

Q&A Gang Sizes and Manning

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Q. On a packaged lumber operation, under this agreement, can we work the following complement: 1 gang boss, 1 winch driver, 1 hatch tender, 2 sling men, 2 hold men, 2 lift drivers in the hold; or must we hire: 4 hold men and 2 lift drivers in the hold?

A. Refer to Paragraph 31 in October 18, 1960 document.

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Q. In the Port of San Francisco, we have never been required to have gang boss with a unit of men numbering less than eleven. Are we in San Francisco required to have a gang boss with the basic gang?

A. Yes.

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Q. Does the language of Points 20 and 21 apply to log and piling gangs?

A. Yes.

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Q. Under Point 20, are siderunners required in all ports, or are they part of basic gang only when ordered?

A. The requirement is 4 hold men for all ports, but in those ports where siderunners are used, they shall be ordered as part of the 4 holdmen.

Q. Reference 20. What about the combo driver presently part of the ship's gang?

A. Whether or not a combo driver remains part of the gang will be determined by port rules.

21

Q. Assume I am loading either palletized or unitized cargo with machinery using a basic minimum gang, and a spill occurs in the hatch. Do we have to bring in extra men to clean up the load?

A. For that purpose alone, the answer is no. The four hold men will do the job.

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21

Q. Does the language in Paragraphs 21 and 28 state that the hold men in the "basic gang" are not permitted to drive mechanical equipment?

A. The negotiations were on a coastwide basis, and on a coastwide basis the understanding was that the hold men in the basic gang would not be permitted to drive mechanical equipment. (The San Francisco rule are not to be changed.)

22(2)

Q. 22(2). Under the reference in this paragraph to mechanical equipment, would a hand powered hydraulic type lift truck be considered the same as a fuel powered type of lift truck? For example, Aberdeen dollies moving packaged lumber.

A. The reference should be to 21(1). The answer is no. 22

22

Q. Can a basic gang be used if the cargo is being raised with a snorter so that slings can be placed?

A. If the cargo only requires slinging to remove it from the square, then the basic gang can be used. If it has to be man handled in any fashion to get a snorter around it to lift for slinging, then the full gang must be used. A machine in situations where it can be used would substitute. 23

23

Q. If men cannot be employed in the square of the hatch, can they - in all cases - be transferred to other employment If such a limitation lasts for more than one hour?

A. The words "in all cases" would require a "no" answer. But in following the reason and thought behind the question, namely, confined space and safety, then the answer would be yes, since it is not the method but the area which permits only one load to be handled prior to the handling of the next load. In a restricted area ' as indicated, the basic gang of 4 hold men need only be employed if the operation is to last one hour or more.

23

Q. How many times per shift can basic gang be used to hand stow cargo in slack space which can't be stowed by machine?

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A. When space and safety are the factors that dictate that only one load can be handled at a time, prior to the handling of the second load, then the basic gang can perform such handling providing it is to last for one hour or more.

Q. Can a basic gang be used in the following circumstances:

(a) Where loading, and it is necessary to fill in between machine-stowed cargo with, as an example, a half car of beer?

(b) Where work changes from machine to hand stow, the employer is unable to swing men in from ship or dock from his own employees, there is no space or safety factor in the picture, and the hand stow is necessary to complete the 8-hour guarantee.

A.

(a) When space and safety are the factors that dictate that only one load can be handled at a time, prior to the handling of the second load, then the basic gang can perform such handling providing it is to last for one hour or more.

(b) No. The hold men must be supplemented with swing men either from his own job or another job or from the hall. The employer can swing men in from the outside. If this is not possible, the gang can be put to other work if available to complete the 8-hour guarantee.

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Q. 24. What about when dead time is not involved?

A. The provisions of Paragraphs 21(1), 22(2), and 23, are applicable to 24, likewise. In situations where swing men are available, they are to be used to rig, cover, and uncover, but when these men are not available, then the understanding is that additional men need not be ordered out for these purposes.

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Q. Does point 24 contemplate the use of basic gangs for these purposes at any point of time in the shift?

A. Yes. However, it was also understood that if swing men were available, they would be added to the gang for this purpose.

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Q. Other than for safety considerations, is it a prerogative of management to determine how many men shall work in the square?

