

**ILWU-PMA  
PACIFIC COAST MARINE  
SAFETY CODE**

**TENTATIVE AGREEMENTS  
SUBJECT TO THE APPROVAL OF THE  
PCL&CD NEGOTIATING COMMITTEE**

**July 1, 2008**

**MEMORANDUM OF  
UNDERSTANDING**

**For the ILWU**



**Tim J. Podue**

**Date: 8/13/08**

**For the PMA**



**Marc MacDonald**

**Date: 8/13/08**

**AMEND COVER PAGE TO READ:**

**PACIFIC COAST MARINE SAFETY CODE**

2008 Revision

INTERNATIONAL LONGSHORE AND WAREHOUSE UNION

*and*

PACIFIC MARITIME ASSOCIATION

Name \_\_\_\_\_

Port \_\_\_\_\_

Local No. \_\_\_\_ Reg. No. \_\_\_\_\_

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**AMEND CITE ON PAGE iii TO READ:**

— Section 16.11 of the Pacific Coast Longshore Contract Document, 2008-2014 and the Pacific Coast Clerks' Contract Document, 2008-2014

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**AMEND PAGE FOREWARD PAGE viii TO READ:**

Since 1946, the Code has been revised and amended on several occasions, usually when the Pacific Coast Longshore Contract is negotiated. The 2008 revision was completed on July 29, 2008 by the following committee:

*For the International Longshore and  
Warehouse Union*

**Tim J. Podue, Chairman**  
**Tracy Burchett**  
**Adrian Diaz**  
**Pete Favazza**  
**Jeff Smith**  
**Paul Wieser**  
**Cameron Williams**  
**Trent Willis**

*For the Pacific Maritime Association*

**Marc Mac Donald, Chairman**  
**Michael Cuffe**  
**Rob Dieda**  
**Sean Lindsay**  
**Curtis J. Shaw**  
**Dave Turner**  
**Bill Alverson**  
**Vince Lamaestra**  
**Kevin Krick**

*The effective date of this Code is July 1, 2008.*

## **AMEND RULE 105 TO READ:**

**Rule 105.** At the direction of the parties, this Code was revised and updated in 2008 to upgrade its capacity to prevent injuries, and to reduce injury incidence rates. All persons party to this Code shall assume and properly discharge their safety responsibilities.

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## **AMEND RULES 258 AND 1035 TO READ:**

**Rule 258/1035.** Wire rope slings used for cargo handling shall be replaced if in any length of eight (8) diameters, the total number of broken wires exceeds ten percent (10%) of the total number of wires or if the rope shows the following:

- (a) Wear or scraping of one-third (1/3) the original diameter of outside individual wires;
- (b) There is kinking, crushing, bird caging or any other damage resulting in distortion of the rope structure;
- (c) There are end attachments that are cracked, deformed or worn;
- (d) There is corrosion of the rope or end attachments;
- (e) There is more than one broken wire in the close vicinity of a socket or swaged fitting.

Synthetic web slings shall be removed from service if they exhibit any of the following defects:

- (a) Acid or caustic burns;
- (b) Melting or charring of any part of the sling surface;
- (c) Snags, punctures, tears or cuts or wear indicators on applicable slings;
- (d) Broken or worn stitches;
- (e) Distortion or damage to fittings or;
- (f) Display of visible warning threads or markers designed to indicate excessive wear or damage.

Exception: This rule does not apply to abrasion covers or softeners as they are not structural.

**AMEND RULE 309 TO READ:**

**Rule 309.** Facilities shall be provided by the Employers to persons who wish to qualify to render First Aid/CPR and AED (CPR-D). All arrangements for First Aid/CPR-D Training shall be made through the Joint Area Accident Prevention Committee.

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**AMEND RULE 315 TO READ:**

**Rule 315.** One or more stretchers (Stokes baskets) of an approved type, suitably equipped for use with hoisting gear, shall be made available by the Employer wherever operations are carried on. Inspection by the Employer shall be made monthly to ensure that the stretchers are in good working order. All stretchers shall be of a plastic type.

