



Research Vessel Operators Committee

Volume 17, Number 2

RVOC NEWSLETTER

September 1, 1992

Greetings from California, the land of no budget:

This second newsletter contains information on the agenda for the Oct. 20-22 RVOC meeting in Lewes, Delaware. For ship operators you will notice that there are a couple of homework assignments to help prepare for workshops on the agenda. Please take the time to complete these forms and bring them with you so that everyone can contribute to these workshops. This is to some extent an experiment designed to facilitate and promote discussion between ourselves instead of bringing in "outside experts". The third form is for you to use to record written suggestions for subjects and improvements to the RVOC agenda for next year. Bring this form with you and add to it during the meeting if something occurs to you. We will want to collect them on Thursday. Since these meetings are for all of us it would be easier to craft an agenda that meets everyone's needs with serious input from everyone.

With respect to accommodations and information about the University of Delaware and Lewes, you should be receiving a package directly from Waddy. I am assuming that he is only sending this information to people that have indicated to him that they are attending. If you plan to attend the meeting and have not contacted Waddy please do so right away. (I have included a copy of the meeting reservation form that was in the last newsletter.)

Check the page on accommodations in this newsletter for a list of those people that Waddy has made reservations for. If you are not on the list and plan to attend you better call Waddy. (302-645-4320) Please note that Waddy would like you to confirm your reservations with your hotel before September 19th.

Looking forward to seeing you all in October if not sooner,

Mike Prince

RECEIVED

SEP 08 1992

UNOLS OFFICE

Date: (Please respond ASAP)

From:

To: Wadsworth Owen  
University of Delaware  
700 Pilottown Road  
Lewes, DE 19958

Re: October 20-21 RVOC Meeting

1. I plan to attend/not attend the meeting this year.

2. I plan to bring my spouse/guest whose name is \_\_\_\_\_  
we are/are not interested in the spouse activities.

3. I plan to stay at the hotel marked below.

\_\_\_\_\_ I have made my own reservations.

\_\_\_\_\_ please make reservations for me for the nights of Oct. \_\_\_\_ thru \_\_\_\_.

The type of room I need is: \_\_\_\_\_

I will call and confirm with a credit card later.

\_\_\_\_\_ Inn at Canal Square (17 rooms, 2 suites, one houseboat)  
1.5 miles from campus (POSH)  
\$65-\$85 inc continental breakfast,  
fine 18th century reproduction furniture, TV + phone  
houseboat sleeps 4; \$150 total for 4 persons

\_\_\_\_\_ Virden Center (22 rooms) on campus (new appearance very nice)  
\$52-\$67 inc continental breakfast,  
new modern beach decor, TV + phone

\_\_\_\_\_ New Devon Inn (24 rooms, 2 suites, No houseboat)  
1.5 miles from campus (2 years since restoration)  
\$65-\$90 inc continental breakfast,  
authentic antique furniture, phone, but no TV

If you have any questions you can contact me at:

Phone \_\_\_\_\_

Telemail \_\_\_\_\_

Address \_\_\_\_\_

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Inn at Canal Square (17 rooms, 2 suites, one houseboat)  
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Confirmation Information:

Reservations should be confirmed with a credit card by Sept. 19, 1992.  
Cancellation terms for individuals under group rates require cancellations before October 5th. This is different than the notice shown in brochures for individual rates.

Reservations that we are aware of are as follows:

The Inn at Canal Square (800) 222 - 7902

Allmendinger, Barnes, Bash, Brenn, Cocke, Cornwall, Dieter, Harper, Hoffer, Kaulum, Keefe, Nixon, Palfrey, Roberston, Smith, Stone, West, Wheelhouse, Williams

The Virden Center (302) 645-4100, Joan or Jackie

Bookout, Burch, Clark, Coburn, Coste, Dennis, Gibb, Goad, Hinton, Hutchinson, Ireland, Ljunggren, Letzring, Lotze, McKeller, Moller, Newman, Northrup, S.Owen, Prince, Rabalais, Wright

New Devon Inn (call Waddy)

Hahn, Lewis

You should call the above Ph. # and confirm your reservations. Be sure to check that the dates and room type are correct. If you are not in the above list or you need to change something call Waddy Owen at 302-645-4320 for assistance or just call the hotel directly.

