

# UNITED STATES MARITIME ALLIANCE, LTD.



**US  
MX**

**2023 ANNUAL REPORT**



The United States Maritime Alliance, Ltd. (USMX) is a non-profit incorporated membership association headquartered in Lyndhurst, New Jersey and representing longshore industry employers on the U.S. East and Gulf Coasts, including container carriers, marine terminal operators and port associations.

USMX serves as the maritime Management group's representative in Master Contract bargaining with the International Longshoremen's Association. Other responsibilities of USMX include the articulation of various industry positions on regulatory and safety issues; the oversight of coastwide safety and training, retraining and certification /recertification programs; and the administration of coastwide fringe benefit funds and programs that are part of the Master Contract.

**OUR MISSION**

The mission of USMX is to preserve and protect the interests of its members in matters associated with the maritime industry, including all labor relations issues affecting longshore and related activities, and, in particular, in the realm of collective bargaining. The Alliance shall carry out this mission for its members and customers, with due consideration of the interests, safety and well-being of the workers and their representatives. Likewise, it understands the importance of its commitment to maintaining labor peace in order to meet and exceed the crucial demands of a global economy.



**USMX MEMBER ORGANIZATIONS**

**USMX CARRIERS**

- American President Lines, Ltd.
- ARKAS Container Transport S.A.
- Atlantic Container Line
- CMA CGM
- Columbia Group
- COSCO SHIPPING Lines (North America) Inc.
- Evergreen Shipping Agency (America) Corp.
- Hamburg Süd North America, Inc.
- Hapag-Lloyd (America), LLC
- HMM Co., Ltd. (Americas)
- Maersk North America
- Mediterranean Shipping Company (USA) Inc.
- Ocean Network Express (North America) Inc.
- OOCL (USA) Inc.
- Turkon America, Inc.
- Wallenius Wilhelmsen Logistics Americas, LLC
- Yang Ming (America) Corp.
- ZIM Integrated Shipping Services Ltd.

**USMX PORT ASSOCIATIONS**

- The Boston Shipping Association, Inc.
- Georgia Stevedore Association, Inc.
- Hampton Roads Shipping Association, Inc.
- Jacksonville Maritime Association, Inc.
- Ports of the Delaware River Marine Trade Association, Inc.
- South Carolina Stevedores Association, Inc.
- Southeast Florida Employers' Port Association, Inc.
- Steamship Trade Association of Baltimore, Inc.
- The Shipping Association of New York & New Jersey
- West Gulf Maritime Association, Inc.

**USMX DIRECT EMPLOYERS**

- APM Terminals North America, Inc.
- Ceres Terminals Incorporated
- Charleston Stevedoring Company, LLC
- Cooper/Ports America, LLC
- CP&O, LLC
- Gateway Terminals, LLC
- GCT USA
- Maher Terminals, LLC
- New Orleans Terminal LLC
- Ports America
- SSA Atlantic, LLC
- Virginia International Terminals, LLC

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2023



**DAVID F. ADAM**  
Chairman &  
Chief Executive Officer

After the high stress of the COVID years, 2023 was somewhat of a return to normalcy and with this we saw reduction in cargo volumes in several key ports as the U.S. economy settled into a more normal pattern. We also saw movement of freight from the USEC to the USWC after the PMA and ILWU settled on a new contract.

**Master Contract Talks**

We continued discussions on a new Master Contract bargaining agreement at the beginning of 2023 but the discussions lost momentum in early spring due to the significant economic gaps that currently exist. Informal discussions did not pick up again until after the ILA conventions. 2024 will be a critical year with full focus on settling a new contract.

Outside of bargaining, USMX remains focused on improving contract administration at all levels. At the funds level, the importance of working together towards a mutual benefit of the parties as well as the industry continues to be a top priority for USMX and the ILA.

- CCCSC implemented a new accounting and manhour system, focused on streamlining and automating several functions as well as improving reporting.
- The implementation of the Maritime Information System continues to add more features as both the ILA and management utilize the system. This system has been critical in evaluating data accuracy.

- Each benefit fund works independently to make necessary changes to ensure the integrity of the fund is upheld from a financial and member level perspective.

**ONWARD TO 2024**

**Top priority for the year**

Negotiating a new Master Contract agreement during a turbulent Presidential election will require a lot of discipline by the parties and it will no doubt create some challenges that we are not aware of yet.

- All the while our carriers are managing severe challenges with the Panama Canal's water draft.
- The Red Sea/Suez Canal Routes are also causing severe challenges.
- We have also seen movement to realign the various carrier alliances that will inevitably require changes in pro forma schedules, relationships, operating scenarios, etc.

Thanks and regards,

**David F. Adam**

**CARRIER DIRECTORS**



**ROY AMALFITANO**  
Evergreen Shipping  
Agency (America) Corp.



**DAVID DALY**  
Ocean Network Express  
(North America), Inc.



**THOMAS ENGEL**  
Hapag-Lloyd  
(America), LLC



**ALBERT V. GEBHARDT**  
Maersk  
North America



**KURT MITTENZWEI**  
CMA CGM Group



**PAUL NAZZARO**  
COSCO SHIPPING Lines  
(North America) Inc.



**CHRISTOPHER J. PARVIN**  
Mediterranean Shipping  
Co. (USA) Inc.

**DIRECT EMPLOYER DIRECTORS**



**DAN HALL**  
Charleston Stevedoring  
Company, LLC



**JAMES PELLICCIO**  
Ports America



**KEVIN PRICE**  
Gateway Terminals, LLC

**PORT ASSOCIATION DIRECTORS**



**JAMES R. GRAY, JR.**  
Jacksonville Maritime  
Association, Inc.



**JOHN J. NARDI**  
The Shipping Association  
of New York & New Jersey



**KELLY B. STRONG**  
The Boston Shipping  
Association, Inc.

# US MX

# INDUSTRY OVERVIEW



## MASTER CONTRACT TONNAGE & MANHOURS

### DATA LOOKBACK: 2013 through 2023

Contract Year 2023 was a new year with new challenges. Container volume continued to drop as it leveled off in several ports to pre-pandemic levels. The drastic pendulum swing left many ports with double digit tonnage decreases. The loss of tonnage created a ripple effect, including a drop in manhours and loss of revenue to all benefit funds. Overall tonnage was down just under 5% compared with Contract Year Ending 2022.

Manhours, which are inclusive of all MILA-eligible ILA manhours, experienced a significant drop, with both container and non-container sectors seeing a decrease due to volume. Overall manhours decreased close to 8% compared with Contract Year Ending 2022.



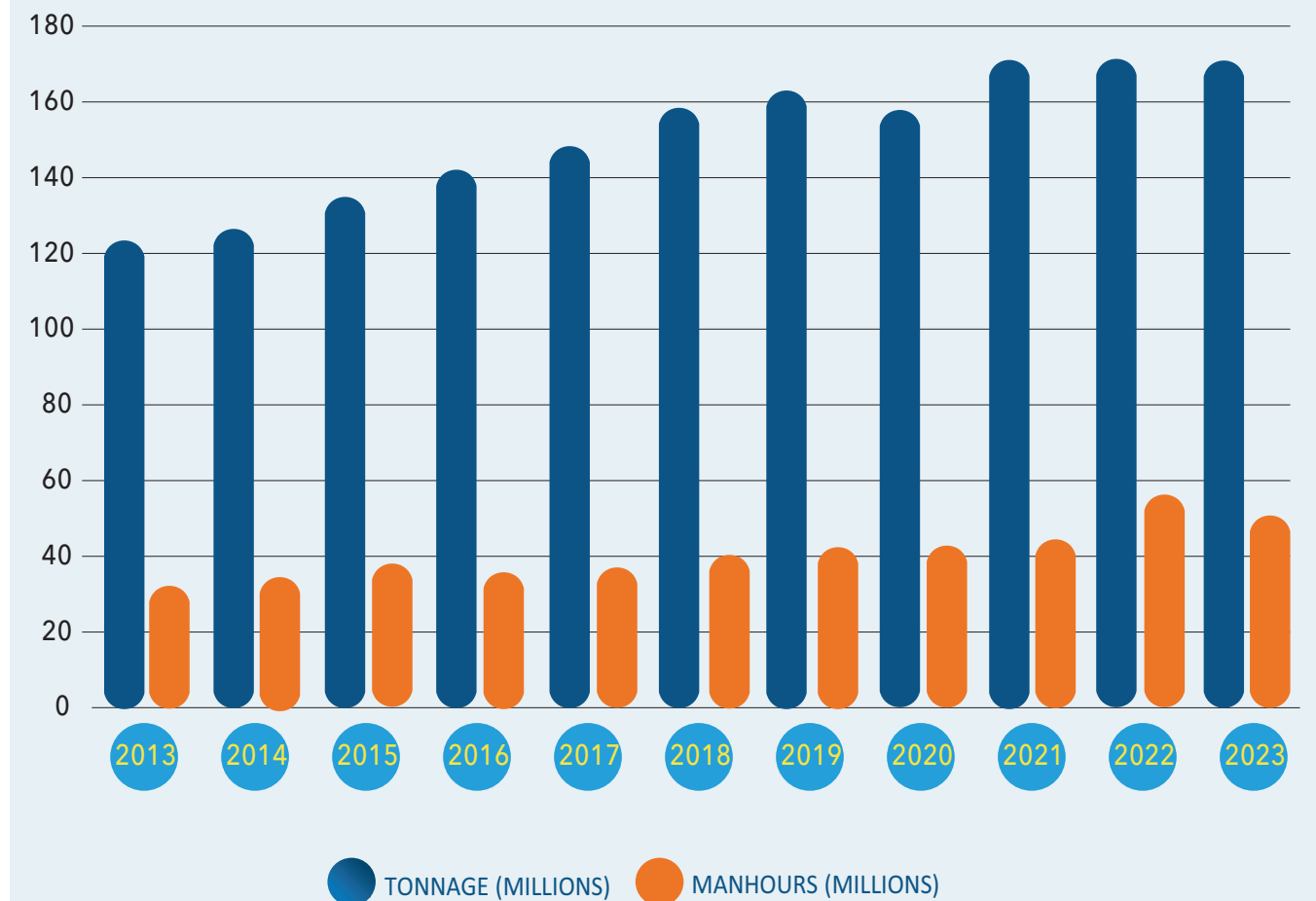
## MASTER CONTRACT TONNAGE & MANHOURS



CONTRACT YEAR ENDING	TONNAGE
2013	121,498,166
2014	126,979,694
2015	134,988,382
2016	142,932,773
2017	147,015,963
2018	157,019,573
2019	162,250,963
2020	157,493,933
2021	173,252,754
2022	179,310,593
2023	170,550,930

CONTRACT YEAR ENDING	MANHOURS
2013	31,213,492
2014	34,326,785
2015	37,363,225
2016	35,095,041
2017	36,696,418
2018	39,878,394
2019	42,153,398
2020	38,542,343
2021	43,685,581
2022	51,657,311
2023	47,825,351

MASTER CONTRACT TONNAGE & MANHOURS 2013-2023



## MASTER CONTRACT PORTS AND CARRIER CALLS

### PORT OF BOSTON

CMA CGM  
COSCO SHIPPING Lines  
Evergreen  
Mediterranean Shipping Company  
OOCL  
ZIM

Lihua International Shipping  
Maersk  
Marfret  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
SafMarine  
Sea Lead Shipping  
Seaboard  
Transfar Shipping  
Turkon America, Inc.  
Wan Hai Lines  
Yang Ming  
ZIM

### PORT OF NY/NJ

American President Lines  
ARKAS Container Transport  
Atlantic Container Line  
Bermuda Container Line  
CMA CGM  
COSCO SHIPPING Lines  
Ellerman  
Evergreen  
Hamburg Süd  
Hapag-Lloyd  
HMM  
Kalypso

**PORT OF PHILADELPHIA/  
WILMINGTON, DELAWARE**  
Atlantic Ro-Ro Containers  
CMA CGM  
Chiquita  
Dole

Hamburg Süd  
Hapag-Lloyd  
Marfet  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Trans Global  
Wan Hai Lines  
Yang Ming  
ZIM

### PORT OF BALTIMORE

American President Lines  
Atlantic Container Line  
Atlantic Ro-Ro Containers  
BBC Chartering  
Bahri Logistics  
CMA CGM  
COSCO SHIPPING Lines

Evergreen  
Hamburg Süd  
Hapag-Lloyd  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Pasha International  
Turkon  
ZIM

### PORT OF VIRGINIA

American President Lines  
ARKAS Container Transport  
Atlantic Container Line  
CMA CGM  
COSCO SHIPPING Lines  
Evergreen  
Hamburg Süd  
Hapag-Lloyd  
HMM  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Sea Lead Shipping  
Transfar Shipping  
Turkon America, Inc.  
Wan Hai Lines  
Yang Ming  
ZIM

### PORT OF WILMINGTON, NORTH CAROLINA

Bahri Logistics  
Boke Trading  
CMA CGM  
COSCO SHIPPING Lines  
Crowley  
Ellerman  
Hamburg Süd  
Hapag-Lloyd

HMM  
ICL  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
Yang Ming  
ZIM

### PORT OF CHARLESTON

American President Lines  
BBC Chartering  
CMA CGM  
COSCO SHIPPING Lines  
Evergreen  
Hamburg Süd  
Hapag-Lloyd  
HMM  
Intermarine  
Liberty Global Logistics  
MACS  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Sea Lead Shipping  
Spliethoff  
T.S. Lines  
Transfar Shipping  
Wan Hai Lines  
Yang Ming  
ZIM

### PORT OF SAVANNAH

American President Lines  
ARKAS Container Transport  
Atlantic Container Line  
CEVA Logistics  
CMA CGM  
COSCO SHIPPING Lines  
Chipolbrok America, Inc.  
Evergreen  
Hamburg Süd

## MASTER CONTRACT PORTS AND CARRIER CALLS

Hapag-Lloyd  
HMM  
Liberty Global Logistics  
Maersk  
Marfret  
Mediterranean Shipping Company  
Neptune Pacific Direct Line  
Ocean Network Express  
OOCL  
Pasha International  
Sea Lead Shipping  
Seaboard  
Turkon  
Wallenius Wilhelmsen Logistics  
Wan Hai Lines  
Yang Ming  
ZIM

Evergreen  
Hamburg Süd  
Hapag-Lloyd  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Seaboard  
Yang Ming  
ZIM

### PORT OF TAMPA

CMA CGM  
COSCO SHIPPING Lines  
Evergreen  
Hamburg Süd  
Maersk  
Mediterranean Shipping Company  
OOCL  
ZIM

### PORT OF JACKSONVILLE

CMA CGM  
Ellerman  
Hamburg Süd  
Hapag-Lloyd  
HMM  
Liberty Global Logistics  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
Pasha International  
RQ Construction  
Sea Lead Shipping  
Transfar Shipping  
T.S. Lines  
Yang Ming  
ZIM

### PORT OF MOBILE

CMA CGM  
COSCO SHIPPING Lines  
Evergreen  
Hamburg Süd  
Hapag-Lloyd  
HMM  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Yang Ming  
ZIM

### PORT OF MIAMI/ EVERGLADES

CMA CGM  
COSCO SHIPPING Lines  
Chiquita  
Crowley

### PORT OF NEW ORLEANS

American President Lines  
CMA CGM  
COSCO SHIPPING Lines  
Evergreen

Hamburg Süd  
Hapag-Lloyd  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Seaboard  
ZIM

### PORT OF HOUSTON/ SURROUNDING PORTS

AAL Shipping  
American President Lines  
Atlantic Container Line  
BBC Chartering  
Bahri Logistics  
CMA CGM  
COSCO SHIPPING Lines  
Chiquita  
Crowley  
Del Monte  
Dole  
Evergreen  
G2 Ocean  
Hamburg Süd  
Hapag-Lloyd  
HMM  
Intermarine  
Liberty Global Logistics  
Maersk  
Mediterranean Shipping Company  
Ocean Network Express  
OOCL  
Transfar Shipping  
UAL-Universal Africa Lines  
Yang Ming  
ZIM

## 2023 GOVERNMENT ACTIVITIES

### Following the Congressional mid-term elections in

November 2022, the 118th Congress convened on January 3rd with a new political landscape. Unlike the first two years of the Biden Administration, with Democratic control of both the House and Senate, the new Congress began with Republican control of the House and a razor thin Democratic majority in the Senate. And in an ominous sign of future events, it took 15 ballots before House Republicans could elect a new Speaker, Rep. Kevin McCarthy of California.

### Biden Administration

With three major transportation collective bargaining agreements expiring in 2023 (West Coast ports, UPS, and Automakers), President Biden was forced to select a new Labor Secretary following the resignation of Martin Walsh to become the head of the National Hockey League's players association. Biden opted to elevate the Department's #2 – Julie Su – who immediately faced strong Republican opposition in the Senate. Once it became clear that Senate Majority Leader Chuck Schumer could not guarantee the votes for her confirmation, the Biden Administration withdrew her nomination and opted to have Su continue running the Department from her Assistant Secretary position. The Biden Administration believes that federal law will permit Su to serve indefinitely but Congressional Republicans are challenging that designation.