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**AMEND RULES 344(h), 1051(h) AND 1515(h) TO READ:**

(h) The fall arrest system shall be attached to a tie-off point capable of sustaining at least twice the potential impact load of an employee's fall when certified by a qualified person, or 5,000 pounds in the absence of a certification by a qualified person. When more than one employee is attached to a tieoff point, the above limits shall be increased proportionately. Positive means shall be taken to prevent the movement of equipment when used as tie-off points. When container lifting beams are used as tieoff points, there shall be a shut off switch to prevent the crane from trolleying, hoisting, or gantrying. There shall be an indicator light visible to the workers on the container tops. Said indicator light shall be affixed to the bottom of the crane cab. When the light is on, the container beam is alive. When workers are tied off to a live beam, the crane shall operate only in "slow-mode."

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**Amend PCMSC Rules 422, 662, 822 and 1452 to read:**

**Rule 422/662/822/1452.** All containers shall be floated and hoisted only when there is no danger of lifting chassis/bomb carts. The ALL CLEAR signal from

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Figure 16.2 will be given to the crane operator only after the container has been floated and there is clear separation between the container and chassis/bomb cart and all personnel are clear of the lift. Forward movement of the tractor shall be determined by the signalman to ensure a clear separation.

*Questions & Answers*

1. *Q: Does this Rule establish manning?*

*A: No, as per Rule 104: "Safety Duties in this Code by job category shall not be construed to establish manning requirements."*

2. *Q: Define the term "signalman."*

*A: The term "signalman" is used in the generic sense as the person who may be designated to give hand signals, similar to Rule 1421.*

3. *Q: What is the intent of this Rule?*

*A: The intent of this Rule is to prevent inadvertent lifts of chassis & bomb carts and tractors only under container gantry "hammerhead" cranes.*

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**AMEND ALL RULES IN SECTION 5 BY:**

**Rules 501-512.** Making the section gender neutral and adjusting the tense appropriately.

**SECTION 5**

**DUTIES OF GROUP LEADERS  
(HATCH, DOCK OR GANG)**

The Hatch, Dock, Gang Boss or other group leader shall carry out the following safety duties:

**Rule 501.** They shall be in direct charge of their gang or group and shall see that all work is done in a safe manner.

**Rule 502.** They shall instruct the employees under them in the proper and safe methods of handling cargo, gear and equipment. Special attention shall be focused on safe lashing practices particular to each ship.

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**Rule 503.** They shall report promptly to their foreman or walking boss, or other employer representative on the job, any defect in the gear or machinery, or any unsafe working condition or unsafe working practices. Supervision shall act promptly in obtaining correction of any defect in the gear or machinery, or any unsafe working condition or unsafe working practices.

**Rule 504.** In the event that they find it impossible to get in touch immediately with their foreman or walking boss, or other employer representative on the job, they shall stop the work upon discovery of any unsafe condition or unsafe working practices until their foreman or walking boss, or other employer representative on the job, shall have had opportunity to pass upon the situation.

**Rule 505.** They shall set an example and shall abide by all applicable safety rules in this Code which govern other employees.

**Rule 506.** They shall maintain good housekeeping.

**Rule 507.** They shall give clear and understandable instructions on safety in operations and shall ascertain that these are carried out.

**Rule 508.** They shall not smoke aboard ship or on the dock except in authorized, designated spaces.

**Rule 509.** They shall not be present on the job while under the influence of intoxicating liquor, or drugs of a stimulating or depressive nature which affect their ability to carry out their obligations as required under the Pacific Coast Longshore and Clerks' Agreement.

**Rule 510.** Cargo which is covered and used as a work surface or walking area by employees shall be checked for holes. Plywood, plates or other means shall be provided to cover such holes.

**Rule 511.** They shall personally check employees trimming bulk cargo into and out of the hold, box car or elevator.

**Rule 512.** Where twenty foot containers are stowed in a forty foot cell and longshore workers are required below deck, they shall be in radio communication with the crane operator.

