



A bold voice for transportation workers

May 31, 2022

Rear Admiral, Ann Phillips, US Navy (Ret.)
Administrator
Maritime Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

**RE: Every Mariner Builds a Respectful Culture: Procedure and Sexual Assault
and Sexual Harassment Prevention Standards
Docket No. MARAD-2022-0057-0004**

Dear Administrator Phillips:

The Transportation Trades Department, AFL-CIO (TTD), the Maritime Trades Department, AFL-CIO (MTD), the International Organization of Masters, Mates & Pilots (MM&P), the Marine Engineers' Beneficial Association (MEBA), Sailors' Union of the Pacific (SUP), Seafarers International Union of North America (SIU) and the American Maritime Officers (AMO) are pleased to respond to the Maritime Administration (MARAD) request for public comment on the Every Mariner Builds a Respectful Culture (EMBARC) policy. These unions represent the unlicensed and licensed mariners who work aboard sea year vessels. Collectively, we support the goals and intentions set forth by EMBARC and are committed to addressing systemic and cultural changes in the maritime industry to prevent incidents of sexual assault and sexual harassment (SASH) in a workplace that doubles as every mariner's home.

SASH is a safety issue in the maritime industry that poses a threat to all mariners, and ensuring the successful implementation of EMBARC is an essential first step. We welcome the publication of EMBARC standards and MARAD's engagement, and we offer the following recommendations on the application of EMBARC standards to prevent SASH and protect all mariners.

Transportation Trades Department, AFL-CIO

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Greg Regan, President / Shari Semelsberger, Secretary-Treasurer



1. **Compliance:** EMBARC includes compliance procedures and SASH prevention and response standards that all commercial vessel operators should implement before the United States Merchant Marine Academy (USMMA) entrusts them with the at-sea training of midshipmen. We support these compliance procedures and encourage the Administration to uphold these rigorous standards with strong enforcement and engagement with all involved. Realistic implementation of EMBARC requirements may require the hiring of additional staff, infrastructure updates, and ongoing training requirements. We ask MARAD to remember that EMBARC standards are necessary to protect the workforce and mariners' access to employment, and these small costs are an entirely reasonable ask of vessel operators who need to do more to protect workers.
2. **Privacy:** MARAD must ensure that all shipboard policies strike the necessary balance between effectively addressing SASH while respecting the privacy and rights of survivors. Our unions strongly believe in the responsibility to speak up when witnessing inappropriate conduct, but that must come with respect for privacy for all survivors and the ability to empower survivors to report incidents while fostering a culture free from retaliation. Privacy is a necessary protection for survivors and other reporters to ensure that there are no barriers to reporting and to support survivors' dignity through the process.
3. **Reporting:** MARAD must work with vessel operators to streamline their company and vessel policies to ensure consistency for training and reporting so mariners can adequately respond to all SASH incidents, regardless of who their employer is. These policies provide the foundation for compliance and identify ways to prevent SASH and protect survivors. Further, ongoing reporting is needed to ensure that employers are held accountable and provide transparency so that mariners, labor, and the public can fully understand a problem that has too long been ignored.
4. **Training:** Mariners must be trained and equipped with the necessary tools to identify, prevent, respond to, and report SASH onboard vessels. We believe that the policies identified in Sections V, VI, and VII regarding Actions by Each Vessel Operator provide key requirements that are necessary to prevent SASH and protect survivors, and we ask MARAD to enforce these requirements rigorously and ensure that vessel operators are adhering to the intermediate and long-term actions at appropriate intervals.

Implementing EMBARC will help strengthen the maritime industry's efforts to prevent and respond to incidents of SASH and other forms of misconduct. We believe that providing a safe training environment for all cadets is a key priority and will go a long way towards creating a culture of respect and dignity as the cadets move forward in their careers. Ultimately, it is incumbent upon the government (U.S. Coast Guard, MARAD), employers, unions, and mariners to hold parties accountable and reinforce a zero-tolerance culture. And while much of EMBARC compliance sets forth requirements for vessel operators, we implore MARAD to engage with maritime labor wherever applicable. Sexual assault, harassment, and misconduct are never acceptable, and we understand that the stakes are higher and consequences more devastating for

mariners whose workplace and housing are onboard a ship – away from family and support networks. Recognizing that differences still exist between segments of our industry and between industry and government, our unions are ready and available to work with all affected parties to review and revise this guidance in order to achieve the most practical solutions to these issues. Above all else, we reiterate our unequivocal commitment to building a safe and responsible culture for all generations of mariners moving forward.

We appreciate the opportunity to comment on this policy and look forward to working with MARAD on these issues.

Sincerely,

Dave Connolly, President, Sailors' Union of the Pacific

Paul Doell, President, American Maritime Officers

Daniel W. Duncan, Executive Secretary-Treasurer, Maritime Trades Department, AFL-CIO

Don Marcus, President, International Organization of Masters, Mates & Pilots

Gregory Regan, President, Transportation Trades Department, AFL-CIO

Michael Sacco, President, Seafarers International Union of North America, AFL-CIO

Adam Vokac, President, Marine Engineers' Beneficial Association