### Congress

With Republicans taking control of the House, new committee chairmen were installed on four panels with jurisdiction over maritime transportation and labor. Rep. Sam Graves (R-MO) became the chairman of the Transportation Committee; Rep. Virginia Foxx (R-NC) became the chairman of the Education and Workforce Committee; Rep. Mark Green (R-TN) became chairman of the Homeland Security Committee; and Rep. Jason Smith (R-MO) became chairman of the Ways and Means Committee. Graves and Foxx previously led their committees when Republicans last controlled the House while Green and Smith are new to their posts.

In the Senate, the Commerce, Science and Transportation Committee chairmanship was retained by Sen. Maria Cantwell (D-WA); Finance Committee by Sen. Ron Wyden (D-OR); Homeland Security by Sen. Gary Peters (D-MI); and Health, Education, Labor & Pensions (HELP) Committee by Sen. Bernie Sanders (I-VT). Sen. Sanders wasted no time upon taking the chairmanship to announce that the HELP Committee would aggressively investigate what he views as illegal anti-union actions by corporations.



### Ocean Shipping Reform Act (OSRA)

As part of its implementation of the landmark OSRA law, the Federal Maritime Commission (FMC) moved aggressively on several key OSRA initiatives. The Commission received more than 180 public comments in response to the Notice of Proposed Rulemaking on Demurrage and Detention Billing requirements. The Commission also announced it will issue a Supplemental Notice of Proposed Rulemaking to address issues that commenters raised in response to the Unreasonable Refusal to Deal or Negotiate with Respect to Vessel Space Accommodations proposal. The two issues were a major focus of Congressional interest in enacting OSRA. Additionally, the Commission announced that it has received more than 200 plus "Charge Complaints" with more than 70 meeting the threshold requirements for being referred to investigators with more than \$1 million in charges having been refunded by carriers.

In May, the House Transportation Committee marked up and approved H.R. 1836, the Ocean Shipping Reform Implementation Act. H.R. 1836, or "OSRA Part 2" provides additional authority to the FMC to investigate complaints against shipping exchanges, creates a 13-member National Port Advisory Committee with 5 marine terminal operators, 5 port authority officials, and 3 labor union members; directs DOT to conduct a study on the Shanghai Shipping Exchange; and prohibits the utilization of logistics software related to Logink. The full House has not yet taken up H.R. 1836.

### Transportation Decarbonization

Four federal agencies – the Departments of Transportation, Energy, Housing and Urban Development and the Environmental Protection Agency – issued a report entitled, The U.S. National Blueprint for Transportation Decarbonization. The report notes that the transportation sector is the largest source of greenhouse gas emissions, responsible for one-third of all emissions. The Blueprint is intended to address how the U.S. transport sector can meet

## 2023 GOVERNMENT ACTIVITIES

the Biden Administration's goal of net-zero GHG emissions economy-wide by 2050. The report cites EPA estimates that half of U.S. marine vessel carbon emissions are from international shipping but acknowledges that due to a variety of factors, "the best pathway for decarbonizing the maritime sector is unclear."

In a related action, the Biden Administration announced the launch of the "Reduction of Truck Emissions at Port Facilities Grant Program," a program that focuses on port electrification and efficiency improvements to reduce emissions from idling trucks at port facilities. The Bipartisan Infrastructure Act authorized a total of \$400M for the program with \$160M made available for Fiscal Years 2022-2023. Eligible projects include: development of port-related infrastructure that reduces emissions from truck idling; on-truck technologies that reduce emissions; the use of zero or low emissions powertrains or fuels on trucks; reducing truck congestion within or adjacent to ports; and reducing emissions through improving the efficiency of port operations.

Representatives Mike Ezell (R-MS) and Troy Carter (D-LA) introduced H.R. 4993, legislation that would expand the Capital Construction Fund for the purchase of zero or near-zero emissions cargo handling equipment by marine terminal operators. The National Association of Waterfront Employers (NAWE) sent a letter to the Chairman of the House Transportation Committee in support of the legislation along with 20 maritime organizations including the United States Maritime Alliance.



### Port Infrastructure Development Program

The Department of Transportation's Maritime Administration announced over \$653M in port improvement projects under the Port Infrastructure Development Program. Funded projects included: \$32M toward the reconstruction of Berth PN 308 at Port Newark, New Jersey; \$11 M for North Gate

Relation and Access Optimization at Port of Wilmington, North Carolina; \$16M for the Velasco Terminal Sustainable Expansion Project in Freeport, Texas; \$50M for the Edgemoor Container Terminal—Container Project at Wilmington, Delaware; \$11M for the Port Panama City East Terminal Phase Two Expansion Project; \$24M for the Leonard's Wharf Reconstruction and Extension Project in New Bedford, Massachusetts; \$47M for the Baltimore County Offshore Wind Manufacturing Hub; \$39M for the Norfolk Offshore Wind Logistics Port in Norfolk, Virginia; and \$11M for the Cedar Port Infrastructure Development Project in Baytown, Texas.

### Freight Logistics Optimization Works (FLOW)

President Biden announced 30 new action items as part of his Strengthening of Supply Chain initiative. Included in those action items is a revamped Department of Transportation's Freight Logistics Optimization Works ("FLOW") that was established to create a shared, common picture of supply chain networks and facilitate a more reliable flow of goods. Under the initiative, participants will utilize FLOW data to inform their logistics decision making, helping to avoid bottlenecks, shorten lead times for customers, and enable a more resilient and globally competitive freight network. Additionally, the Department of Homeland Security will launch a new Supply Chain Resilience Center, ensuring the resilience of supply chains for critical infrastructure needed to deliver essential services to the American people. Near-term priorities will include addressing supply chain risks resulting from threats and vulnerabilities inside U.S. ports.

### Government Funding

With only hours remaining before the start of the new fiscal year on October 1st, Congress passed and President Biden signed into law a 45-day extension of government funding under a Continuing Resolution (CR). The temporary funding fix runs through November 17th and will require Congress to pass all 12 individual appropriations bills before that deadline or face the prospects of another CR for those portions of the government left unresolved. That task was made more complicated by the House vote to remove Kevin McCarthy as the Speaker. Under House rules, that body cannot conduct any legislative business until a new Speaker is elected but the path forward on a vote is unclear. Maritime programs like the Ports Infrastructure Development Program and agencies like the Coast Guard and Homeland Security could be adversely affected if government funding is interrupted for any extended period of time. Prior to the November 17th deadline, Congress passed another short-term spending bill, pushing the new deadline into 2024.



**WE CONTINUE TO STRIVE TOWARD OUR PRIMARY GOAL, AND WE ARE CONFIDENT IN OUR ABILITY TO ACHIEVE IT.**

**PRIMARY GOAL**  
**USMX/ILA alignment on a mutually beneficial Master Contract before September 30, 2024**

An unprecedented economic, cultural, and political climate amplified bargaining challenges and complexities in 2023. As the world shifts from COVID pandemic to endemic, U.S. inflation soared to historic levels. In addition, Pacific Maritime Association (PMA) bargaining timelines added to the complexity, as their negotiations overlapped with ours, resulting in East/West coast contract terms being compared and leveraged. These challenges, along with an increasingly strong, confrontational stance from the ILA on economic demands, led to breaks in bargaining in 2023. Therefore, we have yet to reach a mutually beneficial Master Contract.

Despite these formidable obstacles, we need to make more progress on collectively resolving many key issues and contractual sticking points – and each resolution will bring us closer to achieving our shared goal.

- Local grievance procedures
- Audit of jobs created by technology
- Issue of control
- Batching
- Security yards
- Genset model status
- Labor shortages/absenteeism
- Contract enforcement committee

Looking forward, more needs to be done. We need to continue to work together with the ILA to address unresolved issues, and ensure these differences aren't carried forward as points of negotiation. Specifically:

- Perceived contract volatility, diverts cargo, creating manning pressures
- Safeguards are now in place to limit manning pressures in 2024, while negotiations continue
- Resistance to implement New Technology as per Article XI of the Master Contract
- While technology implementation is critical, delays are expected as the ILA uses implementation as bargaining leverage. We are confident that our final contract will ensure implementation
- Work preservation in South Carolina
- Contention points at Leatherman in Charleston were resolved with the terminal's closure. However, the core issue is expected to resurface with the new Ocean Terminal – and will need to be addressed as we move forward
- Eroding jurisdiction claims in Virginia
- Based on an audit of clerical jobs over time, ILA claims eroding jurisdiction, as a result of evolving technology. A ruling will pass in 2024 to settle this ongoing issue

As Henry Ford said, "Obstacles are those frightful things you see when you take your eyes off your goal."

At USMX, we do not see obstacles, we see opportunities for a mutually beneficial, fair and equitable Master Contract that delivers greater productivity, with the right worker at the right place at the right time.

In 2014, recognizing the need to formalize a collaborative, proactive approach toward occupational safety and health (OSH) issues, the ILA-USMX Joint Safety Committee (JSC) was established in the *Joint Resolution on Port Safety & Health*. The committee is comprised of ILA members and an ILA Co-chairman, USMX members and a USMX Co-chairman, and a technical facilitator.

The responsibilities of the JSC include providing guidance and knowledge on OSH issues to the ILA, its local unions, and USMX members. The JSC maintains close collaboration with the National Maritime Safety Association (NMSA), ILA local unions, port associations, and direct employers on safety processes, training, and communicating best practices among them, with the goal of "a safe place for all employees to work."

Thanks to the close collaboration the JSC has achieved since its inception in 2014, they were able to quickly switch to a remote team when COVID hit in 2020. Thanks to the coverage gained through the years, the JSC was able to have members in each division of the East and Gulf that were able to both communicate and respond quickly to the many changes and questions about the covid pandemic that affected not only the whole group, but even more specific issues happening in certain regions. We were then able to share these as a group and spread best practices and ideas to all ILA personnel and member ports as per the original mission of the JSC.

The JSC worked tirelessly through the last several years since the onset of the pandemic to ensure the facts were distributed as they became known and that the real data on both covid-quarantined and covid-positive ILA members were tracked and communicated to the industry. This allowed us to see trends and concentrate our efforts with guidance and PPE accordingly. The JSC confronted many issues from both labor and management including determining the proper PPE needed to combat the spread of

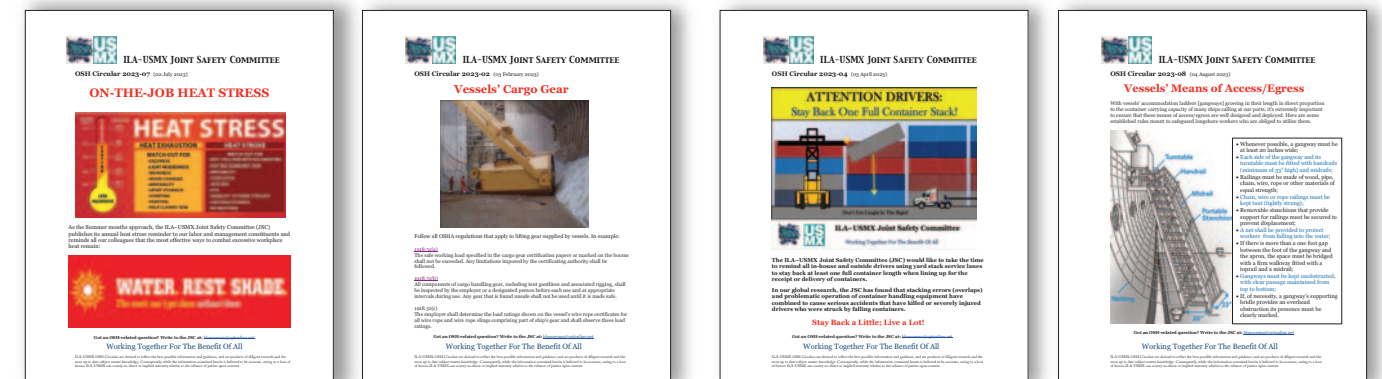
COVID; ever-evolving CDC protocols on distancing, masks and quarantining; protocols for when testing positive; what to do when considered a close contact; PHMSA & HAZMAT Training; and OSHA's Emergency Temporary Standard, which created many questions for the ILA and ports. While we couldn't anticipate going into a fourth year with the pandemic, we were fortunate to have the JSC in place to continue guiding the ports and workforce.

Over the course of the year, member companies and rank and file come to the JSC for guidance, advice and interpretation of OSH-related issues. The JSC does everything possible to respond accurately and timely to all calls. Here are just some of the issues addressed by the JSC in 2023: current CDC guidance regarding COVID-19 infection response; indoor masking; CDC Covid Exposure/Isolation guidance; special precautions during lightning storms; OSHA's Multi-Employer Workplace Citation Doctrine; and PIT Certification & Recertification.

The JSC also presented during the ILA's Education Conference, 56th Quadrennial Convention, and Blue Ribbon Panel. JSC members attended the NMSA Annual meeting, board meetings, and technical committee meetings. The JSC created a pilot program using the DSS+ Learning Management System (LMS). The system provides the entire ILA-USMX safety video library, in addition to the NMSA and DSS+ course libraries, to members for instant download.

The JSC continues to use two of its mainstays, OSH Alerts & Circulars, to communicate guidance to the industry quickly and effectively. The program grows more and more each year with the distribution rapidly growing with the transition to social media. In 2023 the JSC produced and distributed multiple OSH Circulars in which it guided the ILA and USMX members on relevant safety topics. All the JSC's published alerts and circulars can be accessed via the USMX website homepage at usmx.com by clicking the link DOWNLOADABLE Safety Bulletins and Various Safety Resources.

**SELECT 2023 ILA-USMX JSC OSH CIRCULARS and ALERTS**





# TRAINING PROGRAM OVERVIEW

The JSC Safety Data Initiative is another tool used by the group to collect and communicate data and to focus the efforts of the JSC. The data consists of total manhours and incidents. The incident is recorded by craft, type, and location and is collected by USMX bi-annually (January through June and July through December), uploaded into a database and then disseminated in a useful format to all ILA, ILA Locals, and USMX employer members.

We use the manhours and incidents to calculate the Lost Time Incident Rate (LTIR), which is based upon Occupational Safety and Health Administration (OSHA) recordkeeping. The formula considers the number of lost time incidents and illnesses occurring in a workplace and the hours worked during the time. It is based on a workplace of 100 workers averaging 2,000 hours per year. The LTIR is calculated by taking the total lost time injuries and illnesses, multiplying that by 200,000, then dividing that by total hours worked. The information can be used to see trends in overall incidents, incidents by port, craft, type, and location. This high-level data can then be used to focus attention locally, help plan safety initiatives, and training, advancing the JSC's goal of making our ports a safe place for all employees to work.

As illustrated in the following charts, the data shows a substantial decrease of approximately 16% in the LTIR. As the LTIR continues to trend downward since safety data collection was instituted in 2013, from a high of 4.85 to the current 2.13 in 2023, this positive result continues to illustrate the value of this initiative to our industry and worker safety, which is the single most important undertaking we have at USMX with our partners at the ILA.