**DELETE RULE 651 and AMEND RULES 612, 1154, 1609, and 17.701 TO READ:**

**Rule 612/1154/1609/17.701.** All employees shall wear and properly use all personal protective equipment provided, including but not limited to:

(a) An approved high visibility reflective vest at all times within a marine terminal or onboard a vessel. With the employer's approval, other articles of clothing which provide equivalent high visibility, reflective protection or are ANSI/OSHA approved may be worn in place of the vest.

(b) An approved protective helmet at all times when working in areas where there is a potential for injury to the head from falling objects. All such equipment issued after July 1, 2008 shall comply with the current American National Standards Institute ANSI Z 89.1-2003 (Industrial Head Protection). Employees employed in the following areas and employees engaged in the operation of the following equipment are exempted:

- 1) Offices on piers or marine terminals,
- 2) Rest rooms and cafeterias,
- 3) Cranes with enclosed cabs,
- 4) Vehicles with adequate overhead protection,
- 5) Terminal gates,
- 6) Container freight stations.

When employees leave the above equipment or areas to work on a marine terminal or aboard a vessel, or where the employer has issued or posted instructions that hard hats are required despite the above exceptions, employees shall wear their hard hats.

(c) Approved safety shoes shall be worn by all employees working in the terminal operating environment. (See Rule 650)

(d) Approved hearing protection when required to reduce exposure to noise. Employees shall be given an option of ear plugs or ear muffs. The temporary unavailability of ear muffs shall not cause a disruption of work nor a standby pursuant to Section 11 of the Pacific Coast Longshore and Clerks' Agreement.

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(e) Approved fall arrest system shall be worn when going aloft or when working within three (3) feet of an unguarded edge that is eight (8) feet or more above the adjoining surface.

(f) Approved safety eyewear or goggles when handling cargo or other work liable to injure or irritate the eyes.

(g) U.S. Coast Guard approved personal flotation devices (PFDs) shall be provided and worn as per the manufacturer's recommendations when working over sides of vessels (e.g. log booms or rafts) or other locations where the possibility of falling or being pulled into the water exists.

(h) Respirators of an approved type when handling cargo, bulk commodities or using paints and chemicals liable to injure or irritate the respiratory passages or lungs.

(i) The term "approved" in Rule 612/1154/1609/17.701 means approved and accepted by ANSI or applicable state or federal regulations, depending upon jurisdiction.

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**AMEND RULE 801(e) and (f) TO READ:**

(e) Shall familiarize themselves with the posted operating procedures for the crane cab air filtration system.

(f) Shall report any defects to their gang boss, foreman, walking boss, or other employer representative on the job, who shall act promptly in obtaining correction of any defect in the gear or machinery or any unsafe working condition.

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**ADD RULE 824 TO READ:**

**Rule 824.** Crane operators will activate the crane cab air filtration system at first indication of exposure to stack gas.



**AMEND RULE 908 TO READ:**

**Rule 908.** Vehicles designed to be operated from a sitting position shall be provided with seats. Seats, and backrests when provided, shall be properly maintained. Vehicles shall be operated from the seat or platform only and not while standing alongside, unless the equipment is designed to be operated in this manner. All equipment designed to be operated from a sitting position shall be equipped with padded or molded seats and backrests.

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**ADD NEW RULES 923 AND 1636 TO READ:**

**Rule 923/1636.** While individual cone boxes are being loaded to or unloaded from a flat rack connected to a semi-tractor, the semi-tractor operator shall set the brakes and shut off the engine.

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**AMEND RULES 1050 AND 1514 TO READ:**

**Rule 1050/1514.** Pedestal platforms at the edge of a vessel shall be equipped with railings to prevent an unguarded edge. In the event an unguarded edge exists due to damage, or when employees must work outside the bulwark or pedestal platforms, suitable fall protection shall be provided.

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**ADD NEW RULE 1062 TO READ:**

**Rule 1062.** Loose dunnage or debris hanging or protruding from loads and in danger of falling shall be removed.

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**AMEND RULES 1153(e), 1605(e) AND 17.106(e) TO READ:**

(e) The location of first aid kits, stokes baskets, public telephones, assembly areas, automatic external defibrillators (AEDs), together with the appropriate emergency telephone numbers and the emergency radio channel (Per Rule 362) shall be noted on the diagram as described above in Sub Section (d).