Waddy will be sending information, maps and brochures directly to you. This package will also include details on meal service and more information on your reservations. You may have already received that package by the time you get this newsletter. If you don't receive that info and want it call Waddy at the above number.



Monday 10/19/92 Travel day

Noon-1800+ Check in  
18:00-19:30 no host bar, Virden Center (on campus)\*

Tuesday 10/20/92

07:00 - 08:15 Breakfast, Virden Center\*  
08:30 - 10:00 Meeting Virden Center  
10:00 - 11:00 Coffee Break on R/V Cape Henlopen  
11:00 - 12:00 Meeting Virden Center  
12:00 - 13:00 Lunch Virden Center\*  
13:00 - 17:00 Meeting Virden Center  
18:00 - 20:00 No host cocktail party; Virden Center\*  
dinner at area restaurants

Wednesday 10/21/92

07:00 - 08:15 Breakfast, Virden Center\*  
08:30 - 12:00 Meeting Virden Center  
12:00 - 13:30 Lunch Virden Center\*  
13:30 - 17:00 Meeting Virden Center  
18:00 - ? Cocktails and dinner Virden Center,  
no host, approx cost \$20.00\*

Thursday 10/21/92

07:00 - 07:45 Breakfast, Virden Center\*  
08:00 - 12:00 Meeting Virden Center

\* Meals at the Virden Center are catered and Waddy will need a count of how many will be eating there. He will be giving you more information on these meals along with a reservation form in a direct mailing.

#### Possible spouse activities:

Tuesday (all day)

Bus or van to Winterthur Museum and Gardens (period restoration of Dupont Estate) and to Longwood Gardens

Wednesday (all day)

Ferry trip to Cape May-Victorian House Tour (outside only)

Thursday

AM

Self guided walking tour of Lewes Historical District

0830 Tuesday, 20 October 1992

0800 REGISTRATION AND COFFEE

0830 WELCOMING REMARKS

- Wadsworth Owen, Director of Facilities and Services, Univ. of Delaware
- Dr. Carolyn Thoroughgood, Dean, Graduate College of Marine Studies, Univ. of Delaware
- Jim Williams, Chairman, RVOC

0900 OLD BUSINESS

- Minutes of the 1991 Meeting - Jim Williams
- RVOC Newsletter - Mike Prince
- Safety Committee, Standards - Mike Prince/Tom Smith

1000 VISIT TO CAPE HENLOPEN AND COFFEE BREAK

1100 AGENCY REPORTS

- National Science Foundation - Dolly Dieter
- NOAA - Don Northrup and Scott McKeller
- Oceanographer of the Navy - Patrick Dennis
- Office of Naval Research - Keith Kaulum
- UNOLS - Jack Bash
- U.S. State Department - Tom Cocke

1300 SPECIAL REPORTS

- Univ. of Delaware - Waddy Owen
- R/V VICKERS - Don Newman
- R/V MELVILLE - Jim Williams
- R/V KNORR - Joe Coburn
- R/V THOMPSON - Robert Hinton
- R/V WEATHERBIRD - Harry Barnes
- OCEANUS Class Mid-Life Refit- Bill Hahn/Joe Coburn/Ken Palfrey
- IOS Ship Operations - Dale Gibb
- Bedford Inst. of Ocean. - James Wheelhouse
- NERC - Paul Stone
- Any other operators with special reports

1300 Tuesday, 20 October 1992 (cont.)

SOLUTIONS TO CURRENT PROBLEMS

1400 INTERNATIONAL TREATIES AND REGULATIONS

- Presentation by George Ireland on regulatory changes with regard to Convention Tonnage, SOLAS, GMDSS, Coast Guard Inspection, Changes in Equipment and Personnel requirements that might or have resulted from implementation of the treaties. Discussion of how these changes affect the Safety Standards and the NSF Inspection Program. Highlight of any recent regulatory or pending regulatory changes that are of interest to RVOC.

1500 TOPICS OF INTEREST FOR DISCUSSION AS TIME PERMITS

Ship to Shore Communications (Joe Coburn, Robert Hinton)

- The need for control of message traffic from vessels at sea; authority of the master.
- Requirement for Radio Officer
- Use of Satellites

Letters of Non- Compliance with post cruise obligations for foreign cruises (Bill Coste)  
Rules concerning purchase of replacement equipment (Bill Coste)

0830 Wednesday, 21 October 1992

CONTINUATION AND REVISITATION OF YESTERDAYS TOPICS

0830 INSURANCE AND LIABILITY

- Report by Dennis Nixon on liability and insurance issues. Report by Dolly Dieter and/or Dennis on UNOLS insurance coverage if appropriate. Discussion with Dennis about any liability or insurance problems or solutions.