LTI BY CRAFT	2020	2021	2022	2023
Lasher	25.15%	23.79%	24.00%	22.40%
Yard Tractor / Hustle Driver	16.92%	13.06%	15.14%	11.66%
Crane / RTG Operator	1.98%	2.18%	3.00%	2.19%
Pit Operator / Other	10.21%	10.42%	8.86%	10.75%
Mechanic	15.09%	17.11%	14.86%	16.58%
Foreman	2.29%	3.27%	2.57%	1.82%
Clerk / Checker	4.57%	4.67%	3.43%	4.74%
Laborer	13.87%	12.75%	13.00%	16.21%
Holdman / Dockman	9.91%	12.75%	15.14%	13.66%

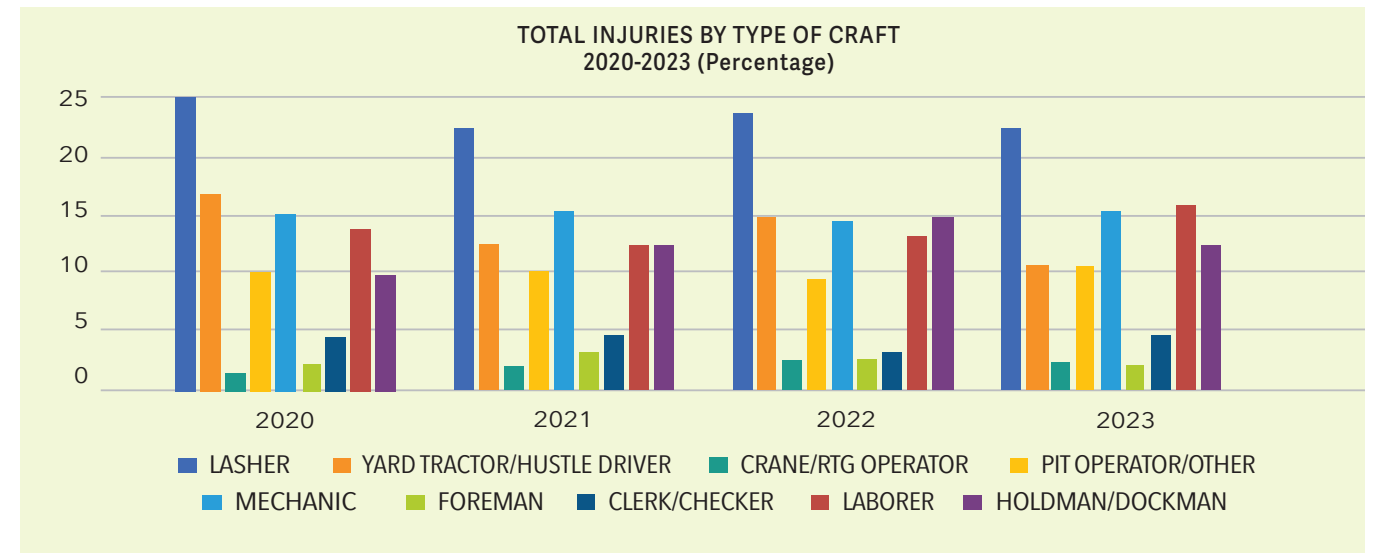
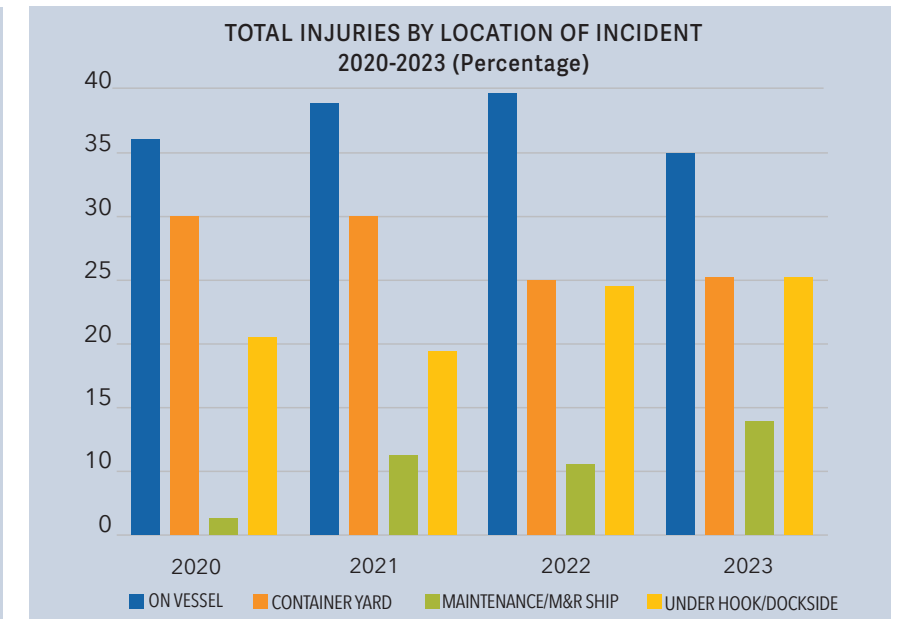
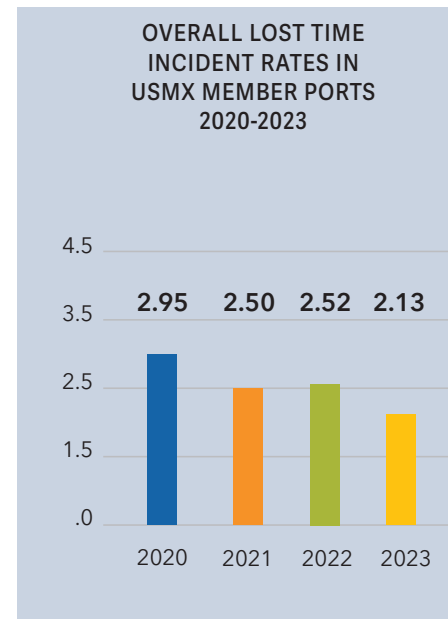
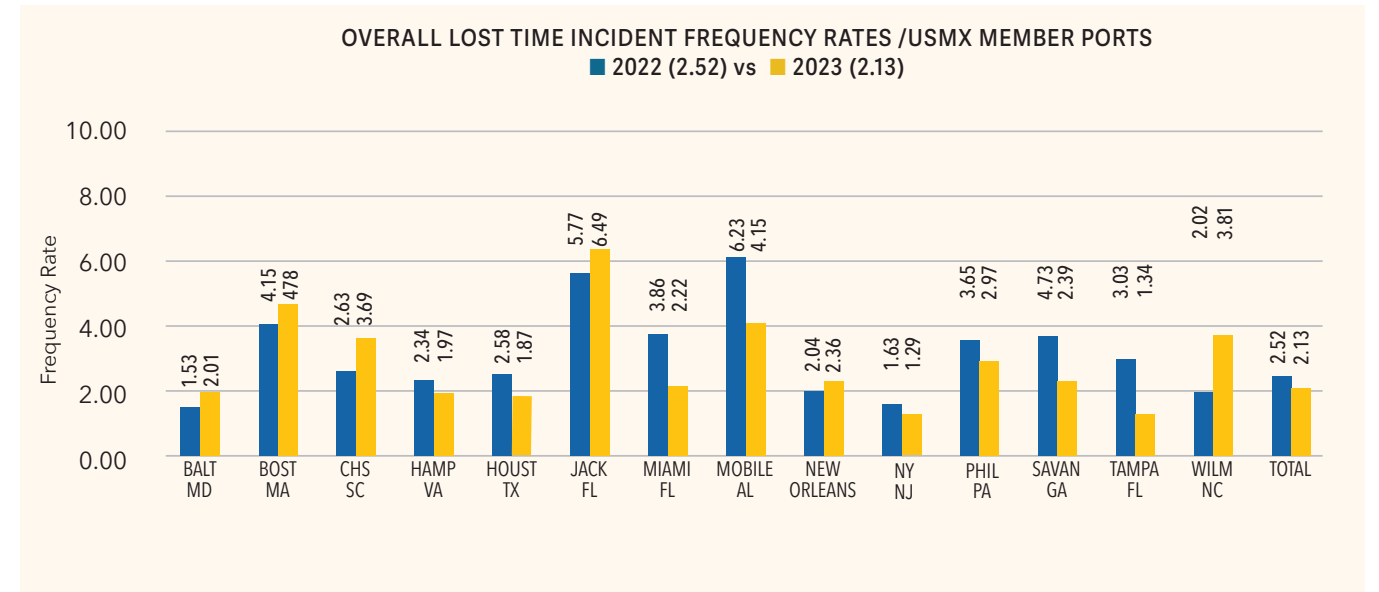
LTI BY TYPE	2020	2021	2022	2023
Slips / Trips / Falls	27.74%	29.24%	29.29%	27.32%
Struck By Cargo	2.74%	3.27%	4.86%	5.83%
Struck By Vehicle	6.25%	7.93%	5.43%	6.38%
Strain	23.32%	23.02%	22.71%	23.86%
Struck By Cargo Handling Equipment	9.45%	9.95%	7.57%	9.84%
Jostling	11.59%	10.89%	14.43%	9.47%
Working At Height	0.61%	0.31%	0.57%	0.00%
Hearing - Long Term	4.73%	2.02%	0.43%	1.09%
Other	13.57%	13.37%	14.71%	16.21%

LTI BY LOCATION	2020	2021	2022	2023
On Vessel	36.28%	38.41%	39.29%	35.15%
Under Hook - Dock Side	21.19%	19.60%	24.71%	25.32%
Container Yard	30.49%	30.02%	25.14%	25.68%
Maintenance / M&R Ship	2.04%	11.98%	10.86%	13.84%



# TRAINING PROGRAM OVERVIEW



# TRAINING PROGRAM OVERVIEW

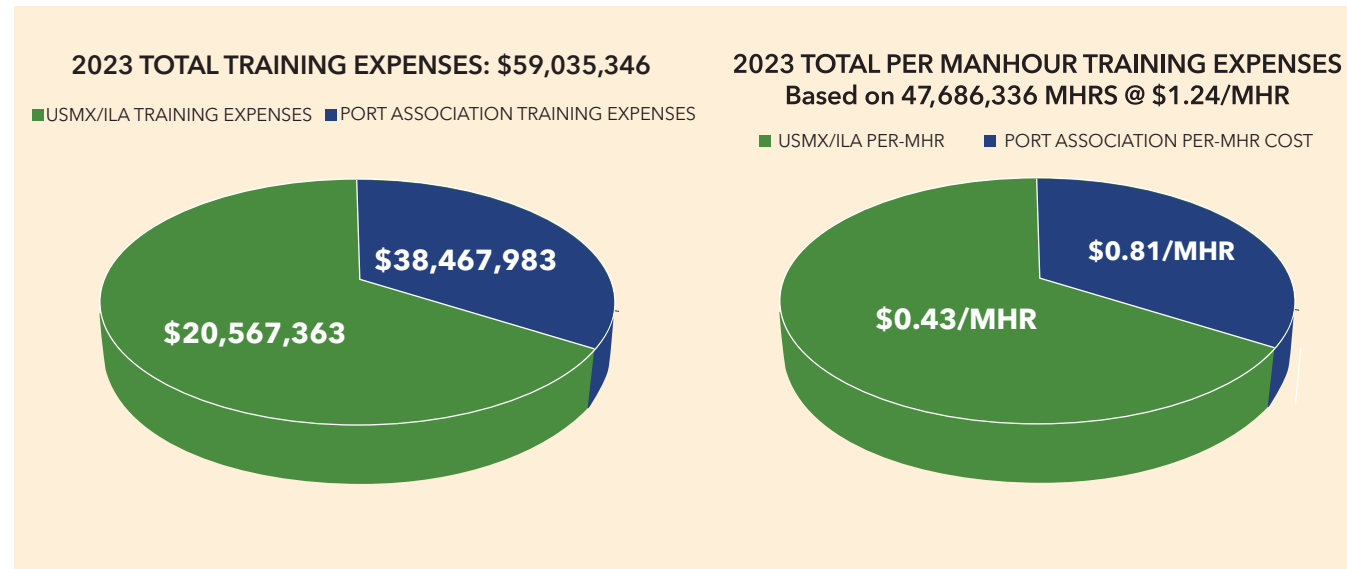
USMX carriers pay \$0.25 per ton of cargo to support the training, safety and Container Freight Station (CFS) programs, with over \$20M going directly to training in 2023. During 2021, almost \$18M went to training, as we continued to ramp up after the lull in 2020 training caused by the COVID pandemic. Between the Port Associations and the Carriers, over \$59M was spent on training in 2023; \$56M in 2022; \$46M in 2021; \$38M in 2020; and \$43M in 2019, showing just how negatively the start of the pandemic affected our training program and how we've ramped back up since.

The USMX-ILA Joint Training Committee (JTC), consisting of three ILA representatives and three USMX representatives, worked closely with the local ILA unions and USMX members to ensure funding for training was available to do whatever was necessary within the training rules and

standards to safely train workers during the ongoing pandemic. New training processes that could be implemented safely at each port were communicated to the industry to see if they could be implemented at other ports. The JTC also worked closely with the JSC for training guidance.

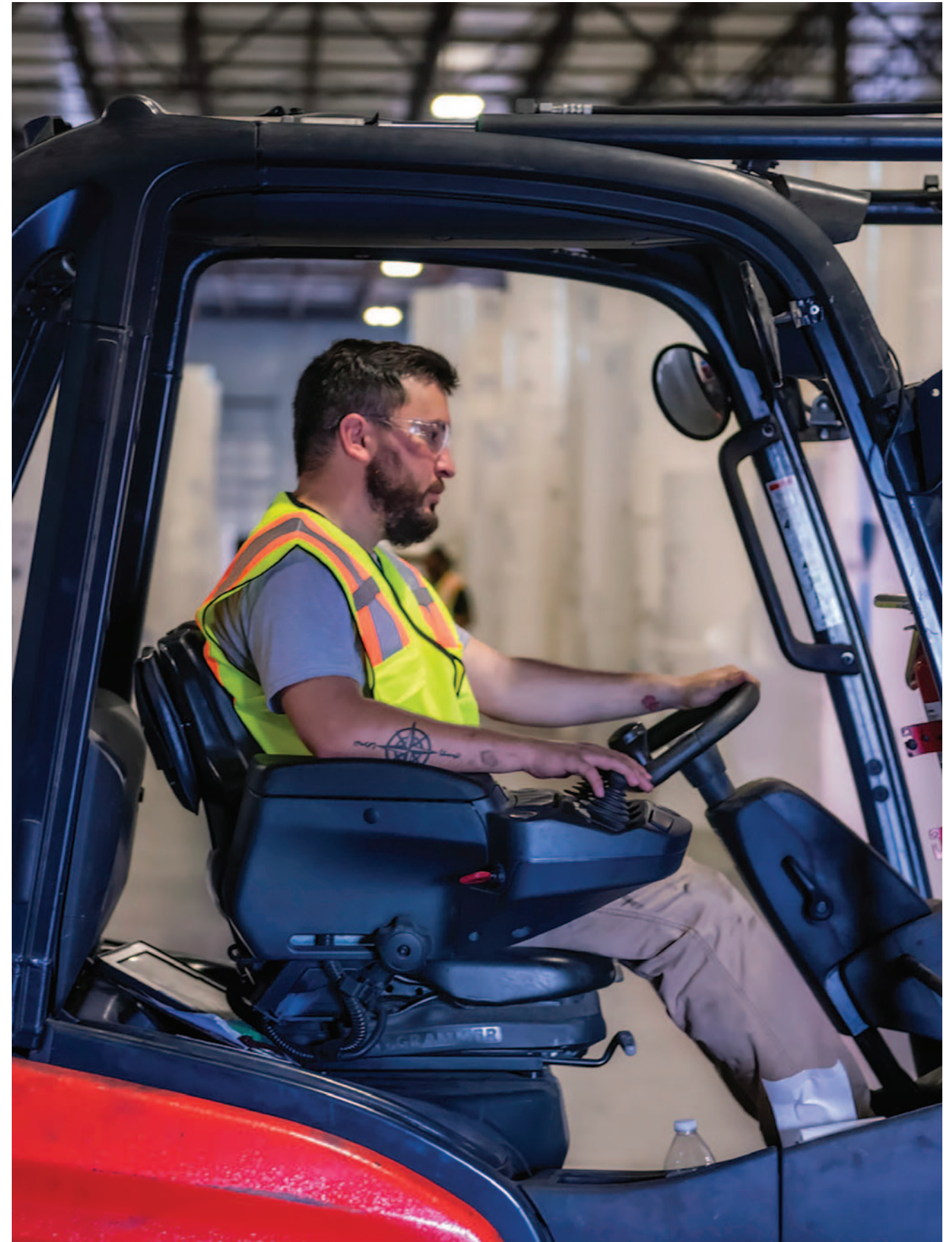
While training expenditures from both the USMX and USMX member ports were substantially reduced due to the pandemic, as noted, training began to ramp back up towards the end of 2020 and well into 2021, 2022 and 2023.

With the 2024 training budget being prepared, and the continuation of new hires expected in all crafts and at most facilities, another increase in training is forecasted for 2024.



TRAINING EXPENSES	2022	2023
USMX/ILA Training Expense	\$24,790,014	\$20,567,363
Port Association Training Expense	\$31,328,813	\$38,467,983
<b>TOTAL MANHOURS</b>	<b>52,133,380</b>	<b>47,686,336</b>
USMX/ILA Training Expenses Per Manhour	\$0.48	\$0.43
Port Association Training Expense Per Manhour	\$0.60	\$0.81
<b>CALENDAR YEAR TOTAL TRAINING EXPENSE</b>	<b>\$56,118,827</b>	<b>\$59,035,346</b>
<b>CALENDAR YEAR TOTAL PER MHR COST</b>	<b>\$1.08</b>	<b>\$1.24</b>

# TRAINING PROGRAM OVERVIEW



A large container ship is docked at a port. A massive gantry crane with a white and red striped structure is positioned over the ship. The ship's deck is covered with stacks of colorful shipping containers in shades of red, blue, and brown. The ship's hull is dark grey. The scene is set against a clear blue sky and a calm sea. The text 'USMX' is overlaid in the top left corner.