**AMEND RULE 1230 TO READ:**

**Rule 1230.** All top handlers, side-handlers, straddle carriers, log handling snapper-grabbers, and 15 ton or greater capacity forklifts shall have an audible automatic backup warning device and flashing light. The backup warning device shall sound as soon as the travel mechanism or transmission is placed in the reverse position. The flashing light shall conform to Rule 1227.

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**AMEND RULE 1231 TO READ:**

**Rule 1231.** Yard semi-tractors shall be equipped with a flashing light conforming to Rule 1227, and with side view mirrors. The right hand side view mirror shall also be equipped with a convex mirror. Additions of rooftop equipment shall not unduly interfere with the visibility of the safety light.

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**ADD NEW RULE 1240 TO READ:**

**Rule 1240.** All new semi-tractors ordered after July 1, 2008 will be equipped with 3-point high visibility seat belts. All existing semi-tractors with lap belts shall be equipped with 3-point high visibility seat belts by December 31, 2009.

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**ADD NEW RULE 1241 TO READ:**

**Rule 1241.** All bombcarts shall be equipped with spacers to separate and align twin twenty containers.

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**ADD NEW RULE 1242 TO READ:**

**Rule 1242.** In twin twenty loading operations, at no time shall the spreader beam be used to bump containers.

**AMEND RULE 1443 TO READ:**

**Rule 1443.** Proper signals in accordance with Rule 1422 or Rule 1633 shall be posted on all dockside cranes.

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**AMEND RULE 1444 TO READ:**

**Rule 1444.** All container gantry cranes shall have the control power (trolley, hoist and gantry) power-off and power-on switches within reach from the crane operators' normal driving position.

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**AMEND RULE 1449 TO READ:**

**Rule 1449.** All shipside gantry cranes (hammer-head crane) cabs shall be equipped with a pressurized air filtration system and shall be properly maintained to manufacturer's specifications and recommendations. Employers shall post operating instructions for the system in the crane cab.

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**ADD NEW RULE 1454 TO READ:**

**Rule 1454.** All rubber tired gantry (RTG) and rail mounted gantry (RMG) air conditioning units shall be properly maintained to manufacturer's specifications and recommendations.

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**AMEND RULE 1509(c) TO READ:**

(c) The riding location shall be provided with sufficient guard rails and a gate or enclosing device at the opening to prevent employees from falling from the beam. Guard rails, gates or enclosing devices shall be a minimum of 42" in height.

**AMEND RULE 1520 TO READ:**

**Rule 1520.** When reefer containers are being lashed/unlashed, supervision will coordinate lashing and reefer operations so work may be accomplished with minimal interference and power cords shall be arranged to prevent slips, trips, and falls.

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**ADD NEW RULE 1523 TO READ:**

**Rule 1523.** Lashing rods shall not be hung and left unattended. Lashers shall attach rods to turnbuckles after a rod is hung to prevent it from falling.

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**ADD NEW RULE 1524 TO READ:**

**Rule 1524.** No employee shall work within three (3') feet of an unguarded edge of a work surface with a fall distance of eight (8') feet or more unless wearing appropriate fall protection.

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**ADD NEW RULE 1637 TO READ:**

**Rule 1637.** All semi-tractor operators shall use caution when backing containers into parking slots. They shall backup slowly, smoothly, keep their fifth wheel low and use caution when applying brakes.

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**AMEND 17.001 TO READ:**

17.001 INTRODUCTION

The intent of Section 17 "General and Marine Rail Safety Rules" is to create a safe work environment for longshore workers loading and unloading railcars which are serviced and worked in a stationary position.

A glossary has been added to standardize terminology that has traditionally been used in rail operations and to introduce new terms to describe recent developments in marine rail technology. The Joint Committee welcomes suggestions that may improve rail safety on the waterfront. Recommendations for consideration may be submitted to the Joint Port Accident Prevention Committees.

