

Port of Portland
Foreman Application and Selection Process Informational Guide

The Joint Foremen's Labor Relations Committee (JFLRC) will be accepting applications for foremen registration. Online Application Forms will be made available at selfservice.pmanet.org using the directions outlined in the Foreman Application Flyer commencing on May 1, 2023. If you wish to apply, you must complete the Online Application Form and submit it online at the pmanet.org website by May 30, 2023. **All applications must be submitted electronically at the website provided.**

Only workers who:

- (1) are **currently** registered as Class "A" workers in Local 8, and
- (2) have ten years Class "A" registration in Local 8 as of May 30, 2023, with
- (3) the minimum Qualifying Hours (Exhibit A), are eligible to apply to become a foreman in the Port of Portland.

In addition to meeting the above requirements, registered mechanics are eligible to apply only after 12 years of steady mechanic employment or after 15 years of service (pursuant to the Letter of Understanding Mechanic Employment Requirement, dated November 23, 2002).

This is an equal employment opportunity process, prepared with the assistance of an outside expert consultant with many years of experience with the longshore industry and its hiring of foremen. The JFLRC welcomes applicants without regard to any protected characteristic, including without limitation race, sex, sexual orientation, age, national origin, religion, or disability.

If you are eligible and may apply, please review the following documents:

- (1) This Guide, which describes the steps in the application and selection process.
- (2) The list of Critical Job Duties and Functions of the foreman position.
- (3) The Written Test Preparation Guide that identifies job knowledge areas that may be tested on the written test. The guide includes sample questions.
- (4) The Online Application Form.

The following describes the steps in this foreman selection process:

Step 1: Posting and Application Submission. The JFLRC will receive applications for foremen registration for a period of 30 days. All applications must be

submitted electronically. Online Application Forms will be made available at selfservice.pmanet.org using the directions outlined in the attached Foreman Application Flyer. Applicants must complete the Online Application Form and submit it online at the pmanet.org website before the deadline set by the JFLRC.

Individuals who submit an online application will have their application reviewed as outlined in Step 2.

Step 2: Application Review. The JFLRC will review all timely received applications and determine which applicants are eligible to proceed. Applications will be rejected, for example: (1) if they were not submitted timely and completely filled out (including electronic signature); (2) if the applicant is not currently Class "A" registered in Local 8; (3) if the applicant lacks the required minimum years as a Class "A" registrant in the Port of Portland; (4) if applicable, the applicant has not satisfied the mechanic service requirements; (5) if the applicant had been offered, but declined, registration as foreman during the 36 months preceding the application submission deadline; or (6) if a longshore or clerk JPLRC previously barred the applicant from transfer or promotion, e.g. Section 9.41 Penalty.

Those applicants who pass the application review move on to Step 3.

Step 3: Qualifying Hours Review. Applicants who move beyond the Application Review step will have their PMA-maintained payroll records evaluated to determine if they have at least 1322 Qualifying Hours within the preceding ten years (2013-2022), for an average of 1322 Qualifying Hours per year. The hours that count as Qualifying Hours for this foreman registration, and the process by which this review occurs, are described in Exhibit A, attached.

Applicants determined to have the minimum required Qualifying Hours will move on to Step 4.

Step 4: Written Test. The written test measures an applicant's knowledge of the Pacific Coast Longshore Contract Document (PCLCD) and Pacific Coast Marine Safety Code (PCMSC). The test has been developed by the Committee's expert consultant in conjunction with Subject Matter Experts. The test will be administered and scored by the expert consultant. A Written Test Preparation Guide identifying specific sections of the PCLCD and PCMSC that may be tested, with some sample questions, is attached. The test also measures job-related basic math/mechanical abilities, which may include counting containers, quickly and accurately calculating heights, weights, amounts, distances, center points, balance points on oddly weighted objects, or the direction an object will likely go when lifted from the ground, and more. Foremen must be prepared to make such calculations on the job (sometimes in isolated areas) without the aid of a calculator or other mechanical devices. It is recommended that applicants practice their basic math skills without the use of a calculator. The JFLRC will determine how many and which applicants who take the written test will continue to the interview phase of the process.