**US  
MX**

**USMX - ILA TRUST FUNDS**

USMX-ILA MASTER CONTRACT TRUST FUNDS

TRUST FUND NAME	TRUST FUND PURPOSE	PAGE
Management-ILA Managed Healthcare (MILA)	Execution and management of healthcare benefits	20
Container Freight Station (CFS)	CFS Subsidy and Credit; Distribution of yearly training budget	22
Container Royalty 5 (CR5)	Based on Yearly Application Review/Approval Automatic payments and local Welfare Funds Subsidy	24
USMX-ILA Money Purchase Fund & Savings Plan (MPP)	Centralized Defined Contributon Retirement Plan For Ports without an existing plan as of 10/1/18	24
COVID Pandemic Relief (CPR)	Supplementary income based on application	25
Container Royalty Central Collection (CRCCF)	Centralized collection of all master contract tonnage assessments	26

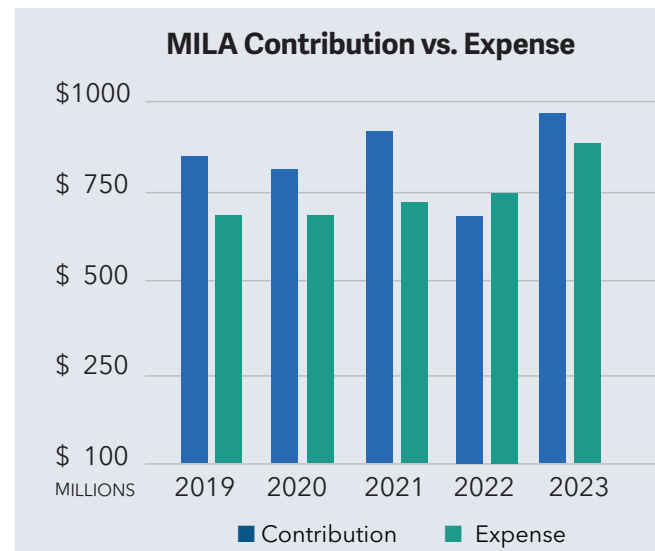
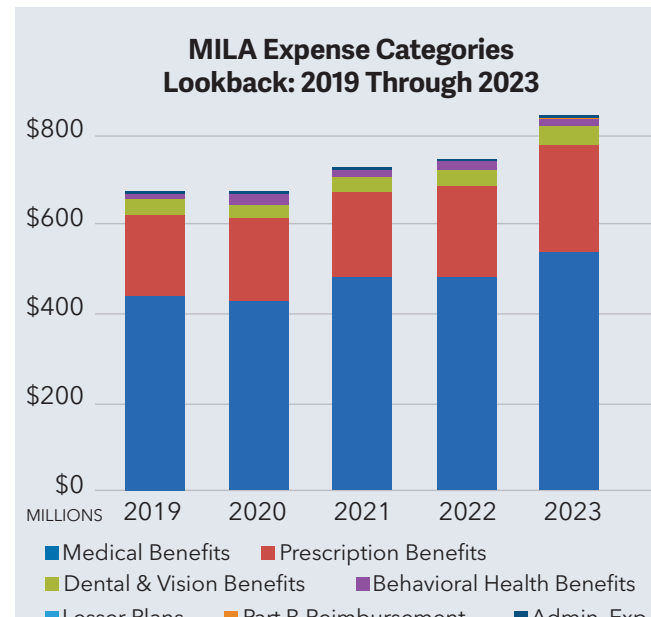
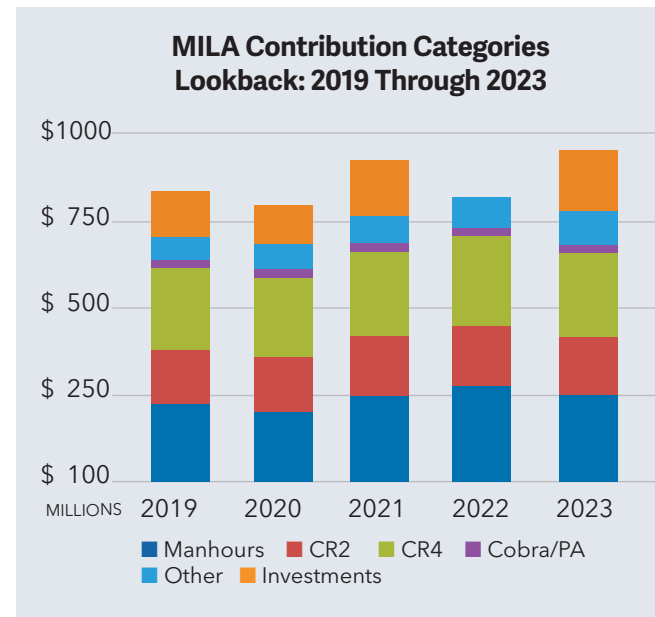
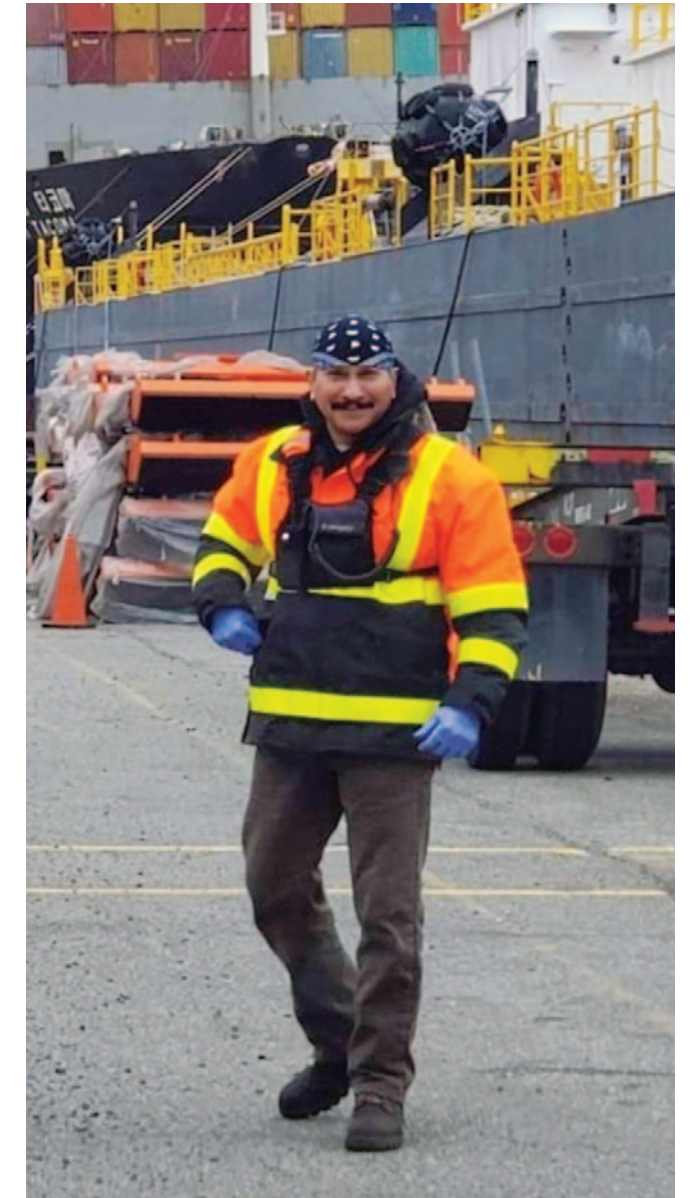
Under the 2018-2024 USMX-ILA Master Contract, there are six trust funds that are jointly-managed by Trustees from the ILA and from USMX to ensure proper management of collected assessments.

The table at the top of page 20, describes the major funds, their purpose and the pages where you can find more information about each within the context of this annual report.

MILA Managed Healthcare Trust Fund 2023 Update

The Management-ILA Managed Health Care Trust Fund (MILA) is a collectively bargained, multi-employer health plan. Its Board of Trustees, with representation from both management and labor, administers the MILA National Health Plan to provide medical, dental, vision and behavioral health coverage, as well as prescription drug benefits for more than 80,000 people (active and retired ILA members, their qualified dependents, and certain other non-bargaining unit employees who pay a premium for their coverage, as established by the MILA Trustees). Per the Master Contract, MILA coverage is based on prior year hour qualifications.

2023 was a challenging year for MILA, with revenue significantly down due to reduction in volume and manhours, coupled with an increase in costs above trend forecasts. MILA's prescription program experienced the biggest impact due to a drastic rise in demand for certain specialty drugs. Trend forecasts for prescription and medical expenses are expected to remain high as we move into 2024. MILA continues to work closely with its vendors to control expenses where possible.



MILA FUNDING

As part of the 2018-2024 USMX-ILA Master Contract agreement, MILA is funded through a \$5 per manhour assessment on all manhours worked by ILA employees, and through a \$2.50 per ton assessment on all containerized cargo moving through USMX member ports on the U.S. East and Gulf coasts.

The MILA Administrative Staff: (Front, L to R) Angelina Kishore, Member Support Representative; Sharleka Millington, Administrative Assistant and Member Support Representative; (Rear, left to right) Robin Csabon, Director of Accounting; Glenn Vanish, Receptionist; and LaVerne Thompson, Executive Director

# CONTAINER FREIGHT STATION (CFS) TRUST FUND

## About the CFS fund

The CFS Trust Fund program was implemented in 1989, and guided by the following objectives:

- Promote employment opportunities for ILA members
- Subsidize CFS operators using ILA labor exclusively to compete with CFS operators using non-ILA labor
- Encourage the stuffing and stripping of LCL, LTL, FCL, vendor consolidation and other cargo not presently handled at waterfront facilities by deep-sea labor
- Help open container freight stations in container ports
- Create a dedicated ILA workforce in each port to productively and efficiently stuff and strip containers
- Conduct ongoing reviews and audits, per the CFS Trustees, of all CF stations to ensure that every CFS operator adheres to the requirements set forth

Though the program is charged with maintaining all stations currently operating in the USMX member ports, it is always open to new opportunities for expansion.

With a six-year Master Contract currently in place, the CFS subsidy rate will be \$21.00 per hour for most CF stations from October 1, 2018, thru September 30, 2024.

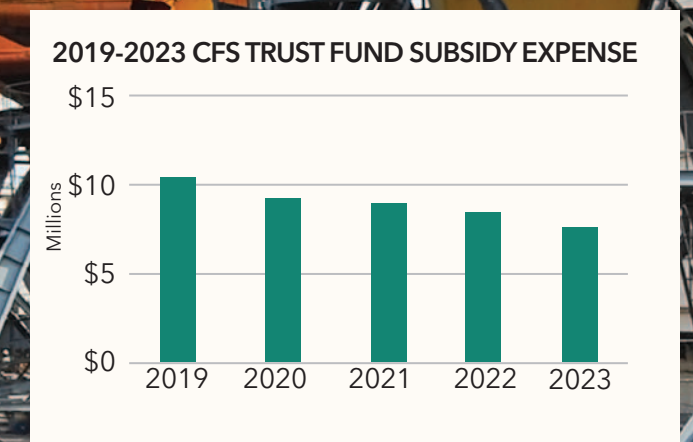
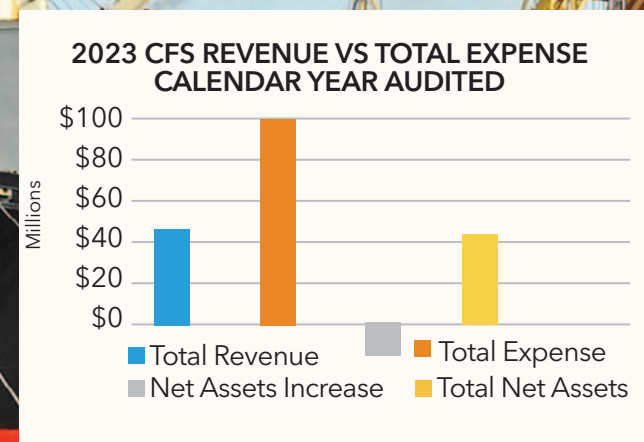
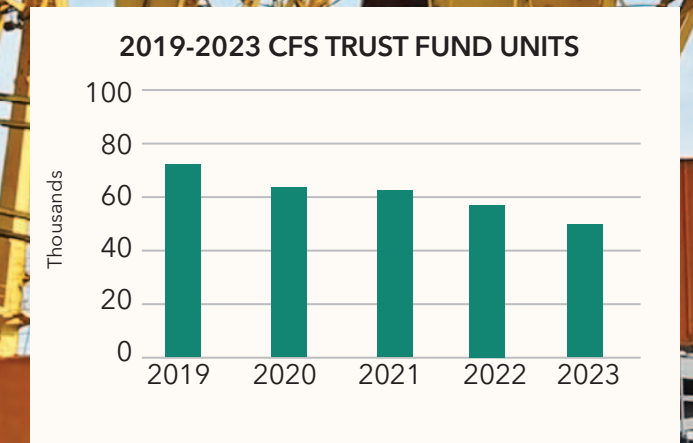
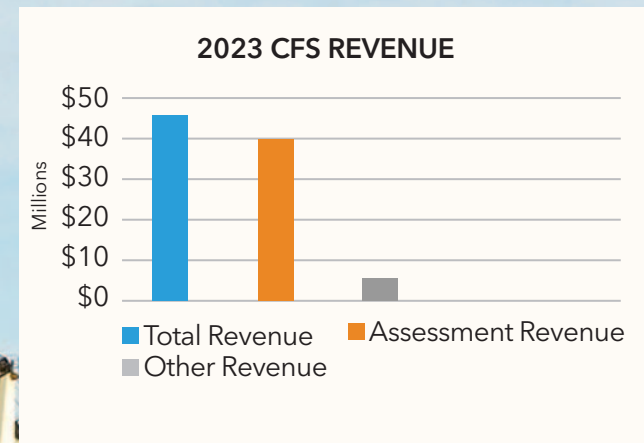
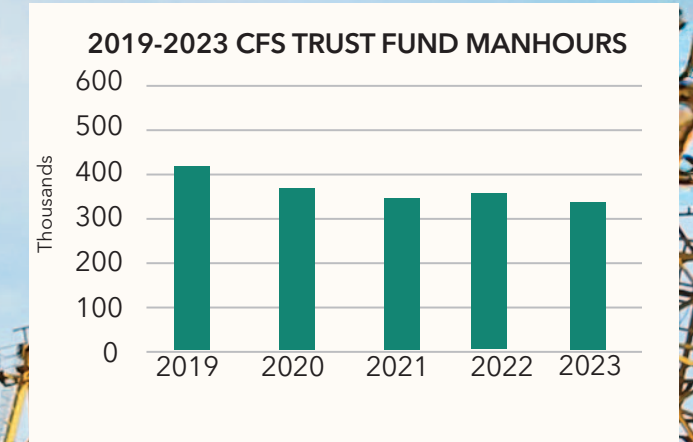
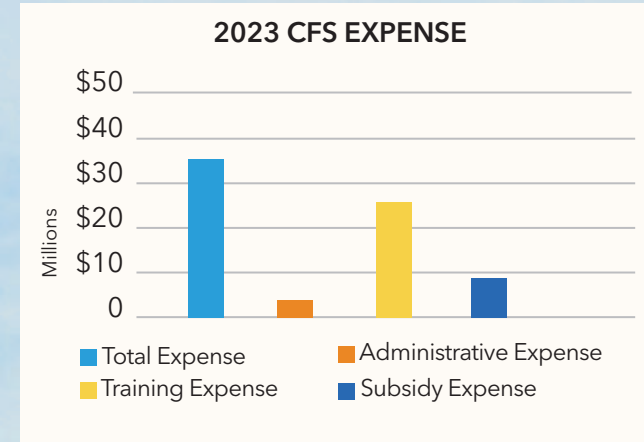
## 2023 CFS Update

During 2023, at 20 CF stations, the program subsidized nearly 344,000 manhours, with approximately \$7.1M in expenses to the CFS Fund. Approximately 51,000 containers were handled. Assessments collected on each ton of cargo are used to fund these CFS operations. In 2022, the assessment remained (from previous years) at \$0.25 per ton. The program also began reporting from a calendar year to a contract year basis to better align with the contract's financials.

## CFS Carrier Credits

In the Master Contract, all containers that are stripped or stuffed at an authorized CF station qualify for a Container Royalty credit if they were discharged or loaded from a USMX Carrier vessel. If these criteria are met, the Carrier will get a full credit. During 2023, USMX Carrier members received Container Royalty credits totaling almost \$4.5M.

# CONTAINER FREIGHT STATION (CFS) TRUST FUND



## USMX ILA CONTAINER FREIGHT STATION DATA

CFS EXPENSES	2022 CYE	2023 CYE
Total Expense	\$26,616,540	\$30,557,664
Administrative Expense	\$2,511,161	\$2,320,748
Training Expense	\$15,440,378	\$20,567,363
Subsidy Expense	\$7,362,001	\$7,669,553
CFS REVENUE	2022 CYE	2023 CYE
Total Revenue	\$34,293,405	\$44,566,327
Assessment Revenue	\$42,428,950	\$40,506,422
Other Revenue	\$(8,135,545)	\$4,059,905

# CONTAINER ROYALTY CR5 AND MPP FUNDS

## CONTAINER ROYALTY 5 (CR5) TRUST FUND

### About the CR5 Trust Fund

Effective with the Master Contract extension agreement covering Contract Years 2009 through 2012, the CR5 Trust Fund was instituted to address the economic downturn that dramatically affected the ability of the local ILA benefit funds to meet their obligations under the Master Contract and Local Contract.

CR5 allows the Master Contract the ability to direct necessary resources, based on a list of criteria, to those local welfare funds that demonstrate a shortfall. A key criterion of CR5 restricts the application amount to be used for funding Pension funds or an increase in local benefits of any kind. Additionally, the criteria put strong focus on the allocation of assessments to ensure proper distribution among local benefit funds. CR5 also replaced the automatic payments that were made to the ports under the previous Master Contract's Container Royalty CAP Program. Jointly administered by Trustees from USMX and the ILA, the CR5 Fund is financed through a \$0.70 per ton assessment paid by USMX's carrier members.