**AMEND RULE 17.002 GLOSSARY BY ADDING A NEW DEFINITION OR AMENDING EXISTING DEFINITIONS, IN ALPHABETICAL ORDER, TO READ:**

**Delete:** Existing Gondola Intermodal definition.

**Delete:** Existing Car, Intermodal definition.

**Gondola:** An open topped railcar specifically designed to carry bulk/breakbulk materials.

**Intermodal Stack Car:** A series of three (3) or five (5) permanently coupled intermodal railcars. A railcar designed to carry containers in single and double stacked configurations. Also referred to as a double-stack car in double stacked configurations.

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**DELETE ADDENDA PREVENTING DISEASE TRANSMISSION**

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**AMEND MEMORANDA OF UNDERSTANDING HIGH VISIBILITY VESTS AND HARDHATS TO READ:**

**HIGH VISIBILITY VESTS AND HARDHATS**

Every three years at no cost to the employee, the employer will provide to every ILWU-PMA longshore worker identified or unidentified with at least 50 hours within the current year, a safety vest conforming to ANSI/SEA 107-1999 class 2 standards and hard hat (either Fibre Metal model #E-2SW-yellow or Jackson safety stubby yellow model # 0740-0081, including chin straps)

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conforming to ANSI Z 89.1 at the ILWU-PMA training centers during the GST training.

The above items will be provided to all new members of the work force at their first GST class.

Vest/hats that are damaged or worn out will be replaced at no cost to the employee at the ILWU-PMA training centers, provided the damaged or worn out vest/hat is produced at the time of exchange.

Vest/hats lost or misplaced will be replaced at no cost to the employee at the ILWU-PMA training centers provided the employee completes a claim form giving reason/details of the loss.

The ILWU agrees to actively promote the wearing of the approved ANSI Standard safety vest and hard hats as outlined above.

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**DELETE MEMORANDUM OF UNDERSTANDING AIR  
QUALITY ASSESSMENTS FOR OCCUPATIONAL  
EXPOSURE TO DIESEL EMISSIONS**

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**AMEND MEMORANDUM OF UNDERSTANDING  
AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDs) TO  
READ:**

**AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDS)**

During the course of the 2008 PCMSC Negotiations, the Parties agreed that an Automatic External Defibrillator (AED) program meeting the American Heart Association (AHA) guidelines shall be implemented on all marine terminals. The program shall cover vessel, dock and rail operations. The locations of AEDs at the terminal shall be posted in all common areas of the terminal per Rule 1153(e), 1605(e), and 17.106(e).

Where member companies have coverage through port authorities or other entities, it is the Employer's responsibility to ensure that AED placement and

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response times meet AHA guidelines. The locations of AEDs at these terminal(s) shall be posted in all common areas.

Walking Bosses/Foremen shall be trained in the use of AEDs per PCWB&FA Section 9. Clerks who wish to qualify to render first aid/ CPR-D shall be trained per PCCCD Section 16.2. Employees, including mechanics, who wish to qualify to render first aid/CPR-D, may request training through the Joint Area Accident Prevention Committee in accordance with PCMSC Rule 309.

The Joint Coast Safety Committee will promote familiarization/education of the AED program via Safety Tip Flyers and Posters which will be provided at the terminals and at GSST.

The implementation of this program shall be completed twelve months after the ratification of this contract.

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**ADD NEW MEMORANDUM OF UNDERSTANDING TO  
READ:**

**GANTRY CRANE CAB AIR FILTERS**

It was agreed by the parties in the 2008 PCMSC negotiations that filter systems (e.g. carbon/blended filters) designed to remove the elements of stack gas shall be installed in all shipside gantry crane (hammer-head crane) cabs within 12 months of the ratification of the PCL&CA. In the event that improved filters and/or filtration systems are designed and developed, the parties shall meet to discuss these new and advanced technologies.

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**ADD NEW MEMORANDUM OF UNDERSTANDING TO  
READ:**

**VEHICLE IDLING**

During the course of the 2008 PCMSC negotiations, vehicle idling was discussed as related to health and safety. To reduce idling for the sole purpose of maintaining computer power, the employers agreed to take steps to ensure computer continuity in pickup trucks and semi-tractors through technical

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and/or procedural alternatives when the engine is shut down. Employers shall be in compliance within 12 months of the ratification of the PCL&CA.