Step 5: Interview. A qualified foreman must be able to communicate effectively, make effective and practical judgments, and properly make decisions. He or she must be truthful in words and actions, aware of safety-related issues, respectful of him/herself and others, must maintain flexibility and a willingness to learn new techniques, be conscientious and dependable, remain levelheaded during times of stress, and be assertive and take initiative when it is proper to do so. Practicing these skills while working as a longshore worker or clerk is an excellent way to help prepare to become an effective foreman, and for the interview. The interview includes situational questions that allow applicants to indicate how they would act in hypothetical situations, and experience questions that allow applicants to indicate when and how they have performed in the past. The interview process and questions have been developed by the Committee's expert consultant in conjunction with Subject Matter Experts. The expert consultant will administer and score the interviews. After the expert consultant scores the interviews, the JFLRC will decide how many and which applicants to register. In making this determination, 50% of selections will be made by the Union, based on seniority, and the remaining 50% will be selected by the Employers.

Step 6: Registration Eligibility List. If more applicants pass the interview than the Committee agrees to register at that time, those applicants will be placed onto a Registration Eligibility List. Additionally, the Committee may from time to time, in its discretion, decide to interview additional applicants to increase the number of applicants on the Registration Eligibility List, based on the needs of the port area. When additional registrations are necessary, the Committee will offer probationary registration to those on the Registration Eligibility List (subject to their satisfactorily completing the remaining requirements for registration), 50% selected by the Union based on seniority, 50% selected by the Employers if/when additional registrations are needed. The Registration Eligibility List will be maintained for a period of two years from the application deadline. The JFLRC need not offer registration to all on the Registration Eligibility List.

Miscellaneous:

Disqualifications and Appeals. The JFLRC will notify applicants who are disqualified from the foreman selection process via regular U.S Mail to the address the applicant has on file with PMA. To challenge disqualification, an applicant must submit a written appeal, as outlined below, within ten (10) calendar days of the date of the notification letter. Exception: For appeals based on lacking the required minimum Qualifying Hours, applicants have twenty-one (21) calendar days to appeal that determination. If the appeal deadline falls on a weekend or federal holiday, then the deadline shall be extended to the next regular business day.

Appeals must include the applicant's full name, original signature, registration number, address, daytime and evening telephone number(s) (with area code), and a description of the pertinent facts and the basis on which the disqualification is challenged. **If the above information is not included, the appeal will not be**

considered. An appeal must be mailed to Pacific Maritime Association c/o Joint Foremen's LRC at: 101 Southwest Main Street, Suite 330, Portland, OR 97204 and postmarked by the appeal deadline. The JFLRC will review and render its decision on each appeal. The JFLRC will notify the person who appealed of its decision.

Ongoing Work/Disciplinary Record Review. The JFLRC may, at its discretion, disqualify or defer applicants with unsatisfactory work records or disciplinary records inconsistent with what the JFLRC, in its expertise, recognizes as required to work effectively and safely as a registered foreman (for example, complaints/discipline under the collective bargaining agreement, which the JFLRC may choose to review at any time). Disqualification may occur at any time, including after applicants have completed any or all the steps of the process or been placed on or selected from an eligibility list.

Agree and Understand: By signing the Application, applicants agree and understand what is outlined above.

Change to Procedures: The JFLRC may, at its discretion, at any time without notice, change or revoke the procedures for foreman selection.

Exhibit A

“Qualifying Hours” for Foreman Selection Process

Applicants must have a minimum of 1322 Qualifying Hours per year within the preceding ten years (2013-2022). The hours that count as Qualifying Hours for the purpose of this foreman registration, and the review process, are described below.