The CR5 Trust Fund is an essential resource for our member ports whose local benefit funds experience a shortfall that renders them unable to meet their Local Contract obligations. The demand for CR5 monies has varied over the years due to increases in Vacation and Holiday benefits driven by wage increases; fluctuations in investment performance of local funds; and, in some areas, stronger revenue due to volume and/or manhour increases.

### CR5 2023 Update

In the Contract Year that ended on September 30, 2023, the CR5 Trust Fund paid out approximately \$27.5M in assistance applied for by our member ports, in addition to the automatic payments (approximately \$63.4M) made as required under the Master Contract. CYE 2023 saw a decline in both tonnage and manhours as volume in major ports finished leveling off to pre-pandemic figures. This resulted in lower than expected revenue for benefits, however in ports with a predominantly full time workforce this did not result in a reduction in benefit costs. Thus overall demand for CR5 was increased.

## USMX-ILA MONEY PURCHASE FUND & SAVINGS PLAN (MPP)

As part of the 2018-2024 Master Contract, the parties agreed to create a coastwide, centrally-managed defined contribution retirement plan for qualified employees working hours under the Master Contract in ports that do not have local defined contribution plans. Qualification thresholds and disbursements for qualified individuals were agreed upon by USMX and the ILA. The Master Contract MPP contributions shall be made as follows:

- Effective October 1, 2018, qualifying employees shall receive a \$1.00 per hour contribution.
- Effective October 1, 2020, qualifying employees shall receive an additional \$1.00 per hour contribution.

For Contract Year Ending 2023, the central USMX/ILA MPP and Savings Plan received an additional \$15M in employer contributions. These contributions include a combination of Master Contract contributions of \$1 to \$2 per manhour as well as local contributions from three participating ports: Charleston, Tampa, and Savannah. The end of this contract year also marked the end of the 3-year eligibility period for Level 2 participants from Savannah and Wilmington, which resulted in over 700 new participants. Ports not included in the central plan have their own Defined Contribution plan with varying contribution levels negotiated both locally and through the Master Contract.

### CONTAINER ROYALTY 5 TRUST FUND ANNUAL PAYOUT 2018-2023

2018	\$87.7M	2021	\$84.4M
2019	\$81.8M	2022	\$86.9M
2020	\$88.0M	2023	\$90.8M

### MPP CONTRIBUTIONS BY PORT Effective 10/1/2022

Port	Master Contract	Break Bulk	Auto	Cruise
Charleston	\$2.00	\$1.50	\$2.30	\$2.00
Tampa	\$2.00	\$1.50	—	\$2.00
New Orleans	\$2.00	—	—	—
Mobile	\$2.00	—	—	—
Savannah	\$1.00	—	\$0.50	—
Wilmington	\$1.00	—	—	—
Jacksonville	\$1.00	—	—	—

# COVID PANDEMIC RELIEF FUND (CPR)

## COVID PANDEMIC RELIEF FUND (CPR)

### COVID PANDEMIC RELIEF

The CPR Fund, created in April 2020, was instrumental in providing supplementary income to ILA members who fell ill with COVID-19 or were forced to quarantine due to direct contact. By the end of 2022 the fund had approved over 2,000 applications and paid out over \$2.9M, and effective January 2023 was no longer active.

## CONTAINER ROYALTY CENTRAL COLLECTION FUND (CRCCF)



**Paul J. McCarthy**  
President



**Eileen M. Mackell**  
Vice President



**Jason Kohler**  
Director



**Andrew McKenzie**  
Director

### About the CRCCF Fund

The Container Royalty Central Collection Fund (CRCC Fund) is a jointly managed Fund created to serve qualified ILA members as well as USMX carrier members and terminal operators. The Fund is tasked with the collection and distribution of all container royalties payable under the rules of the USMX-ILA Master Contract. One of the primary functions of the Fund was the development of a comprehensive system to automate the intake of carrier shipping reports; track carrier delivery tonnage on incoming/outgoing vessels; invoice carriers on a per-voyage basis; and collect and allocate carrier payments to appropriate funds. The CRCC Fund application is an innovative platform that benefits all areas of the Maritime Industry, created to capture actual and accurate movement of all vessel and voyage activity along the U.S. East and Gulf Coasts.

### The System

The end state is a system that processes files uploaded by USMX carrier members into a standardized electronic format and integrates them into a database; interfaces with reporting mechanisms capable of generating management dashboards from that data and analyzing it in any number of ways; prepares timely and accurate carrier invoices; and tracks and manages the Container Freight Station (CFS) Program by processing station subsidies and carrier credits.

The current system, now under the 2018 - 2024 Master Contract, enables the ILA and local port management to more effectively schedule and manage manpower at the ports and to define work associated with container verification on both incoming and outgoing vessels. The system also provides USMX members and affiliates with invoice accuracy of carrier reporting with real checks, directly executed by members at the ports.

### CRCCF 2023 UPDATE

Contract year ending September 30, 2023, marked the close of the eighth full year of operations of the CRCCF system.

This year the team set goals aimed at application enhancement and customization, Container Inspector training and newly developed auditing processes. Next contract year CRCCF will build on the auditing process to include self-auditing practices for our Container Inspector and ports.

In CYE 2022 the CRCCF tackled areas relating to data security, future expansion, archival documentation, and options for support. After successful implementation of our 2022 projects, this contract year we focused on the user experience by creating application enhancements and customization to help users streamline their workflow. Using feedback from our customers, we enhanced reporting features to include requested data fields, added additional application reports and updated our accounting functions. The team also launched and completed an RFI (Request for Information) to ensure that the most qualified company would be handling all future system support services.

The CRCCF continues to provide training and support to Carriers, Ports, and application Users. We started our year with a two-day training seminar for our port Container Inspectors. Representatives from every port were in attendance and the positive response to the training was tremendous. We took an in-depth look into Container Inspector responsibilities, communications, and reporting issues. In addition to CRCCF training and the launch of our new port auditing program, these group sessions allowed participants to share ideas, experiences, and best practices among each other. In CYE 2024, we plan to expand our auditing program, conduct Container Inspector training (Part II), as well as Carrier Communication and Assistance training. As always, we continue to provide one-on-one training to people in need of assistance and new hires.

To round off our CYE 2023, the CRCCF welcomed our newest member to the team, Mr. Andrew McKenzie. Mr. McKenzie holds the title of Director CRCCF-ILA/USMX. We are delighted to have him onboard and in his short time here has already proven to be a valuable asset.

## SHIPPING INDUSTRY MUTUAL ASSURANCE ASSOCIATION LIMITED (SIMAS)

### Purpose

The Shipping Industry Mutual Assurance Association Limited (SIMAS) was created in 1981 by special act of the Legislature of Bermuda to provide insurance coverage to the maritime industry that was unavailable in the commercial marketplace. This Financial Injury Coverage indemnifies USMX and its Carrier members for the legal costs incurred as a result of the implementation and enforcement of the USMX-ILA Master Contract or any other labor contract negotiated by USMX.

Financial Injury Coverage is provided in the following instances:

- Court Actions and Adjudicatory Proceedings before maritime or labor-related agencies
- Third-Party Claims against the Insureds
- Arbitrations ■ Strikes ■ Work Stoppages

Excess Directors' and Officers' (D&O) Coverage is provided by SIMAS to the Directors and Officers of USMX and CCC Service Corporation.

Excess Fiduciary Liability Coverage is provided by SIMAS to the Management Trustees of the Management-ILA (MILA) Managed Health Care Trust Fund.

- A 2005 Civil RICO action still pending in the U.S. District Court for the Eastern District of New York is the subject of a claim under this coverage.

### 2023 Legal Matters

During 2023, USMX Carrier members were able to avail themselves of coverage through SIMAS for the National Labor Relations Board proceeding that started in 2021 involving the State of South Carolina, the South Carolina State Ports Authority (SCSPA), USMX, the ILA, and ILA Local 1422 in which (1) South Carolina and the SCSPA alleged that USMX, the ILA, and ILA Local 1422 agreed to boycott the Leatherman Terminal in the Port of Charleston, SC to force the SCSPA to give the ILA the jobs performed by South Carolina state employees; and (2) the SCSPA and USMX alleged that the ILA's \$300M lawsuit against USMX and two of its Carrier members was an unlawful secondary boycott. Subsequent court proceedings in 2023 found in favor of the ILA, which resulted in the SCSPA filing a petition for a writ of certiorari with the Supreme Court of the United States. Details regarding these proceedings are set forth in the Report of Counsel. The petition was under consideration by the Court at year end.

### Governance

SIMAS is governed by a Board of Directors that meets annually.

- SIMAS Directors are chosen from among the USMX Board of Directors and USMX Staff.
- SIMAS is administered locally by Marsh Management Services (Bermuda) Limited.

SIMAS premiums are funded through an assessment paid by USMX's Carrier members and are evaluated annually by the SIMAS actuary.



# US MX

## REPORT OF COUNSEL







**THE LAMBOS FIRM ATTORNEYS**

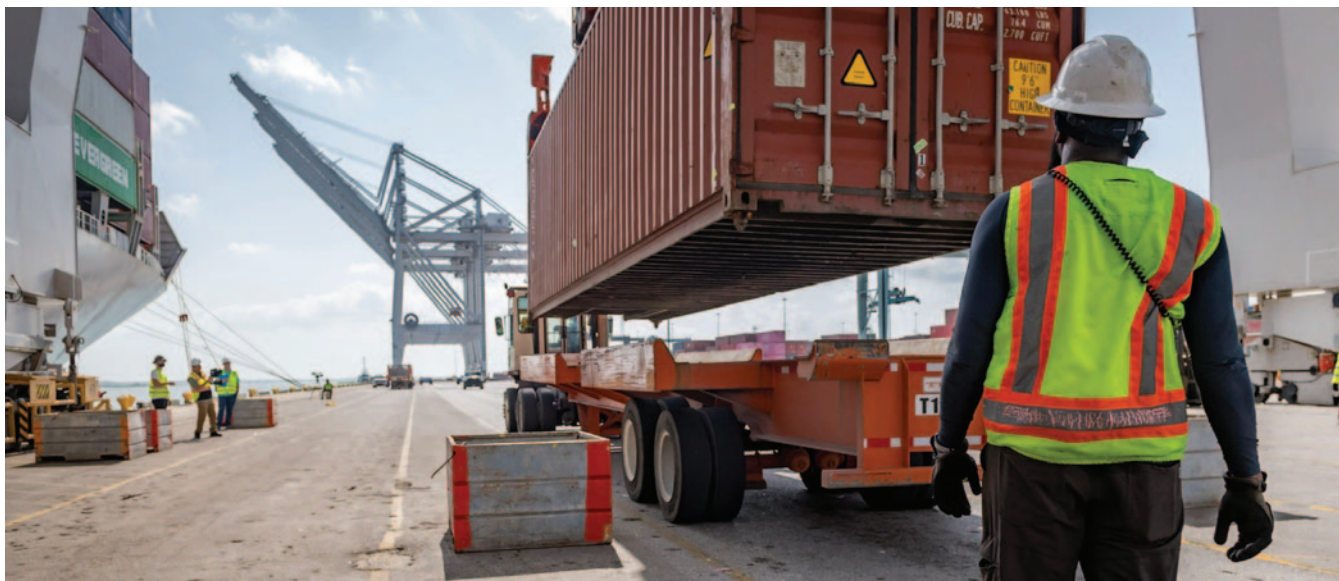
Front, L to R: Carol Notias Lambos, Esq.  
Ann Marie Flynn, Esq.  
Rear, L to R: James R. Campbell, Esq.  
William M. Spelman, Esq.  
Richard J. Ciampi, Jr., Esq.

**At The Lambos Firm, LLP the emphasis is on finding creative solutions to problems that plague businesses in these competitive times. Our reputation lies in our ability to bring parties together to resolve disputes without unnecessary legal intervention. This is achieved through a proactive approach to our clients' needs by seeking to protect them from potential exposure by thoughtful, strategic planning. However, when litigation is unavoidable, our clients appreciate the Firm's reputation for vigorous and tenacious advocacy. The hallmark of the firm is its proven experience in handling clients' legal matters successfully and cost-effectively.**

The Lambos Firm is a full-service law firm concentrating in the areas of labor and employment, ERISA, administrative, business, and insurance law. Our clients span a broad spectrum of industries and include maritime entities; multi-employer associations; transportation companies;

banking and financial services corporations; manufacturing concerns; real estate developers and construction contractors; and health care organizations.

The Firm has an active trial practice, jury and non-jury, in federal and state jurisdictions, and an extensive appellate practice, including successful U.S. Supreme Court advocacy. In addition, our attorneys are also actively engaged in non-judicial dispute resolution forums, including arbitrations, mediations, and administrative proceedings. The Firm has close ties to the maritime community that are manifested through active participation in long-standing maritime associations and support of charitable causes important to the industry. The attorneys of the Firm are dedicated and fully committed to serving the interests of the maritime community as well as recognizing the excellence the community brings out in its own.



**MASTER CONTRACT-RELATED ISSUES**



**South Carolina State Ports Authority v. National Labor Relations Board**

On January 17, 2023, the South Carolina State Ports Authority (SCSPA) filed a petition for review with the Court of Appeals for the Fourth Circuit challenging both the National Labor Relations Board's (NLRB) decision that upheld the lawfulness of Article VII, Section 7(b) of the USMX-ILA Master Contract and the decision that determined that the ILA's lawsuit was not unlawful. The State of South Carolina, USMX, the ILA, and ILA Local 1422 intervened in the action.

On July 28, 2023, a three-member panel issued its 2-1 decision. All three judges agreed that Article VII, Section 7(b) of the Master Contract does not violate Section 8(e) of the National Labor Relations Act (NLRA). The judges agreed that there is no unlawful agreement between USMX and the ILA to boycott the Leatherman Terminal. However, the majority also upheld the NLRB's decision that the ILA's \$30M lawsuit against USMX, Hapag-Lloyd, and OOCL does not violate NLRA Section 8(b). The majority ruled that the ILA's lawsuit sought to preserve the work performed by the coastwide bargaining unit. The majority found that although the carriers have no control over the assignment of the lift-equipment work in Charleston, the carriers can control the ports at which they call.

The dissenting judge found that the relevant bargaining unit was limited to those union members performing longshore

work in Charleston, which does not include the lift-equipment work. The dissenting judge concluded that the ILA's lawsuit sought to acquire work, not preserve it, and that the ILA failed to show any loss or threatened loss of work caused by the opening of the Leatherman Terminal. Accordingly, he concluded that the ILA failed to demonstrate that its lawsuit was work preservative.

The dissenting judge also concluded that the ILA's efforts were improperly directed at the SCSPA's customers (i.e., the carriers), which did not have the right of control over the work, rather than the SCSPA, which does control the work. As a result, he concluded that the ILA had engaged in unlawful secondary activity by exerting pressure on the carriers to have the SCSPA assign the lift-equipment work to ILA members.

On September 25, 2023, SCSPA filed a petition for a writ of certiorari with the Supreme Court of the United States seeking to challenge the court's majority decision. South Carolina State Ports Authority, et al. v. National Labor Relations Board, et al., No. 23-325 (U.S. Sept. 25, 2023). Briefs in support of the petition were filed by various parties, including the State of Georgia and the Georgia Ports Authority, the governors of the States of South Carolina and Georgia, and U.S. Senators Lindsey Graham and Tim Scott. Briefs in opposition to the petition were filed by the NLRB and the ILA followed by the SCSPA's reply brief. A decision on whether to grant the SCSPA's petition for certiorari should be issued in early 2024.

**ILA v. Hapag-Lloyd AG, Orient Overseas Container Line, Ltd., and USMX**

On August 3, 2023, the ILA filed in the United States District Court for the District of New Jersey a Petition to Compel Arbitration arising out of the Leatherman Terminal dispute. The petition names Hapag-Lloyd, OOCL, and USMX as Respondents. The petition relies upon provisions of the Master Contract, including the Containerization Agreement, to seek damages in the amount of \$500M, plus punitive damages and interest, for purported breaches of the Master Contract in connection with the ILA's demand that ILA members perform all the work at the Leatherman Terminal. The original December 18, 2023 deadline for Respondents to respond to the Petition to Compel Arbitration was extended at year end to allow the parties additional time to address issues raised in the Petition.

# 2023 REPORT OF COUNSEL

## 2023 FEDERAL LEGISLATIVE AND REGULATORY ACTIVITY

### FEDERAL LEGISLATION

In response to the supply chain crisis of 2022, several bills affecting the maritime industry were introduced in the 118th Congress, including:

#### **Ocean Shipping Antitrust Enforcement Act of 2023 (H.R. 1696)**

This legislation would eliminate antitrust exemptions that currently allow ocean common carriers to enter agreements on shipping rates, pooling arrangements, and shipping route allocations. The Port of NY/NJ Sustainable Services Agreement (PONYNJSSA), consisting of the six marine terminal operators (MTOs) operating in the Port of NY/NJ, responded to the effort to eliminate antitrust immunity and questioned the assertion that such action would ease port congestion or resolve existing supply chain challenges in written comments. The House Coast Guard Subcommittee held a hearing in March 2023 with testimony from carrier, stevedore, shipper, and port representatives but no further action had been taken on the bill by year end.