A. The matter of safety in this question is no problem, but there is a question of what kind of an operation is to be worked, that is, break bulk or units. Assume management has the manning required under the Agreement, and assume that space is likewise not a factor. Then, management not only will determine, but must insist, that all men work in the square, possibly not all times, but no such practice as four-on, four-off, is to be condoned. Assume a break bulk operation, management could add men to either the 6 or 8 man hold gang and expect them to work since safety is not involved, and the space permits.

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Q. In many cases the stevedores loading fruits are not working when the carpenters are building shelves and the carpenters are not working when men are loading. Can the agreement permit using men as carpenters or carpenters as stevedores to eliminate this waiting time for the 2 groups of men?

A. Changes in port rules will be worked out but pending this, men are to work as directed and you can order the work done so as to minimize waiting time. You may not work carpenters as stevedores, but you could work stevedores as carpenters unless present port rules prohibit it.

27

Q. Does paragraph 27 mean that part of the gang can be rigging while the rest is taking off boards or tarpaulins or that men can be lashing or unlashng cargo while the rest of the gang loads or discharges?

A. Yes, providing it is done in a safe manner. You are allowed to work the men in the manner you wish the work done.

27

Q. When the men on board are opening and closing hatches, the agreement seems to say we can have the dock-men doing work not directly connected with discharge or loading such as palletizing, filling or emptying containers. Are we correct?

A. Yes.

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27

Q. Shoring cargo, lashing or unlashng cargo, laying dunnage or floors or dismantling floors or false decks or removing dunnages: Can the crew now do that work in ports where it was not permitted by the union local rules?

A. What is now longshore work cannot be moved to somebody else. Local rules will be examined for their effect on the agreement and changes will be made as necessary. Whatever changes are made in local rules will be to permit better efficiency in use of longshoremen but will not be made to allow others to do longshore work.

28

Q. Under Point 28, does the word "equivalent" prohibit the employer from swinging out two hold men and bringing in one machine operator:

- (a) on loading?
- (b) on discharging?

What does "equivalent" mean? Does this mean one man per one machine, or what? In other words, we contemplate on swing out more than one man when one machine is brought into the hold.

A. When in a hand handled break bulk operation requiring a total of 6 hold men on discharging and 8 hold men (except Seattle) on loading, the operator may substitute machines and drivers for men on an equivalent basis that is 1 for 1, providing 4 basic hold men are retained at all times. It is emphasized that the word "equivalent" is used in connection with hand handled break bulk operations only and the requirements are 6 or 8 hold men - these may be a combination of skilled and unskilled workers which, added to the basic 4 hold men, make the total of 6 or 8 men.

The application is limited. It does not apply to all situations.

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Q. 29. This in conflict with Employers' right to move manually larger loads without adding additional men or machines (with the same number of men), with the understanding that it might take a little longer to move and stow the load. This does not constitute a speedup or onerous work load. This appears to be in conflict with the principle that larger loads not built by longshoremen can be handled on the dock and on the ship without adding additional men.

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A. The sling load limits apply on those commodities listed in Section 13 when loads are built on the dock by longshoremen and are hand handled in the hatch. When the present and future operations are conducted in the same manner as when the sling load limit was negotiated, then the limits apply. Since a load built off the dock is a new operation, the limit does not apply on the commodities listed. It likewise would not apply on commodities not listed. The understanding is that men will handle loads built off the dock larger than the sling load limit, but will take more time to handle the load. The men do have the right to raise the question of "onerous". On commodities not listed in Section 13, the employer has the right to increase the load. The men will handle it, but again the men may raise the issue of "onerous". Should the load prove to be onerous, then men or machines will be added to relieve the condition.

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Q. Paragraphs 30 and 31 - "Manning for existing operations shall continue..." Does this mean that no reduction of present manning scales shall take place without processing the request for reduction through the contract machinery?

A. Yes, subject to the flexibilities provided. The Coast Steering Committee will handle all reviews.

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Q. Does the language in Paragraphs 30, 31, and 32 mean that the basic gang can be used only after review?