“Qualifying Hours” are only hours for which pay is received under the PCLCD, PCCCD, and the PCWB&FA, with the following exceptions/clarifications: Excluded from Qualifying Hours are (1) vacation hours, (2) holiday hours, (3) Pay Guarantee Plan hours accrued *outside* of the first two quarters of 2020, (4) any other hours paid at Guarantee Occupation Codes for time not worked, (5) mechanic hours worked, and (6) most clerk hours worked -- only clerk hours worked in Chief Supervisor and Supercargo Occupation Codes count toward Qualifying Hours. Also included in Qualifying Hours are “Union Service” hours worked, as described and subject to the documentation required below.

The Committee will undertake an initial review of each applicant’s hours for which pay is received as noted above, subject to the exclusions noted above. If, based on this initial review, an applicant satisfies the minimum Qualifying Hours requirement, s/he will be invited to advance to the Written Test component of the selection process.

If, based on this initial review, an applicant does not satisfy the minimum Qualifying Hours requirement, the Committee will advise the applicant of that fact and alert the applicant that s/he may request consideration as to Qualifying Hours in one or more of the Special Circumstances set out below:

“Qualifying Hours Special Circumstances”:

a. An applicant who is advised by the Committee that s/he does not have sufficient Qualifying Hours as specified above but believes s/he has a basis for a partial exception due to **illness, injury, or absence from work protected by law**, may request that the Joint Foremen’s Labor Relations Committee waive/except portions of the hours’ requirement, if and only if s/he does the following. When advised by the Committee that s/he lacks the required minimum Qualifying Hours, the applicant must provide the facts and supporting documentation to support partial waiver/exception of the minimum Qualifying Hours requirement to the Committee, in writing, within 21 calendar days. If the 21st day falls on a weekend or federal holiday, the deadline shall be extended to the next regular business day. The request should include an explanation of how and when the applicant was prevented from working, efforts made to meet the minimum hours requirement (if applicable), and documentation supporting the absence.

The Committee will review the applicant’s appeal and supporting documentation and determine whether the minimum hours requirement will be waived or excepted, based on all relevant circumstances. If the Committee agrees that Qualifying Hours should be allowed (for purposes of this foreman registration process only) for periods when an

applicant did not receive pay for hours worked, hours will be allowed proportional to the hours worked by the applicant in the four (4) payroll quarters preceding the period when the applicant was not paid for hours worked.

b. Also included in Qualifying Hours are Union Service hours worked, as described in and subject to the documentation required below. An applicant who is advised by the JFLRC that they do not have sufficient Qualifying Hours as specified above but believes they may have sufficient hours if Union Service hours are counted, must provide the JFLRC documentation of periods of Union Service with hours worked (only those already in PMA's system for benefits purposes will be considered), entity worked for, and job title within 21 calendar days of the date of the notice letter. If the 21st day falls on a weekend or federal holiday, the deadline shall be extended to the next regular business day.

Only the following are considered Union Service for purpose of promotion to probationary foremen status:

- For the following Union(s) only:
 - International Longshore & Warehouse Union (ILWU International)
 - ILWU Locals (Longshore Division only - longshore, clerk, foremen/walking bosses) anywhere on U.S. West Coast
- Union Service Job Categories (Mainland only, not Hawaii):
 - ILWU International: President; Vice President; Secretary-Treasurer; Joint Coast Labor Relations Committee Representatives; Benefit Specialist
 - ILWU Locals: Presidents; Vice Presidents; Secretary-Treasurers; Labor Relations Committee Representatives; Business Agents
 - Dispatchers (longshore registrants and casuals, clerks, foremen/walking bosses)

The JFLRC will review the applicant's appeal letter, supporting documentation, the evidence of hours in PMA's system (for benefit purposes), and other available evidence of union service hours to determine whether the applicant meets the minimum Qualifying Hours required with the Union Service hours.