#### **Ocean Shipping Reform Implementation Act of 2023 (H.R. 1836)**

This bill would create a National Port Advisory Committee, consisting of five MTOs, five port authorities, and three longshore and maritime labor representatives, and a National Ocean Carrier Advisory Committee, consisting of nine ocean carriers. Twenty-two maritime industry representatives would be appointed by the Federal Maritime Commission (FMC) to advise the FMC on policies relating to the competitiveness, reliability, and efficiency of the international ocean freight delivery system. The bill was reported by the House Transportation Committee (H. Rept. 118-218) on September 26, 2023, and placed on the House calendar for further consideration.

#### **Ocean Shipping Competition Enforcement Act (H.R. 2710)**

This legislation would allow the FMC to block any agreement among ocean carriers and MTOs that is determined to be unreasonably anticompetitive without having to first obtain a court order. Currently the FMC reviews proposed agreements to ensure any such agreements are not unreasonably anticompetitive. However, the FMC cannot block an anticompetitive agreement without first obtaining

a court order. If the court fails to act in time, then the agreement takes effect. The bill was referred to the House Transportation Committee. There had been no further action on the bill at year end.

#### **Port Crane Security and Inspection Act of 2023 (H.R. 3169)**

Under this bill, container gantry cranes manufactured by a foreign adversary (for example, China) would be subject to the inspection of their cyber systems for potential security risks or threats before being placed into service at a United States port. Cranes already in place at U.S. ports that pose a security risk or threat would be taken offline until it could be certified that the cranes no longer pose a risk or threat. Ports would be barred from operating foreign manufactured cranes procured after enactment of the legislation and prohibited from operating foreign software five (5) years after the enactment of the bill. The bill was referred to the House Homeland Security Committee. A hearing was held in May 2023 with testimony from representatives of the U.S. Coast Guard, the Cybersecurity and Infrastructure Security Agency, and the Transportation Security Administration. There had been no further action on the bill at year end.



### DEPARTMENT OF LABOR

#### **Longshore and Harbor Workers' Compensation Act (LHWCA): Civil Monetary Penalty Procedures**

In September 2023, the DOL published a rulemaking that would revise the current procedures for imposing and appealing civil monetary penalties established by the LHWCA. The proposed rule focuses on the process used to assess civil penalties on entities that fail to report worker injuries accurately and timely. The changes also provide for individualized failure notices and additional opportunities to contest penalties. The matter was pending before the DOL at year end.

#### **New Overtime Rule**

In September 2023, DOL issued a rulemaking to update and to revise the regulations issued under the Fair Labor Standards Act implementing the exemptions from minimum wage and overtime pay requirements for executive, administrative, professional, outside sales, and computer employees. The proposed rule would increase the minimum salary level substantially from \$684 per week (\$35,568 per year) to \$1,059 per week (\$55,068 per year) – a \$20,000 increase. The proposed changes would leave the "duties" tests necessary to qualify for one of these exemptions intact. The matter was pending before the DOL at year end.



### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

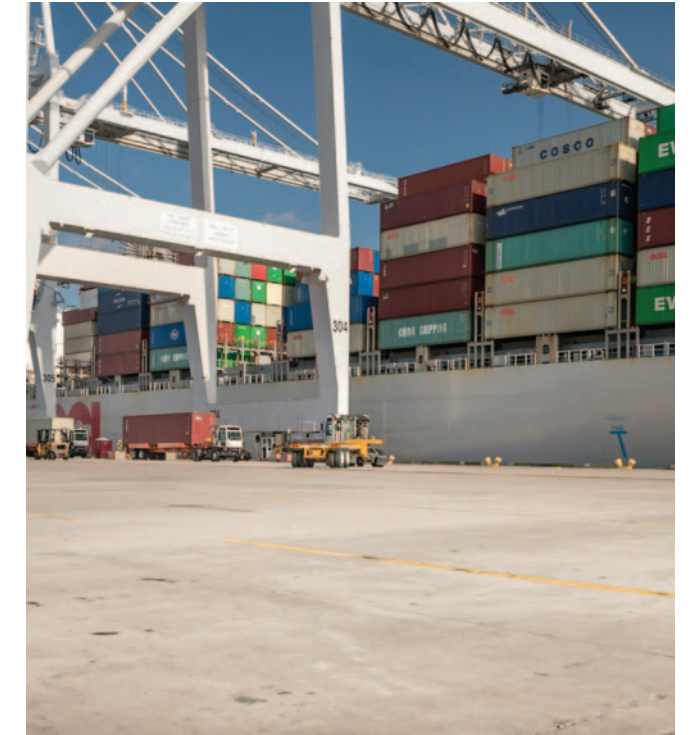
#### **Artificial Intelligence (AI)**

In April 2023, four federal agencies, including the EEOC, released a joint statement pledging to increase enforcement efforts to protect the public from bias in automated systems and artificial intelligence. The statement identifies several areas where automated systems can lead to illegal discrimination or violate other laws because the output of automated systems may be skewed by datasets that are unrepresentative or imbalanced, incorporate historical bias, or contain other types of errors.

# 2023 REPORT OF COUNSEL

#### **EEOC Technical Document on AI and Title VII; Presidential AI Executive Order**

In May 2023, the EEOC released a new AI technical assistance document that outlines considerations for incorporating automated systems into employment decisions. This cautions employers utilizing such systems to evaluate whether their hiring, promotion, and firing procedures have a disparate impact on a class protected under Title VII of the Civil Rights Act. President Biden signed Executive Order 14110 (EO) that advances the United States's policy framework regarding AI. The EO directs various federal agencies to take exploratory steps regarding the use of AI. In the employment area, the EO focuses on the effect of AI on immigration policy, civil rights issues, wage-and-hour compliance, and labor risks and opportunities.



#### **Proposed Enforcement Guidance on Harassment in the Workplace**

The EEOC released its revised enforcement guidance on harassment in the workplace, its first update on harassment since 1999. The new guidance reflects changes in the law, including a Supreme Court decision that held Title VII of the Civil Rights Act's prohibition on sex discrimination includes discrimination based on sexual orientation and gender identity. The guidance also addresses issues arising from the #MeToo movement and virtual and online harassment.



### FEDERAL MARITIME COMMISSION (FMC)

#### New FMC Rule Expands Carriers' Liability

In April 2023, the FMC amended its Rules of Practice and Procedure governing the compromise, assessment, mitigation, settlement, and collection of civil penalties. These amendments follow the statutory changes in OSRA 22 on penalties and refunds. Before OSRA 22, anyone violating the Shipping Act of 1984, or a regulation or order of the FMC issued pursuant to the Shipping Act, was liable for a civil penalty. OSRA 22 adds an additional remedy, that is, the refund to importers and exporters of a charge that is found to violate the Shipping Act, or any FMC regulation or order issued under that act, including overcharging for detention or demurrage, or issuing invoices with incorrect information.

### FEDERAL TRADE COMMISSION (FTC)

#### Non-Compete Clause Rule

In January 2023, the FTC published a proposed rule that would prohibit an employer's use of non-competition (non-compete) clauses in employment agreements and other employee contracts as an unfair method of competition, and unlawful under the FTC Act. It would be an unfair method of competition for an employer to enter into or attempt to enter into a non-compete clause with a worker; to maintain with a worker a non-compete clause; or, under certain circumstances, to represent to a worker that the worker is subject to a non-compete clause. The proposed rule would also require employers to rescind non-compete clauses

already in effect and preempt any state law that is more permissive in enforcement of non-compete restrictions. However, it would allow states' laws that are more restrictive of enforcement of non-compete restrictions. The proposed rule was still awaiting approval by the FTC at year end.

### NATIONAL LABOR RELATIONS BOARD (NLRB)

#### Non-Compete Agreements May Violate the NLRA

In May 2023, the NLRB General Counsel issued a memorandum to agency officials setting forth the view that the proffer, maintenance, and enforcement of non-compete provisions in employment contracts and severance agreements violate the National Labor Relations Act (NLRA), except in limited circumstances. The memorandum stated that overbroad non-compete agreements are unlawful because they chill employees from exercising their rights under Section 7 of the NLRA, which protects employees' rights to take collective action to improve their working conditions. They also affect employees' ability to quit or change jobs by cutting off their access to other employment opportunities. The memorandum was directed to the NLRB's Regional Directors, Officers-in-Charge, and Resident Officers but it does not constitute a final ruling. The memorandum instructs regional offices to submit cases involving non-competes to the Division of Advice, which will evaluate whether complaints should be issued. For the memorandum's legal position to become law, an NLRB decision, or an administrative rule in support of the General Counsel's position, must be issued.

#### NLRB "Joint Employer" Rule

In late 2023, the NLRB published its employee-friendly final rule for determining joint employer status, reversing an earlier 2020 employer-friendly regulation. The original December 26, 2023 effective date was postponed to February 26, 2024 to facilitate the resolution of already-filed legal challenges to the final rule. The rule will be applied only to cases filed after its effective date. The final rule revises the standard for determining whether two employers are joint employers within the meaning of the National Labor Relations Act and expands the factors that can establish a joint employment relationship to include indirect and unexercised control over the terms and conditions of a job. Employers would be considered joint employers if they co-determine "essential terms and conditions of employment," such as scheduling, wages, and benefits.

### Recent NLRB Decisions

The NLRB, which now reflects the current administration's pro-labor priorities, issued several significant decisions in 2023 regarding:

- NLRB Limits Non-Disparagement and Confidentiality Provisions in Severance Agreements (*McLaren Macomb*, 372 N.L.R.B. No. 58 (2023))
- NLRB Details Remedies for Egregious Employer Misconduct (*Noah's Ark Processors, LLC D/B/A WR Reserve*, 372 N.L.R.B. No. 80 (2023))
- NLRB Returns to Employee-Friendly and Lenient Standard for Evaluating Abusive Employee Workplace Misconduct (*Lion Elastomers*, 372 N.L.R.B. No. 83 (2023))
- NLRB Returns to 2014 Employee-Friendly Test for Determining Whether an Individual Is an Independent Contractor (*The Atlanta Opera, Inc.*, 372 N.L.R.B. No. 95 (2023))
- NLRB Adopts Employee-Friendly Standard for Assessing Lawfulness of Work Rules (*Stericycle, Inc.*, 372 N.L.R.B. No. 113 (2023))
- NLRB Adopts New Employee-Friendly Procedure for Union Recognition without an Election (*Cemex Construction Materials Pacific, LLC*, 372 N.L.R.B. No. 130 (2023))

Several of the NLRB's rulings are being reviewed by federal courts of appeal.

### OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

#### Enhanced Enforcement Guidance

In March 2023, OSHA implemented changes to its enforcement guidance that expands its authority to issue instance-by-instance (IBI) citations for certain serious violations of OSHA standards, which will multiply the associated penalties. The new guidance is intended to make OSHA's penalties more costly for employers who fail to comply with certain workplace safety and health mandates. The guidance changes cover enforcement activity within general industry and the agriculture, maritime, and construction industries. The maximum penalty for serious violations, other-than-serious violations, and posting-requirement violations increased in 2023 from \$14,502 per violation to \$15,625 per violation. The maximum penalty for willful or repeated violations increased in 2023 from \$145,027 per violation to \$156,259 per violation.

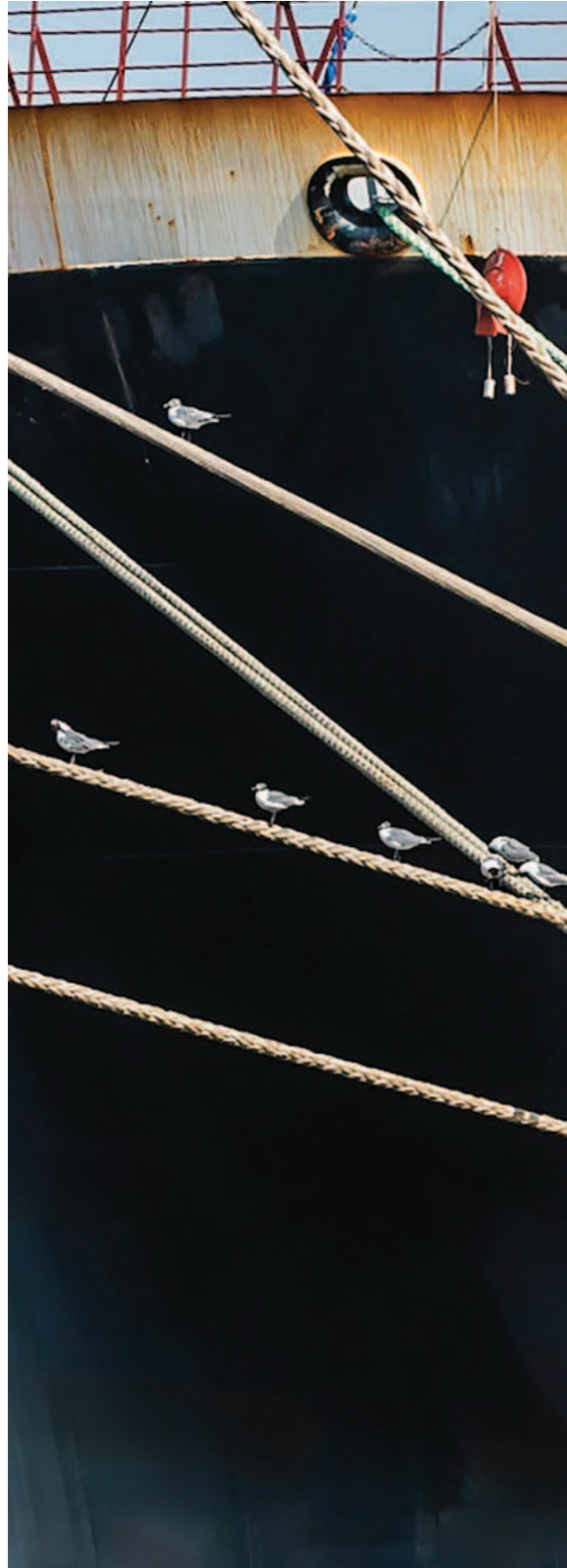




**Mediterranean Shipping Company (USA) Inc.**  
**Maersk North America**  
**Hamburg Süd North America, Inc.**  
**CMA CGM**  
**American President Lines, Ltd.**  
**Hapag-Lloyd (America), LLC**  
**COSCO SHIPPING Lines (North America) Inc.**  
**OOCL (USA) Inc.**  
**Ocean Network Express (North America) Inc.**

**Evergreen Shipping Agency (America) Corp.**  
**ZIM Integrated Shipping Services Ltd.**  
**Yang Ming (America) Corp.**  
**HMM Co., Ltd. (Americas)**  
**Atlantic Container Line**  
**Turkon America, Inc.**  
**Wallenius Wilhelmsen Logistics Americas, LLC**  
**Columbia Group**  
**ARKAS Container Transport Group S.A.**

## USMX CARRIER MEMBERS



### MSC MEDITERRANEAN SHIPPING COMPANY (USA) INC.

MSC Mediterranean Shipping Company has been headquartered in Geneva, Switzerland, since 1978. A world leader in container shipping, MSC has evolved from a one vessel operation into a globally respected shipping and logistics business with over 550 container ships and 70,000 staff. MSC's wide range of operations covers 155 countries across five continents, where MSC provides timely delivery of goods and services to local communities, customers and international business partners.

MSC calls at 500 ports on 200 trade routes, carrying some 21 million TEUs (twenty-foot equivalent units) annually, via one of the most modern and environmentally-friendly fleets.

The Company's international headquarters supervise a worldwide network of offices with each having responsibility for commercial and operational activities in their respective countries.

#### USMX PORTS OF CALL

Boston	Jacksonville
New York/New Jersey	Miami /Everglades
Philadelphia/Wilmington DE	Tampa
Virginia	Mobile
Wilmington, NC	New Orleans
Charleston	Houston/SP*
Savannah	



\*Surrounding Ports

## USMX CARRIER MEMBERS



### HAMBURG SÜD NORTH AMERICA, INC.

Since December 1, 2017, Hamburg Süd belongs to A.P. Moller-Maersk, and is, therefore, part of the global market leader. This offers many advantages to customers of the Hamburg Süd Group: the most extensive global network, an enlarged geographical scope, the largest fleet in the world, and a state-of-the-art equipment pool to ensure complete coverage of supply chain requirements and availability where needed.

