.

Joe Battapaglia                      10/31/07  
Global Management                  Date

Anthony Falccichio                10/31/07  
ILA Local 1588                        Date

# Removal from Hiring System Form

Date-Time Stamp

Last Name, First Name \_\_\_\_\_

Waterfront #: \_\_\_\_\_

Please remove me from the system for the following date(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I wish to return to the system and work on \_\_\_\_\_

I wish to be back for the ship, if there are evening orders (Circle one):      YES      NO

*Fill out form, Stamp, place original in box by 12pm, keep carbon copy for your records.*