PLANNING FOR THE FUTURE

0930 COASTAL RESEARCH VESSELS

- The Fleet Improvement Committee and the Mid Atlantic Research Co-operative (MARCO) have proposed to conduct workshops or panels to plan for the future needs of Coastal Oceanographic Research. The FIC panel is concerned with a national plan and the MARCO group is interested in a regional plan. RVOC may be asked to participate in this process and as operators we should keep abreast of the process. Don Wright or others from the Fleet Improvement Committee and MARCO will make a presentation and participate in a discussion that will assist in their planning process.

1100 WIRE AND WINCHES

- Presentation by A. Simeon Whitehill, a manufacturer of Kevlar on new rope technology.
- Workshop on wire and winch problems and solutions. Each operator will be asked to spend 5 minutes describing their winch and wire set up and any problems they have or new systems that they would like to share. Discussion may develop as result of problems raised by operators or questions about new equipment. (PLEASE REFER TO WORKSHEET ATTACHED)

1400 NAVIGATION EQUIPMENT

- Workshop on navigation systems on R/V's with each operator providing short presentation describing navigation equipment used on their vessels and how that information is integrated with science equipment or other bridge equipment such as radars, plotters, etc. (PLEASE REFER TO WORKSHEET ATTACHED)
- Discussion about what level of accuracy and precision we should be providing. GPS and Differential GPS, LORAN, DP and other systems.
- What needs are we not meeting or are coming in the future that we need to address. Get input from coastal oceanography people.



0800 Thursday, 22 October 1992

0800 ROUND TABLE DISCUSSION

- Marine Superintendents will select and discuss topics of mutual interest.

Some items already suggested:

- Letters of Non-Compliance with post cruise obligations for cruises involving clearances from other countries. Should the operating institution be in the loop? (Bill Coste)
- Rules concerning purchase of replacement equipment. (Bill Coste)
- Report by operators that have experienced problems with regards to customs and agricultural inspections. (Ron Hutchinson, Tim Askew)
- Review of NSF Inspection program (Jim Williams)
- Billing Days versus Sailing Times
- OPA 90
- ADA

1100 BUSINESS MEETING

- Election of Chairman
- Suggestions for the 1992 Agenda and meeting format, everybody should come to meeting with one idea, preferably in writing. (PLEASE REFER TO WORKSHEET ATTACHED)
- Selection of the 1992 meeting location, come prepared to volunteer or suggest.



## RVOC Winch and Wire Workshop

Please complete one of these for each R/V operated, bring to RVOC meeting and be prepared to give a brief report of the information.

R/V \_\_\_\_\_

Number of winches normally carried

Maximum number that can be carried

Describe winches available with length, size and type of wire and whether normally on board or available upon request.

List any problems, innovative solutions, questions or comments

## RVOC Navigation Equipment Workshop

Please complete one of these for each R/V operated, bring to RVOC and be prepared to give a brief report of the information.

R/V \_\_\_\_\_

Primary Navigation equipment (type, manufacturer and model):

Backup navigation equipment (same information)

Is this equipment incorporated into an integrated navigation system? If so describe that system.

How is navigation information provided to the scientific party and to science equipment such as ADCP's etc.

What other kinds of ship's equipment (such as RADARS, Satcoms and plotters) receive navigation information and how is that done?

What level of accuracy and precision do you feel obligated to provide for the crews needs and the science mission needs?

How have you accomplished that level or how would you if you had the money?

## NEXT YEAR'S RVOC MEETING

Please use this form before and during the meeting to record any suggestions you may have for next years meeting.