Within the shipping industry, Maersk stands for strategic vision and a strong financial basis. At the same time, Hamburg Süd will remain a commercially independent company with its own brand values. The Hamburg Süd brand will continue to represent quality, reliability, and flexibility, in addition to providing a specific service offering with outstanding local expertise and personal contacts in over 250 offices worldwide

#### USMX PORTS OF CALL

New York/New Jersey	Jacksonville
Philadelphia/Wilmington DE	Miami/Everglades
Baltimore	Mobile
Virginia	New Orleans
Wilmington, NC	Houston/SP*
Charleston	
Savannah	



### MAERSK NORTH AMERICA

A.P. Moller - Maersk (Maersk) is an integrated logistics company working to connect and simplify its customers' supply chains. As a global leader in logistics services, the company operates in more than 130 countries and employs around 100,000 people. Maersk is aiming to reach net zero emissions by 2040 across the entire business with new technologies, new vessels, and green fuels.

Increasing complexity in global supply chains is making them inefficient, vulnerable, and unsustainable. At Maersk, our strategic vision is to become the global integrator, offering truly integrated logistics solutions that connect, protect and simplify our customers' supply chains.

Our purpose of 'Improving life for all by integrating the world' is prominently reflected in our role as leaders in the decarbonization of the maritime industry and our consistent investments into advanced and robust logistic solutions, aimed at equipping our customers for various type of disruption and ensuring the resilience of global supply chains.

#### USMX PORTS OF CALL

New York/New Jersey	Jacksonville
Philadelphia/Wilmington DE	Miami/Everglades
Baltimore	Tampa
Virginia	Mobile
Wilmington, NC	New Orleans
Charleston	Houston/SP*
Savannah	



## USMX CARRIER MEMBERS



### CMA CGM

Led by Rodolphe Saadé, the CMA CGM Group, a global player in sea, land, air and logistics solutions, serves more than 420 ports around the world across 5 continents, with a fleet of around 623 vessels. The Group transported 21.7M TEU containers in 2022. Its subsidiary, CEVA Logistics, transported 522,000 tons of air cargo and more than 22M shipments of inland freight. The CMA CGM Group air cargo division, CMA CGM AIR CARGO, is constantly innovating to provide customers a comprehensive and increasingly efficient offering, thanks to new shipping, inland, air freight and logistics solutions. Firmly committed to the energy transition in shipping and a pioneer in its use of alternative fuels, the Group has set a Net Zero-Carbon target for 2050.

Each year, via the CMA CGM Foundation, the Group supports thousands of children as part of its efforts to promote education for all and equal opportunities. The Foundation also intervenes in humanitarian crises requiring an emergency response by calling on the Group's shipping and logistics expertise to deliver humanitarian supplies around the world. Present in 160 countries through its network of more than 400 offices and 750 warehouses, the Group employs 155,000 people worldwide.



### AMERICAN PRESIDENT LINES, LTD.

APL, one of the world's leading ocean carriers, offers more than 120 weekly services and calls ports in over 70 countries worldwide. We provide container transportation through our international shipping network which combines high-quality intermodal operations with advanced technology, equipment and e-commerce.

Supporting APL's container shipping business is our Shared Service Centre (SSC) which provides support in the critical shipping processes of Customer Service, Operations, Finance and Accounting. SSC operates through four major hubs including Heredia, Costa Rica, Tallinn Estonia, Chongqing, China and Kuala Lumpur, Malaysia.

APL is part of the CMA CGM Group, a leading worldwide shipping group founded in 1978 by the late Jacques R. Saadé. CMA CGM has a global presence thanks to its numerous vessels calling various ports all over the world. CMA CGM has grown continuously, and has been constantly innovating to offer its clients new sea, land and logistics solutions. Headquartered in Marseille, France, APL has employees all over the world in hundreds of agencies.

#### USMX PORTS OF CALL

Boston	Savannah
New York New Jersey	Miami/Everglades
Philadelphia/Wilmington DE	Tampa
Baltimore	Mobile
Virginia	New Orleans
Wilmington, NC	Houston/SP*
Charleston	



#### USMX PORTS OF CALL

New York/New Jersey	Savannah
Philadelphia/Wilmington DE	Miami/Everglades
Baltimore	New Orleans
Virginia	Houston/SP*
Charleston	



### HAPAG-LLOYD (AMERICA), LLC

Hapag-Lloyd, a leading liner shipping company, operates a fleet of 264 modern container ships with a total transport capacity of 2.0 million TEU. In the Liner Shipping segment, it has 13,500 employees and 400 offices across 135 countries. The company boasts a container capacity of 2.9M TEU and offers 113 liner services connecting over 600 ports globally. In the Terminal & Infrastructure segment, Hapag-Lloyd has stakes in 20 terminals across Europe, Latin America, the United States, India, and North Africa, with approximately 2,600 employees managing terminal-related activities and providing logistics services.

Founded in 1970 following the merger of Hamburg-America Line (HAPAG) and Norddeutscher Lloyd (NDL), Hapag-Lloyd's history goes back well into the 19th century. In the last decade, after completing mergers with CSAV and UASC, Hapag-Lloyd has become the fifth-largest container liner shipping company in the world. With its Corporate Strategy, the company aims to increase its profitability and become the number one for quality for its customers. Hapag-Lloyd is constantly digitizing its business to offer customers transparent and conveniently available information.

#### USMX PORTS OF CALL

New York/New Jersey	Jacksonville
Philadelphia/Wilmington DE	Miami/Everglades
Baltimore	Mobile
Virginia	New Orleans
Wilmington, NC	Houston/SP*
Charleston	
Savannah	



## USMX CARRIER MEMBERS



### COSCO SHIPPING LINES (NORTH AMERICA), INC.

COSCO SHIPPING is a fully integrated ocean carrier and logistics provider serving every continent in the world. COSCO SHIPPING Lines has a total of 403 container vessels, with a total capacity of 2.2M TEUs, ranking 3rd place in the world, and 1st place in Asia. COSCO SHIPPING Lines continuously works to bring the quality standards of ocean shipping to even higher levels by expanding upon the widest ranging coverage to offer even better end-to-end logistics solutions and by accelerating the pace of digitalization through the use of evolving technology.

Our commitment to our customers, that We Deliver Value, is made possible and measurable by remaining transparent and adaptable to the constantly changing qualities of commerce.

#### USMX PORTS OF CALL

Boston	Miami/Everglades
New York/New Jersey	Tampa
Baltimore	Mobile
Virginia	New Orleans
Charleston	Houston/SP*
Savannah	



## USMX CARRIER MEMBERS



### OOCL USA, INC.

"Orient Overseas Container Line" and "OOCL" are trade names for transportation provided separately by: Orient Overseas Container Line Limited ("OOCL") and OOCL (Europe) Limited respectively and both are wholly-owned subsidiaries of Orient Overseas (International) Limited, a public company (0316) listed on the Hong Kong Stock Exchange. OOCL is one of the world's largest integrated international container transportation and logistics companies. As one of Hong Kong's most recognized global brands, OOCL provides customers with fully-integrated logistics and containerized transportation services, with a network that encompasses Asia, Europe, the Americas, Africa and Australasia.

OOCL is well respected in the industry with a reputation for providing customer-focused solutions, quality services and continual innovation. OOCL is one of the leading international carriers serving China, providing a full range of logistics and transportation services throughout the country. It is also an industry leader in the use of information technology and e-commerce to manage the entire cargo process.



### OCEAN NETWORK EXPRESS (NORTH AMERICA) INC.

OCEAN NETWORK EXPRESS (ONE) was established on July 7, 2017 by the integration of the containership business sectors of "K" Line, MOL and NYK. The Holding company was set up in Japan on July 7, 2017 and simultaneously a business management company was established in Singapore. Regional headquarters were also established in Singapore, Hong Kong, London, Sao Paulo, and Richmond, Virginia, and services commenced in April 2018.

In April 2017, "K" Line, MOL and NYK, started services as "THE Alliance" with other major shipping companies. Ocean Network Express continues to provide services as a member of this alliance.

As a result of the integration, our fleet size is 1,590,000 TEUs, the 6th largest in the world (as of January 2020). Operations are performed through a fleet of 224 vessels, including 31 super-large ships, such as the world's largest 20,000-TEU container ships, in a service network covering over 120 countries around the globe. AS ONE, WE CAN.



### EVERGREEN SHIPPING AGENCY (AMERICA) CORP.

For more than 50 years, Evergreen Line has been providing responsible, reliable service with a commitment to the issues that impact the economic and environmental well-being of the port communities it calls. Along with new service enhancements that broaden opportunities between Asia, the Caribbean and the US Gulf, the company currently serves six continents and a full-range of North American ports.

A leading member of the East/West trade's Ocean Alliance, Evergreen Line has the ability to provide cargo space on 353 vessels to 87 ports with 379 port calls per week. The global network offers 315 offices and agents located in 120 countries. Evergreen itself services more than 150 trade lanes weekly, with 211 vessels calling more than 300 terminals globally and offering approximately 1.66M TEUs of cargo space.

As North American agent for the Taiwan-based global ocean carrier, Evergreen Shipping Agency (America) Corporation represents the U.S. East and Gulf Coast concerns so vital to USMX members.



### ZIM INTEGRATED SHIPPING SERVICES LTD.

In the fast-changing shipping world, ZIM Integrated Shipping Services has set itself apart as an independent carrier with a fresh, unique approach. ZIM's strategy as a global niche carrier offers distinctive advantages to customers worldwide. We have created a smart, efficient network that ensures stable, reliable services; and we have made it our mission to focus on the needs of our customers, which stand at the heart of all our decisions.

ZIM operates in select trades, where it has a competitive advantage and where it can provide superior service. In these trades, ZIM is a significant player with a sizable market share. We make the most of our flexibility and creativity to provide premium services and solutions adapted to our customers' evolving needs. Our professionalism is built on decades of experience and skill, and a history as trailblazers in the container shipping business.

#### USMX PORTS OF CALL

Boston	Savannah
New York/New Jersey	Miami/Everglades
Baltimore	Mobile
Virginia	New Orleans
Charleston	Houston/SP*



#### USMX PORTS OF CALL

New York/New Jersey	Savannah
Philadelphia/Wilmington DE	Jacksonville
Baltimore	Miami/Everglades
Virginia	Mobile
Wilmington, NC	New Orleans
Charleston	Houston/SP*



\*Surrounding Ports

#### USMX PORTS OF CALL

Boston	Miami/Everglades
New York/New Jersey	Tampa
Baltimore	Mobile
Virginia	New Orleans
Charleston	Houston/SP*
Savannah	



#### USMX PORTS OF CALL

Boston	Savannah
New York/New Jersey	Jacksonville
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Baltimore	Tampa
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Wilmington, NC	New Orleans
Charleston	Houston/SP*



## USMX CARRIER MEMBERS



### YANG MING (AMERICA) CORP.

Yang Ming Marine Transport Corp. (Yang Ming) was established on December 28, 1972 and headquartered in Keelung City, Taiwan. With decades of maritime transport experience and the focus on the container shipping business, we provide 107 weekly services worldwide. Being an international shipping service provider, we service our global customers in a selection of 241 subsidiaries in 100 countries. In order to effectively respond to local markets and closely connect to our customers, we have regional centers strategically set up in USA, Panama, Germany, Greece and Dubai.

At the end of March 2020, we have 94 full-container vessels with a total capacity of 640,000 TEUs deployed in our global service network. Through continuous service improvement and the strategic partnership in The Alliance, we have expanded services and shortened transit time greatly. Being committed to customer satisfaction has enabled Yang Ming to deliver top-notch transport experience and continue to provide a reliable and comprehensive service network to our customers around the world.



### HMM CO., LTD. (AMERICAS)

HMM is a global integrated logistics company providing the best transport services. Our professionally skilled and experienced staff provide customers with world-class transportation services via more than 100 state-of-art vessels and various logistics facilities that span a worldwide network of ports together with industry-leading IT systems. HMM provides many types of shipping services. Since launching our first service with three VLCCs (Very Large Crude Carriers) in 1976, HMM has substantially expanded into the world-class integrated logistics service provider by adding various types of vessels – container ships, bulk carriers, trampers, heavy lifts, and special product carriers.

HMM has a vast global network supported by three regional headquarters, 23 subsidiaries, 58 branch offices and three container terminals. Backed by these competencies, HMM is leading the global shipping markets, where cross-border competition intensifies each day.



### ATLANTIC CONTAINER LINE

Atlantic Container Line (ACL), a Grimaldi Group Company, is the most experienced carrier of Containers and Roll-on/Roll-off cargo with four transatlantic services each week. ACL operates the world's newest, greenest and largest CONRO vessels which offer 100% cell-guides for containers, both above and below deck and 100% underdeck RORO stowage. ACL's unique ships can accommodate any size, weight or shape of oversized cargo to just about any place in the world. The Company is headquartered in Westfield, New Jersey with offices throughout Europe and North America.

Atlantic Container Line offers the most versatile service options to and from North America and Europe. Our new innovative G4 CONROs have doubled their capacity for handling containers, RORO, breakbulk and vehicles. We offer a wide selection of direct port calls ensuring fast door-to-door transit times.

## USMX CARRIER MEMBERS



### TURKON AMERICA, INC.

Turkon Line, established in 1997, is the first dedicated Turkish Company providing container transportation and logistics services between Turkey and the USA, North Europe and the Mediterranean, as well as direct service to/from Turkey, Egypt and the USEC with eight connecting services operated in several intra-Mediterranean, Black Sea and North Europe trades.

Turkon Line continues its activities in various parts of the world by serving 38 ports in 4 continents with 19 agencies, and 37 agency offices in 23 countries. It is a well known container line located in the East Mediterranean.

Turkon Line's USA Headquarters for commercial and operations, is in Secaucus, New Jersey, with branch offices in Norfolk, Virginia and Savannah, Georgia.

#### USMX PORTS OF CALL

New York/New Jersey	Jacksonville
Philadelphia/Wilmington DE	Miami/Everglades
Virginia	Mobile
Wilmington, NC	New Orleans
Charleston	Houston/SP*
Savannah	



#### USMX PORTS OF CALL

New York/New Jersey	Charleston
Baltimore	Jacksonville
Virginia	Mobile
Wilmington, NC	New Orleans
Savannah	Houston/SP*



\*Surrounding Ports

#### USMX PORTS OF CALL

New York/New Jersey  
Philadelphia/Wilmington DE  
Baltimore  
Virginia  
Savannah  
Houston/SP\*



#### USMX PORTS OF CALL

New York/New Jersey  
Baltimore  
Virginia  
Savannah





## USMX CARRIER MEMBERS



### WALLENIUS WILHELMSEN LOGISTICS AMERICAS, LLC

The Wallenius Wilhelmsen group is a market leader in roll-on/roll-off (RoRo) shipping and vehicle logistics, managing the distribution of cars, trucks, rolling equipment and breakbulk to customers all over the world.

The company operates around 125 vessels servicing 15 trade routes to six continents, a global inland distribution network, 66 processing centers and eight marine terminals.

Headquartered in Oslo, Norway, the Wallenius Wilhelmsen group has 8,875 employees in 29 countries worldwide.



### COLUMBIA GROUP

The Columbia Group of Companies was founded in 1990 with its successful all-water container barge service, Columbia Coastal Transport. The company began with one barge and one service operating between New York and Boston. Over 30 years later, the company is recognized as the premier container barge feeder operator in the United States, and the greenest and most efficient mode of container transportation available today. In addition, the company has expertise in handling project, government and military cargoes. Presently, the company operates three U.S. flag barges engaged in services in the New England, Mid-Atlantic and Chesapeake regions.



### ARKAS CONTAINER TRANSPORT S.A.

EMES Shipping and Transport S.A. was established in July 1996 in order to offer the first container shipping line of our country under the Turkish flag. As of January 1, 2010, the name was changed to Arkas Container Transport S.A. and continues to provide services under the brand name "Arkas Line".

The Arkas Line container fleet has 126.500 TEUS with the following types: "open top", "high cube", "flatrack", "palletwide" and "reefers", all of which are used on regular service between ports on the Mediterranean, West Africa, North America and the Black Sea with its fleet of 20 vessels operated by Arkas.

