

UNITED NEW YORK SANDY HOOK PILOT'S BENEVOLENT ASSOCIATION  
AND  
UNITED NEW JERSEY SANDY HOOK PILOT'S BENEVOLENT ASSOCIATION

201 EDGEWATER STREET  
STATEN ISLAND, N. Y. 10305

CABLE ADDRESS:  
"HOOKPILOTS" - NEW YORK  
TEL. (718) 448-3900  
FAX. (718) 447-1582

December 8, 2009

**NOTICE TO ALL PILOTS AND APPRENTICES**

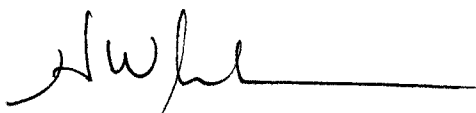
As most of you already know there has been much discussion over the last few years regarding safety issues at facilities, with the COTP being in the middle.

The facilities complain that visitors such as customs, pilots, etc. refuse to wear PPE (hard hats, etc) when transiting the facility, as required by OSHA. We complain that accessing the vessels at these facilities is unsafe.

The attached letter from the COTP is the result of all those complaints going back and forth.

What we are asking you to do is;

- If you need to embark or disembark a vessel at one of these facilities and the means to do so are unsafe, call dispatch, who will then contact the agent and either cancel the departure or arrange alternate means for you to board or depart.
- If you are asked to wear PPE and are provided with such, PLEASE wear the equipment.
- If you are asked to wear PPE and it is not provided, remind the facility that they are required to provide such equipment. If they are unwilling to do so and you are willing and permitted to do so, you may proceed with out it, if you so choose. If they are unwilling to do so, and will not allow you to proceed, call dispatch, who will then contact the agent and either cancel the departure or arrange alternate means for you to board or depart.
- Do not get into a confrontation with facility personnel.
- Provide a detailed report to this office ASAP so that we may contact the facility and address the issue.

  
HW Mahlmann

  
AW McGovern



5700

NOV 23 2009

Dear Port Partner and Law Enforcement Agency Head:

I am very concerned about ongoing poor safety practices observed within our port area. Many of you have reported, to me personally and other Coast Guard members here at the Sector, instances of professional mariners, support personnel, facility workers and law enforcement officers, including some of my own personnel, refusing to wear personal protective equipment that facility operators require (also required under OSHA regulations) for everyone's protection. There are also facilities that are allowing people to enter without requiring and/or providing them protective equipment. In addition there have been several reports of unsafe placement and arrangement of gangways, accommodation ladders and jacob ladders that were ignored by both vessels and facilities. In many cases personnel embarking and disembarking from these vessels felt forced to engage in unsafe practice and take unacceptable risks for economic reasons or because of perceived pressure from their peers and supervisors.

My concern is that the means to prevent injury and possibly death in hazardous work areas is available but ignored, not utilized or it is not provided for at all. This personal protection equipment includes hard hats, safety glasses, personal flotation devices and hearing protection, which is nothing that would be considered too demanding to comply with. While waterfront facilities are required to provide this equipment for visitors, it is ultimately the responsibility of each of us and our organizations to ensure our employees are aware of workplace hazards and take the appropriate means to protect them from known dangers while on the job in the Port.

As leaders within our Port community, it is incumbent upon all of us to set the right example and demonstrate that protection of our employees is very important by ensuring they are provided and wear the appropriate safety gear as they perform their jobs at facilities and aboard vessels in the port. Our commitment in this initiative can be a force multiplier toward emphasizing safe work practices and adherence to the law. However, until we each take a strong stand to support and encourage our people to literally watch each others backs and agree to forego bickering and grandstanding, this problem will not be solved. To accomplish this, I recommend we set the following ground rules:

Facility operators:

1. Deny entry to professional mariners, support personnel, visitors or even law enforcement officers and emergency response personnel, in non-emergency situations, when they fail to adhere to the personal protection equipment requirements of a facility.
2. In the event anyone refuses to leave or comply to report them as quickly as possible to their parent organization as appropriate and to your organization so corrective action can be taken.
3. Require vessels moored at your facilities to provide a safe method of embarkation and debarkation prior to conducting operations, at a minimum whenever allowing personnel to move to or from your facility and the vessel.

Vessel owners and operators:

1. Ensure your vessels follow the safety rules while moored or anchored in our port area.

2. Ensure safe placement and arrangement of gangways, accommodation ladders and jacob's ladders.
3. Teach your personnel to think safety not only underway but inport too.

Other port partner agencies and companies:

1. Require your personnel to follow the safety rules at all times.
2. Investigate all reports of violation and take corrective action as necessary.
3. Remind your personnel that they are setting the example for others. Make it a good one!

All other personnel:

1. Do your part! Refuse to engage in unsafe practice or use faulty equipment at a facility or vessel and immediately report unsafe conditions or failure to provide the required personal protection equipment to your agency or company and to the appropriate organization so this too can be addressed and corrected.
2. Nothing gets solved when we all close our eyes and mouths. We are all responsible for each others safety, not just our own.

I will:

1. Require my personnel to follow all the safety rules in place through out the port as well as those required by internal Coast Guard policy.
2. Investigate all reports of my personnel violating safety rules and any other rules for that matter.
3. Hold us accountable under our civilian personnel system and the Uniform Code of Military Justice.
4. Report to you any violations we detect involving your personnel, facility or vessel.
5. Require my personnel to follow all the recommendations I have asked you to adopt.

I greatly appreciate your assistance with this and I also encourage each of you to report unsafe practices to the appropriate organization or employer when they are observed and reported to you by your employees. If you have any questions regarding this issue or any facility safety measures, please feel free to contact Lieutenant Commander John Hahn of my staff at (718) 354-4093.

Sincerely,

  
ROBERT R. O'BRIEN, JR  
Captain, U.S. Coast Guard  
Captain of the Port New York