Suggested location for meeting

Suggestions for agenda items, workshops or guest speakers

Suggestions for changes or improvements to the meeting format or schedule

**RVOC DIRECTORY**  
**September 1, 1992**

Name	Institution	Tel. No.	Fax No.	Telemail
Tim Askew	Harbor Branch	407-465-2400	407-465-2446	HBOL.SHIPS
Harry Barnes	Bermuda, BBS	809-297-1880	809-297-8143	BDA.BIOSTATION
Joe Coburn	WHOI	508-548-1400	508-540-8675	WHOI.SHIPS
Bruce Cornwall	Univ. of Maryland	410-326-4284	410-326-6342	CHEASAPEAKE.BAY
Bill Coste	Univ. of Hawaii	808-847-2661	808-848-5451	UH.SNUG.HARBOR
Don Gibson	Univ. of Texas	512-749-6735	512-749-6777	T.WHITLEDGE
Linda Goad	Univ. of Michigan	313-763-5393	313-747-2748	T.MOORE
Bill Hahn	Univ. of Rhode Is.	401-792-6203	401-792-6574	RHODE.ISLAND
Robert Hinton	Univ. of Washington	206-543-5062	206-543-6073	R.HINTON
Ron Hutchinson	Univ. of Miami	305-361-4880	305-365-0840	R.HUTCHINSON
Lee Knight	Skidaway	912-598-2486	912-598-2310	D.MENZEL
Dean Letzring	Texas A & M	409-740-4469	409-740-4456	RV.GYRE
Quentin Lewis	Duke	919-728-2111	919-728-2158	DUKE.UNC
Paul Ljunggren	LDGO	914-359-2900	914-359-6817	LAMONT
Don Newman	USC	310-830-4570	310-830-6328	J.VICKERS.USC
Waddy Owen	U of Delaware	302-645-4320	302-645-4006	W.OWEN
Ken Palfrey	OSU	503-867-0224	503-867-0294	OSU.SHIPS
Mike Prince	Moss Landing	408-633-3534	408-633-4580	MLML.SHIPS
Steve Rabalais	LUMCON	504-851-2800	504-851-2874	S.RABALAIS.LUMCON
Tom Smith	U of Alaska	907-224-5261	907-224-3392	T.SMITH.UAF
Jim Williams	SIO, UCSD	619-534-1643	619-534-1635	SCRIPPS.MARFAC
Entire RVOC				RVOC.OPERATORS

The following people are also included in RVOC.OPERATORS

Jack Bash	UNOLS	401-792-6825	401-792-6486	UNOLS.OFFICE
Dolly Dieter	NSF	202-357-7837	202-357-7621	E.DIETER
June Keller	ONR	703-696-4530	703-696-3945	J.KELLER

Please call Mike Prince at 408-633-3534 to make any corrections to this list.



## What you should know about the ADA

If you employ 25 or more people and haven't taken steps to comply with the Americans with Disabilities Act of 1990, you should do so immediately. If your company has between 15 and 24 employees, begin now to reassess your employment practices, because in two years you'll have to conform as well.

As of July 26, 1992, any business with 25 or more workers must respect the civil rights of disabled individuals. The ADA prohibits discrimination with regard to recruitment and hiring practices, upgrades or promotions, pay rates, layoffs and a host of other personnel-related matters.

Furthermore, the Act mandates that a company "accommodate" the needs of a qualified disabled individual if it allows him or her to get or keep a job. This can mean anything from physically altering the workplace to shifting non-essential duties to other employees. (The Act doesn't require changes that would cause "undue hardship," though, such as those that might drive a company out of business.)

To avoid the charge of discrimination, employers must identify the "essential functions" of a position without stating how those functions are to be accomplished. Doing so could preclude a qualified disabled person from performing the job if an accommodation were made.

So, a tug owner who defines an essential function of an engineer's job as "climbing down a ladder into the engine room to check gauges" would be judged as discriminating against an engineer who could do the task if the ladder were replaced with stairs.

Complying with the ADA will be more of a challenge to maritime companies than many other types of businesses. Work aboard a vessel involves a slew of chores that combine strength and agility. The Act prohibits the industry's long practice of requiring a pre-employment physical to determine a seaman's fitness for duty until after a firm has tendered a job offer. And, employment can't be denied because of fears that disabled individuals won't be able to save themselves if there's an onboard emergency.

Moreover, under maritime law, a vessel owner is legally responsible for the boat being seaworthy. That extends to manning it with qualified crew. If an accident occurs because of an unqualified crew member, the boat owner could be liable for any claims of unseaworthiness that result.

All these concerns don't mean the ADA will swamp the marine industry with lawsuits. Still, the Act is here. It's complicated. And it's going to negatively affect some. Learning as much as possible about it will dramatically reduce the likelihood of your company being among them.

