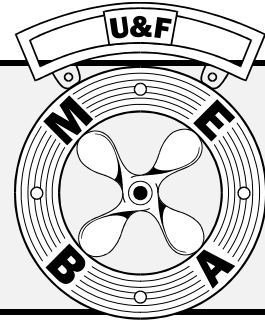


LEGISLATIVE UPDATE

AUGUST 2008



DOT Introduces New Drug Testing Regulations

Effective August 25, 2008, the Department of Transportation has issued new drug testing regulations:

- The new rule provides for two types of drug tests—normal and direct observation.
- Both tests should only be administered by a trained collector who is not your direct supervisor, not officer onboard (unless no one else is present to administer the test and there is a need for the test).
- It must be a Department of Transportation certified test.
- **Normal Tests**
 - o Required for all maritime personnel described by the Coast Guard as working in a position that affects safety, basically everyone on a ship.
 - o Used unless you fall into one of the exceptions listed in the next part.
 - o You must take everything out of your pockets and leave it outside the testing facility; you do have the right to keep your wallet with you.
 - o You must provide positive identification.
 - o You do not have to remove your clothes and can take the test in a private enclosed room.
- **Directly Observed Tests**
 - o Will only be used in a follow-up test or return to duty tests.

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- o This means that unless you have previously tested positive or there was some irregularity in the test (for example there was the intent to defraud the test, the lab was unable to get a clear result, you had this specific non-drug chemical in your urine) you should have the test above administered.
 - o You are required to remove all of your clothes and demonstrate you are not wearing a prosthetic device.
 - o The collector will observe you actually producing the specimen (this seems to imply that they will stand in such a way so that they can see the urine enter the specimen collection device.)
 - o The collector must be certified under 49 CFR 40.33.
 - o You have the right to have your test observed by someone of the same gender although this person does not necessarily have to be a trained collector.

A complete copy of the rule can be found at:

http://www.dot.gov/ost/dapc/NEW_DOCS/part40.html

**M.E.B.A. Hosts Fundraiser for Laura Richardson,
Democratic Incumbent for California's 37th District**

On Tuesday, July 29, the M.E.B.A. and ILWU, along with MIRAID, ILA and the MM&P hosted a fundraising breakfast at M.E.B.A. Headquarters for the incumbent Congresswoman of California's 37th District Laura Richardson. In 2007, Rep. Richardson succeeded 16 candidates in a special election and was elected to her first term in the House of Representatives to represent the culturally and economically diverse District setting a record of distinction for for having served all three levels of government; local, state and federal – in the span of less than a year.

The Congresswoman shared stories of growing up in a family supported by parents who were both card carrying members of a union. She, herself became a licensed machinist. As a member of the House Transportation & Infrastructure Committee, her background and firsthand knowledge of the importance of labor rights make her an invaluable ally in M.E.B.A.'s fight to protect your rights.

Rep. Gene Taylor (D-Miss.) Speaks at D.C. Propeller Club Luncheon

Mississippi Representative Gene Taylor recently headlined the Washington D.C. Propeller Club July luncheon around the corner from M.E.B.A. Headquarters. Rep. Taylor is the Chairman of the Seapower Subcommittee of the House Armed Services Committee and a member of the Transportation and Infrastructure's Coast Guard and Maritime Transportation Subcommittee.

Rep. Taylor has a long record of supporting the U.S. Merchant Marine on a wide range of issues from the Jones Act to tax reform. During his speech, he expressed fervent support for the Maritime Security Program calling for its full funding in the 2009 appropriations. He also reaffirmed his commitment to stay vigilant in protection of the Jones Act. Serving in the Coast Guard Reserves from 1971-1984 as the skipper of a search and rescue boat, Rep. Taylor received the Commandant's Letter of Commendation for firefighting and a letter of Commendation for saving the life of a crewmember. Representative Taylor has proven himself to be a true supporter of our efforts and he stands ready to assist our Congressional efforts in any way possible.

TWIC Compliance Dates Set for Buffalo, Duluth, Detroit, Lake Michigan and Sault Ste. Marie

On July 9th, the Federal Register informed owners and operators of facilities located within Captain of the Port Zones in Buffalo, Duluth, Detroit, Lake Michigan, and Sault Ste. Marie that they must implement access control procedures utilizing TWIC no later than October 31, 2008.

They said, "The TSA and Coast Guard have determined that this date provides sufficient time for the estimated population required to obtain TWICs for these COTP Zones to enroll and for TSA to complete the necessary security threat assessments for those enrollment applications. We strongly encourage persons requiring unescorted access to facilities regulated by 33 CFR part 105 and located in one of these COTP Zones to enroll for their TWIC as soon as possible, if they haven't already."