A. No. It says that manning for existing operations shall continue until review. Paragraph 32 deals with other than break bulk or other operations. Therefore your operations will use the basic gang plus added swing men or machines to augment the basic gang up to present manning scales. Paragraphs 21, 22, 23, and 24 are exceptions and will apply without review.

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Q. In what cases and for what commodities can we hope for a reduction in gang size?

A. With flexibilities provided, you will have to arrange your own operations to take advantage of use of men.

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Gang Sizes and Manning (continued)

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Q. Does the language of Point. 30 negate the apparent right of employers under Points 21 and 22 to utilize a basic gang under certain circumstances without the necessity of a review?

A. No.

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Q. Although the contract does not so state, the parties are agreed that gang sizes would not be increased over those now in existence. Does this understanding apply not only to Seattle, but to other ports in the Washington Area where a 6 hold man loading gang exists?

A. Yes. Recognition during negotiations was given to the 10-man ship gang in Seattle and it is not necessary to increase over what now exists in any other port.

31(1)

Q. 31.1. What does this do to existing practices in loading packaged lumber on seagoing barges where the manning scale is now less than nine men?

A. Sea going barges handling packaged lumber are covered by a separate agreement available to all in this trade on the coast.

32(2)

Q. 32.2. Local area employers assume that present specialty operations, such as bulk grain, ore, salt, etc. will be subject to review.

A. Correct. The review must be by and through the Coast Steering Committee for uniformity.

Q. Paragraph 34. Clarification of its meaning and intent is requested.

A. This paragraph is actually part of Paragraph 33, Throughout the negotiations, past, present, and future operations were considered in the light of unnecessary men and efforts were made to cover these in any agreement reached on manning. Inasmuch as some present operations were saddled with excess manning since they originated while present gang sizes were used, these existing operations were singled out and were to be treated as new operations. They are principally mechanized*operations where unnecessary men can be eliminated, either in bulk operations, or in unit operations. If in a present bulk operation by eliminating that part of the machinery which made the men necessary, then the

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manning may be changed. In a unit operation where straight runs of unitized cargo are being mechanically handled, then a change in manning can be made. This must not be a simultaneous mixed operation of hand-stow cargo and units in a compartment, but can be a run in a hatch or hatches, and after or before hand handled cargo, but must run for a period of time and be a substantial part of the operation in a deck.

34

Q. Does the language of Point 34 intend that the procedure outlined in Point 33 be favored when one of the conditions set forth in point 34 is in evidence?

A. Points 33 and 34 actually belong as one paragraph. The Answer is Yes.

34

Q. Under Paragraph 34, does this mean that the size of chuting gangs may be reduced? If so, by what procedure?

A. This paragraph is actually part of Paragraph 33, and your question may properly belong under Paragraph 32. In 32, a change may be sought based on a determination of the necessary men required. In 34, a change is required in the method or machinery which eliminate the

need for hold men, The matter would have to be referred to PMA with determination being made by the Coast Steering Committee.

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Q. 34. What does this paragraph mean?

A. This is actually part of Paragraph 33. These operations are those which began under present manning practices and which may qualify as new operations.

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Q. 35. Is this applicable and restricted to only those ports which now have dock gang units, or does it force other ports to create dock gangs?

A. It is restricted to areas which have dock gang units and does not force other ports to create dock gangs.

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Q. With respect to Point 36, what was the intent of the word "welfare".?

A. These do not have the connotation of monetary benefits under any fund, but refer to the physical well being on the job.

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Gang Sizes and Manning (continued)

36

Q. Can the term "Welfare" be used as a gimmick?

A. Neither Welfare nor Safety are to be used as a gimmick.

37

Q. 37. Does this negate the present flexibility now allowed under the August 10, 1959 Agreement 8-hour guarantee) about shifting men between employers to complete the 8-hour guarantee?

A. No. This is limited to the specific situation indicated. The choice would be to order men from the hall to be utilized on the ship or job, pending the changeover or to shift the gang to another job with callback for next day, or pay the guarantee with callback the next day.

37

Q. Does Point 37 void the 1959 Agreement that dock men cannot be shifted to ship work?

A. No. The reference is to swing men who can work ship or dock.

56

Q. Will Paragraph 56 permit the employers to exercise their rights under the contract to hire monthly and preferred clerks?

A. This in no way changes provisions of the agreement.

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