A good source of general information is "The Americans with Disabilities Act—Your Responsibilities as an Employer." To get a copy of the pamphlet, contact the Equal Employment Opportunity Commission, 1801 L St. N.W., Washington, DC 20507. Telephone: (202) 663-4900.

Also, American Waterways Operators Legislative Assistant Jennifer Boucher recently delivered a comprehensive report to an industry audience on ways the ADA will affect marine transportation. For a copy, call Boucher or Curtis Whalen, (703) 841-9300.



DON NELSON  
EDITOR



## California Seafarers Limited To 8-Hour Days

By Bob James

Washington, DC—West Coast maritime employers will have to pay seafarers state-dictated overtime payments, after the Supreme Court last month refused to hear arguments that federal admiralty law pre-empts local regulation.

The court, without comment, turned down an appeal brought by the Pacific Merchant Shipping Association, Tidewater Marine Service Inc., and several other maritime interests against California's labor commissioner who in 1987 mandated that ship owners plying the state's coast must pay crews time-and-a-half for every hour worked over eight a day.

The companies argued that federal law supersedes state authority and that state regulators cannot use land-based labor laws on the high seas.

"From the very beginning of our nation's history, the terms and conditions of seafaring work have been governed by the employment agreement between master and seaman, as enforced and interpreted by federal law," the companies wrote in the brief to the high court.

"Maritime uniformity is destroyed by a system of fragmented and conflicting state laws which differ greatly from federal admiralty law."

The 9th Circuit Court of Appeals, which has jurisdiction over the nine western states, disagreed, and the high court let that decision stand.

As a result, maritime companies say they stand to lose millions.

"We fear this will have a precedential impact that might be taken up by other states," said Ernest Corrado, president of the American Institute of Merchant Shipping, a party in the case.

Michael Johnson, an attorney for Tidewater, noted, however, that the Supreme Court's move was driven more by procedure than the cases merits. Earlier this year, the justices asked the Bush administration for its views on the topic and the solicitor general, while not endorsing PMSA and Tidewater's position, said the companies had not exhausted their options under state law.

"They recognized the importance of the issues and said this case presents an issue which is appropriate (for the court to hear), but not at this time," Johnson explained.

He added that Tidewater now planned another state lawsuit and would pursue an extension of a federal injunction which has blocked the overtime rule from ever taking effect.

Under that rule, several companies were hit with total back-pay bills for 12 seafarers that totaled more than \$800,000.

Should that rule be applied to all the tug and barge operators plying the coast, the tab could be astronomical, Johnson said.

Coastal crews, which normally work 12-hour days, would have to be expanded or hefty overtime paid. Many companies, PMSA said, don't have budgets or boats large enough to do that.

The problem, said the American Waterways Operators, is that it would be nearly impossible to determine how much to pay each crewman.

"Indeed, a tugboat captain whose one-month journey begins in California and ends in Oregon will have to be paid by one set of standards during the days and hours spent off the coast of California, and by another set of standards during the time spent off Oregon," AWO wrote in its brief to the appeals court.

"Employers would have to keep track of where the vessel was located at a certain hour when calculating overtime or restaffing crews."

In its comments to the Supreme Court, California noted that federal law forbids states from setting minimum wage standards to avoid overlapping jurisdiction.

"However," the state wrote, "there is nothing in the legislative record of the Fair Labor Standards Act which could lead to the conclusion that Congress intended to deprive the states of the right to regulate the maximum work week of seamen or any other classifications of workers."

"Further," the state added, "neither the district court nor the 9th Circuit could find any conflict between federal admiralty law or regulations and the California Industrial Welfare Commission orders."



The cable ship Global Sentinel, delivered last year by Singapore's Far East Livingston Shipbuilding, recently spent a month at the Portland Ship Yard, undergoing voyage repairs and warranty work, under a contract handled by Cascade General, Inc. According to a Cascade General spokesman, the largest single job on the ship involved a modification to the main-propulsion-shaft strut-bearing assembly, which had to be reinforced, and the bearing, which had to be realigned. The Global Sentinel is operated by Transoceanic Cable Ship Co., Inc. of Morristown, New Jersey, a division of AT&T.

Cooper/T. Smith  
—STEVEDORING