

The background features a dark blue gradient with faint, light-colored technical diagrams. On the left side, there is a large circular scale with numerical markings from 140 to 260 in increments of 10. Several circular diagrams with arrows and dashed lines are scattered across the page, suggesting a technical or engineering context.

PROTOCOLS FOR PARTICIPATING IN THE KINGS POINT SEA YEAR PROGRAM

A MARITIME INDUSTRY PROPOSAL
JUNE 24, 2016

INITIAL COMMENTS

- Core values – Safety and Integrity
- Context
- Objectives for Today

PROBLEM STATEMENT

The American maritime industry prohibits Sexual Assault and Sexual Harassment (SA/SH) onboard commercial vessels. While the vast majority of American officers, crews, vessels and companies do not engage in, nor tolerate, SA/SH activities, some incidents nevertheless occur. Such incidents are particularly unacceptable where the victim is a midshipman or cadet assigned from the US Merchant Marine Academy (USMMA) or another maritime academy as part of their Sea Year experience. Sea Year cadets are usually young, inexperienced, and entering an unfamiliar environment. They depend on the officers and crew to model appropriate and acceptable behavior consistent with a healthy maritime work environment. For various reasons, the cadets may not report inappropriate behavior when it happens.

The USMMA does not currently have “vetting” criteria related to SA/SH prevention that companies must meet in order to bring cadets on-board their vessels for the Sea Year experience. As a result, there is inadequate assurance that company sponsors have and implement appropriate policies, training and procedures to prevent SA/SH incidents, and to obtain candid reporting in this area.

This uncertainty has prompted a suspension of the Sea Year program, a stand-down until such assurance can be provided. Given the vital importance of the USMMA to the American maritime industry, and of the Sea Year experience to the success of the USMMA, it is essential that this matter be urgently and properly resolved.

IMPACT OF SUSPENDING THE PROGRAM

- US Merchant Marine Academy is critical infrastructure supporting the American maritime industry
- Sea Year is a unique, extremely important and attractive part of the Kings Point experience
 - Mandatory prerequisite for graduating, receiving a commission, and taking the USCG exam for merchant mariners license
 - Provides real-life practical experience in vessel operations
 - Provides cadets irreplaceable, first hand professional and on the job experiences that help form initial industry perspectives that lead to career decisions
 - Key attraction for recruiting and retention of Academy students
- Extended, complete suspension would put at risk the continued viability of USMMA

KEY OBJECTIVES

Immediate Objectives

- Propose standards that companies would have to demonstrate to be eligible to accept cadets
- Propose a process for expedited approval / reinstatement of the program for companies meeting the standards

Longer Term Objectives

- Identify / create structure and participation for ongoing interaction between the Academy and sponsoring Companies with regard to this issue
- Continuous improvement of the onboard working environment recognizing the evolving workforce mix aboard American vessels

STANDARDS FOR PARTICIPATION

To participate in the Sea Year program, a company must –

- Provide written materials to the Academy that include the following:
 - Formal policies and related materials prohibiting SA / SH
 - Formal policies and related materials prohibiting fraternization (dating / consensual relations) involving cadets
 - Evidence of mandatory review of policies by all shipboard personnel
 - Training programs involving company and union personnel implementing anti-SA/SH policies
 - Appropriate protocols governing reporting and investigation of SA / SH incidents

STANDARDS FOR PARTICIPATION – 2

To participate in the Sea Year program, a company must (cont.)–

- Develop and implement a process providing cadets –
 - An advocate with identified responsibilities onboard the vessel
 - Company representative ashore serving as advocate with 24/7 access
 - Policy related to shore leave by cadets
- Documented post-voyage debrief of each cadet by the company (forwarded to the Academy)
- Post-voyage debrief by Academy, to allow anonymity at cadet's option
- Other measures to be determined, such as –
 - Industry / Academy pre-sailing familiarization process for cadets, parents
 - Vessel visits, discussions by company operating representatives

KINGS POINT SEA YEAR METRICS

- Reported Incidents / investigations / corrective actions
- Discrepancies in cadet debriefs by companies vs by the Academy
- Academy reviews of company compliance with these commitments
- Progress in SA/SH incidents involving Sea Year reported in anonymous surveys (requires baseline)

REINSTATEMENT PROCESS

- Company prepares and submits to the Academy the written materials identified above, and any other materials the company deems relevant
- Academy to review and provide comments within 14 days, identifying any questions or deficiencies
- Priority for companies legally required to maintain cadet program
- Optional interviews with key company personnel
- Initial review 6 months after initial approval
- Annual review thereafter

COMPANIES PARTICIPATING

Alaska Tanker Company, LLC

APL Maritime, Ltd

Argent Marine

Crowley Maritime Corp.

Keystone Shipping Co.

Liberty Shipping

Maersk Line, Limited*

Matson, Inc.

National Shipping Corp

Overseas Shipholding, Inc.

Patriot Shipping Co.

Saltchuk

Tote Services, Inc.

* With additional comments.

ADDITIONAL COMMENTS – MAERSK

1. MLL believes that the requirement for a Government-reviewed SA/SH policy and program should be addressed in each MSP Operating Agreement. In addition, for applicable Military Sealift Command (MSC) contracts that require awardees to participate in training programs for KP and/or accredited state maritime schools, these contracts should also require the submission of SA/SH policy and program materials for contracting officer approval. As a further point on these MSC contracts, the applicable contracting officer will remain responsible for all contract compliance and performance issues, to include execution of the awardee's SA/SH program.

2. In order to achieve industry standardization, as well as ensuring that SA/SH prevention training adequately addresses issues of concern to the U.S. Government, MLL believes that MARAD should take the lead in developing standard training materials for the utilization of all participants. Such training materials would then be supplemented by each industry participant with company-specific program information (e.g., describing a company's reporting procedures, identifying roles and responsibilities/company representatives and advocates, etc.).

ADDITIONAL COMMENTS – MAERSK

3. KP should develop a standard shore leave policy for cadets. This policy will be provided to industry participants for their awareness; however, cadets will remain personally responsible for complying with this policy.

4. As reflected in the comments above, MLL believes that the overall success of this initiative, and the ability to implement and execute effective SA/SH programs on an industry-wide basis, requires the active participation of both MARAD and KP- not only to review policies and programs for standardization purposes, but also to work with industry in realizing our longer term objectives, as this is a shared responsibility.