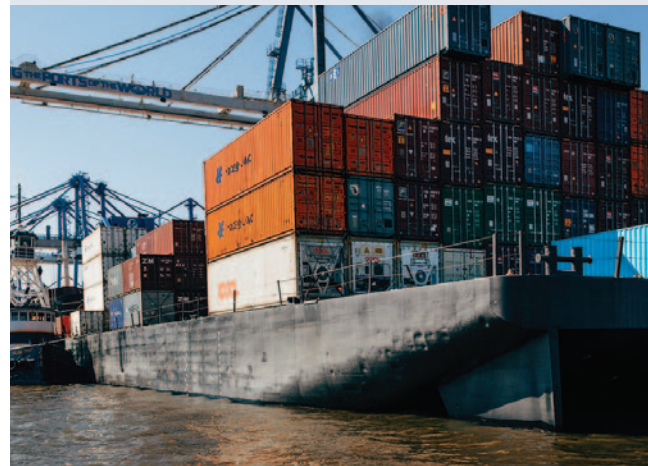
#### USMX PORTS OF CALL

Savannah



#### USMX PORTS OF OPERATION

Boston	Savannah
New York/New Jersey	Miami/Everglades
Philadelphia	Tampa
Wilmington DE	Mobile
Baltimore	New Orleans
Virginia	Houston/SP*
Charleston	



\*Surrounding Ports

#### USMX PORTS OF CALL

New York/New Jersey  
Virginia  
Savannah



## USMX CARRIER MEMBERS



**The Boston Shipping Association, Inc.**

**The Shipping Association of New York & New Jersey**

**Ports of the Delaware River Marine Trade Association, Inc.**

**Steamship Trade Association of Baltimore, Inc.**

**Hampton Roads Shipping Association, Inc.**

**South Carolina Stevedores Association, Inc.**

**Georgia Stevedore Association, Inc.**

**Jacksonville Maritime Association, Inc.**

**Southeast Florida Employers' Port Association, Inc.**

**West Gulf Maritime Association, Inc.**



## USMX PORT ASSOCIATION MEMBERS

### THE BOSTON SHIPPING ASSOCIATION INC.

**ABOUT THE BOSTON SHIPPING ASSOCIATION (BSA):** The Boston Shipping Association, commonly known as "BSA", established in 1946, was founded to administer the newly created fringe benefits coming into Union contracts for the first time. On behalf of its employer members, the BSA facilitates collaboration between its members, labor unions and maritime stakeholders, negotiates and administers union collective bargaining agreements, and serves as plan administrator for several ILA employee benefit funds. Through its actions the BSA seeks to encourage the protection and growth of maritime industries in the Port of Boston and emphasize the safety of maritime businesses and their workers.

**CONLEY CONTAINER TERMINAL:** Conley Container Terminal is the only full-service container terminal in New England. With the completion of the Boston Harbor Dredging Project, which began in 2016, Conley Terminal is now capable of servicing 14,000-TEU vessels, and the large tankers that carry dry bulk and petroleum can better access terminals along Chelsea Creek. Six shipping lines call upon Conley and they include MSC, Zim, Costco, Evergreen, OOCL, and CMA CGM. The Terminal's total volume for FY23 was 58% higher than its FY22 total volume. Conley Terminal's economic impact to the region has doubled since 2012. The efficiency of Conley Terminal's service to its customers is a direct result of collaboration between the BSA, ILA and Massport and is a key factor behind increased productivity at the facility. Conley's average truck turn times from pedestal to pedestal are approximately 35 minutes and Conley is located less than two miles from two major interstate highways.



**FLYNN CRUISEPORT AT BLACK FALCON TERMINAL:** Flynn Cruiseport Boston saw 373,203 passengers and 149 ships visit the terminal in 2023, including 58 homeport vessels and 91 port of calls. Cruise lines that currently homeport in Boston include Norwegian Cruise Line, Holland America, Celebrity Cruises, and Royal Caribbean International. Flynn Cruiseport generates more than \$135M to the local economy and supports approximately 2,200 jobs throughout the Massachusetts travel and tourism community. Pre-pandemic, Flynn Cruiseport served a record 402,346 passengers on 138 ships in 2019.

**BOSTON AUTOPORT: SEAFOOD** The Boston Autoport processed approximately 34,000 cars during calendar year 2023, with Ports America overseeing the ILA workforce. Situated on the same property as the Autoport are robust cement and salt import facilities that provide more job opportunities for ILA workers and serve as an important gateway for salt needed for safe winter driving and cement required for the post-pandemic revitalization of the Boston area construction industry. The Port of Boston, specifically South Boston, is a major U.S. hub for processing seafood for domestic and international markets. In 2023, Conley Terminal seafood imports were valued at \$427,517,026 (57,381,503KGS) and exports were valued at \$43,145,667 (13,510,770KGS).



# USMX PORT ASSOCIATION MEMBERS

## THE SHIPPING ASSOCIATION OF NEW YORK & NEW JERSEY

2023 was a year where the pendulum of volume in the Port of New York and New Jersey finally recalibrated itself after nearly three years of unprecedented growth during the Covid-19 pandemic. I think we were all looking forward to a breather from the challenges of an overstressed supply chain, but it would have been nice if the breather didn't come as quickly and abruptly as it did. Gone are the frequent weekend gate operations and long dwelling import containers at the marine terminals which pushed utilization levels up to maximum levels. Also gone are the mountains of empty containers which needed to be stored off-dock tying up valuable chassis inventories creating chassis shortages. From a Shipping Association perspective, the most difficult challenge we faced in 2023 was finding work for the people we recruited and trained to handle the cargo peak experienced during the pandemic. This challenge remains but we are adjusting our policies to allow these workers to find other temporary employment during non-peak periods. On the positive side, from a labor perspective we are well positioned for growth when it will inevitably return.

Although volume took a breather, 2023 was a watershed year for the association and our never-ending journey to modernize port operations. After years of working to modernize port oversight, it took the United States Supreme Court to side with the State of New Jersey and permit their withdrawal from the Waterfront Commission Compact. Oversight for New Jersey has been

placed under the professional, capable, and well-resourced New Jersey State Police. The Association worked closely with the NJ State police to ensure a smooth and productive transition of the WC responsibilities. The seamless transition finally took place July 17, 2023. The early returns of this change are already being seen in improved speed of background checks and system implementations replacing antiquated processes. New York and their minor share of work in the port will continue to be overseen by a scaled down Waterfront Commission of New York. The Shipping Association was also successful in prying loose the financial reserves accumulated by the Waterfront Commission away and redistributing them to industry.

2023 also saw the renegotiation and tentative agreement of the NYS/ILA local New York and New Jersey collective bargaining agreement. Although United States Maritime Alliance / ILA contract talks stalled, this agreement is in place for when the USMX agreement is concluded. Key conditions of the new agreement include a revised Productivity Improvement Process. Eliminating absenteeism was also a top priority and new agreement finally has provisions to address this issue. With larger vessels calling the port which often have to sail at



# USMX PORT ASSOCIATION MEMBERS

## THE SHIPPING ASSOCIATION OF NEW YORK & NEW JERSEY

high-water, new vessel start times were also implemented reducing waiting time for these larger vessels. We look forward to the completion of the USMX agreement to begin to fully implement all aspects of the new agreement.

As we move into 2024, challenges abound. The drought impacting Panama Canal capacity will pose a challenge to volumes for the entire East Coast of the United States. Geopolitical conflict in the Middle East is having an impact on Suez Canal transits. Lastly and most important will be an early conclusion to East Coast Master Contract negotiations to give the market confidence in the gateway. However, regardless of whatever challenges we face and to what extent they will be, the Port of New York and New Jersey will continue Navigating the Waves of Change.

### Container Terminals

- Port Newark Container Terminal – Port Newark, NJ
- Maier Terminals – Elizabeth, NJ
- APM Terminals – Elizabeth, NJ
- GCT New York Terminal – Staten Island, NY
- GCT Bayonne Terminal – Jersey City, NJ
- Red Hook Container Terminal – Brooklyn, NY

### Berth capabilities

- Berth 23 – Offers on-dock rail and direct access for trucks without height restrictions.
- Berth 17 – Offers direct access for trucks without height restrictions.
- Berth 25 – Offers on-dock rail and direct access for trucks without height restrictions.



# USMX PORT ASSOCIATION MEMBERS

## PORTS OF THE DELAWARE RIVER MARINE TRADES ASSOCIATION



### Our Mission

The Philadelphia Marine Trade Association was incorporated in 1947 – providing over 75 years of service to the Delaware River port community. In its early years, the mission was to promote the interest of the Delaware, Southern New Jersey, and Southern Pennsylvania ports. Decades later, the Ports of the Delaware River Marine Trade Association (PMTA) represents all the International Longshoremen’s Association (ILA) employers operating at Delaware River Facilities.

### Our Values

- Assisting the membership in solving maritime problems, particularly those involving the hiring of waterfront labor
- Maintaining harmony between management and labor

- Fostering just and equitable principles and practice between labor and management in the maritime industry
- Assisting in labor disputes and in the negotiation of collective bargaining contracts by management, as well as the interpretation and administration of labor contracts
- Promoting safety in the working of cargoes at the ports and to generally work for the betterment, expansion, and prosperity of the port with the emphasis on labor relations
- Contributing to not-for-profit organizations that would further the interest of the membership, and of the Ports of Delaware, Southern New Jersey, and Southeastern Pennsylvania



# USMX PORT ASSOCIATION MEMBERS

## STEAMSHIP TRADE ASSOCIATION OF BALTIMORE



STEAMSHIP TRADE ASSOCIATION  
OF BALTIMORE, INC.

The Steamship Trade Association of Baltimore is committed to providing quality, timely and professional service to member companies. Core services include labor management relations, payroll processing, work hours database management, establishing a concentrated trained workforce, and promoting maritime trade in a safe, positive, technologically advanced environment.

### The main terminals in the Port of Baltimore where ILA Labor is utilized:

**Dundalk Marine Terminal** 570 acres, 13 Berths

**Cargo includes:** Automobiles, Breakbulk, Wood Pulp Containers, Roll-On Roll-Off equipment including farm, construction, earth moving, and other project equipment  
**Resources include:** Four 40-long-ton container cranes, 8 miles of rail, Ten sheds providing almost 800,00 ft<sup>2</sup>

**Seagirt Marine Terminal** 320 Acres, 4 Berths

**Cargo includes:** Containers  
**Resources:** Access to CSX’s 68-acre Intermodal Container Transfer Facility (ICTF) for rail access

**Fairfield/Masonville Marine Terminal** 150 Acres, 2 Berths

**Cargo includes:** Automobiles, Light Trucks  
**Resources include:** CSX rail spur

**North Locust Point Marine Terminal** 90 Acres, 5 Finger Piers

**Cargo includes:** Wood Pulp, Lumber, Steel, Paper, Containers  
**Resources:** One 45-long-ton Container Crane with steel-handling capability, Direct connection to terminal by CSX

**South Locust Point Marine Terminal** 79 Acres, 3 Berths

**Cargo includes:** Forest Products, Automobiles  
**Resources:** One 100-short ton Revolving Gantry Crane, Direct connection to terminal by CSX

**Cruise Maryland Terminal** 19 Acres, 1,139-foot Berth

**Cruise Passenger Terminal Resources:** Adjacent to South Locust Marine Terminal, 1,538 Parking Spots, Located directly off on an exit for Interstate I-95

**Cruise lines include:** Royal Caribbean International, Carnival Cruise Line, Norwegian Cruise Line

### Tradepoint Atlantic

Tradepoint Atlantic is formerly Bethlehem Steel Mill which was demolished and transformed into a 3,300-acre maritime logistics development that has been growing rapidly. Resources there include rail access, large distribution warehouses, a new automobile processing facility, and access to water currently with one berth. Recently, a major announcement was made about a large future container terminal coming to Tradepoint Atlantic Cruise Line.



## USMX PORT ASSOCIATION MEMBERS

### HAMPTON ROADS SHIPPING ASSOCIATION, INC.

HRSA provides necessary and valuable representation and services on behalf of its member employers. In addition to its work in local labor relations in Hampton Roads, HRSA represents the interests of its member employers through its participation in the U.S. Maritime Alliance (USMX), which negotiates and addresses coastwise labor matters with the ILA from Maine to Texas. In these capacities, HRSA is a cornerstone of the operational, commercial, and strategic success of the Port of Hampton Roads.

The HRSA by-laws state the purpose of the Association shall be to promote the interests of the Port of Hampton Roads, and to further the common interest of those business establishments which are directly engaged in or render services to the maritime trade in the Port of Hampton Roads and particularly those who hire, directly or indirectly, water-front labor; to make periodic gifts to not-for-profit organizations which would further the interests of the membership and of the Port; to render assistance to the membership in the solution of maritime problems, and more particularly those arising out of the hiring of waterfront labor; to maintain harmony between management and labor; to foster just and equitable principles and practices between labor and management in the maritime industry; to

assist in the negotiation of collective bargaining contracts between labor and management, and serve as the collective bargaining representative for the members of the Association; to adjust labor disputes; to interpret and administer labor contracts; to participate in the arbitration of disputes that might arise under labor contracts; to promote safety in the working of cargoes in the Port of Hampton Roads and to generally work for the betterment, expansion and prosperity of the Port of Hampton Roads with the emphasis in the field of labor relations.

HRSA works to protect and to advance the mutual and common interests of its member companies, which membership is exclusive to the relatively small number of direct and indirect employers of the unionized labor who make up the approximately 2,500 active members of the International Longshoremen's Association (ILA) in Hampton Roads. HRSA's member companies employ ILA labor primarily in the handling of the imported and exported containerized cargo at marine terminals owned or operated by the Virginia Port Authority (VPA).



## USMX PORT ASSOCIATION MEMBERS

### SOUTH CAROLINA STEVEDORES ASSOCIATION



#### 2023 Membership

The South Carolina Stevedores Association (SCSA) represents the following:

#### Operating Direct Employers

Ceres Marine Terminals  
Charleston Stevedoring Company  
Ports America  
Metro – Southeast Crescent  
SSA Atlantic

#### Associate Members

Charleston Gate Company  
Charleston Line Handlers

#### Port Projects

##### ■ Hugh K. Leatherman Terminal

South Carolina Ports Authority has petitioned the United States Supreme Court to hear the case.

#### Existing Terminal Modernization and Infrastructure Projects

- Barbara Melvin mentioned during her State of the Port address that SC Ports is working with SCDOT to raise the Don Holt Bridge to allow for larger vessels to call North Charleston Terminal. During this project, SC Ports will be improving and modernizing North Charleston Terminal.
- Tideworks TOS (Terminal Operating System) expected to be implemented at North Charleston Terminal in Q1 of 2024 and at the Wando Welch Terminal in Q3 of 2024.
- Expansion of inland port in Greer underway due to increase of volume moving through the facility. The project will double the facility's capacity and enhance rail capabilities.
- Construction of the new Navy Base Intermodal Facility, adjacent to Hugh K. Leatherman Terminal, is underway and is expected to open in July 2025.



# USMX PORT ASSOCIATION MEMBERS

## GEORGIA STEVEDORE ASSOCIATION



GSA's mission is continued dedication to labor-management relations, enforcing safe practices while working on the waterfront, and maintaining our safety/training programs to ensure economic growth and prosperity for our members, southeast Georgia, and all stakeholders of the Georgia Ports.

### 2023 TONNAGE UPDATE

- The Port of Savannah ended Calendar Year 2023 with a total of 4.9M TEUs, a decrease of 16% compared to Calendar Year 2022.
- The Port of Brunswick handled a record 775,565 units of autos and machinery in Calendar Year 2023, an increase of 15.6% over the previous year.

### PORT PROJECTS

#### Port of Brunswick Improvements

Brunswick expansion includes near-dock warehousing serving auto and machinery processing at Colonel's Island Terminal, three new warehouses built, new processing centers finishing over the next few months, 122 acres of new Roll-on/Roll-off cargo storage space, and a 4th Ro/Ro berth officially entering the engineering phase.



#### Savannah Transload Facility

Operated by NFI, the facility opened in December 2023 and moves goods from containers to over-the-road trailers for faster, more efficient delivery.

### INFRASTRUCTURE

#### CB-1 Realignment

Container Berth 1 at Garden City Terminal re-opened in July 2023, allowing the Port of Savannah to simultaneously serve four 16,000 TEU vessels, increasing annual berth capacity by 25% or 1.5M TEUs.

#### New Ship-to-Shore Cranes

The Port of Savannah received a total of 8 ship-to-shore cranes throughout Calendar Year 2023. The new cranes are the largest on the U.S. East coast, with capabilities of serving 22,000 TEU vessels.

#### Equipment

- 198 rubber-tired gantries (RTGs) between Garden City Terminal and Ocean Terminal.
- 34 ship-to-shore (STS) cranes.
- 10 rail mounted gantry (RMG) cranes.

# USMX PORT ASSOCIATION MEMBERS

## JACKSONVILLE MARITIME ASSOCIATION, INC.



The Jacksonville Maritime Association (JMA) negotiated and administers both the local and district contracts, and all issues that may arise from them, including equipment and hazmat training; safety; certifications; port issues; drug policies and testing; and local benefits, such as pensions and weekly indemnity. Located in Florida's largest container port and one of the nation's largest vehicle-handling ports, JAXPORT offers competitive transit times to over 140 ports in more than 70 countries.

With seamless transportation options, including 100 trucking firms and 40 daily trains via Class I railroads CSX and NS, as well as the regional rail line FEC, JAXPORT ensures efficient movement of goods. Their experienced sales team can also help develop personalized plans to benefit businesses.

JAXPORT's on-dock warehousing spanning 1M square feet is advantageous for breakbulk cargo such as lumber, paper rolls, wood pulp, steel, and other metals. The skilled workforce in

Jacksonville is experienced in handling forest products, including logs, lumber, paper products, and wood pulp. For high and heavy equipment, JAXPORT's cargo experts are trained to securely and safely move construction, mining, and agriculture equipment. The port's dedicated heavy lift berth offers a high load capacity of 1,800 pounds per square foot, along with on-dock rail and high and wide clearances.

JAXPORT also caters to bulk cargo, providing over 40 acres of dedicated space for dry bulk shipments and 324,000 barrels of capacity for liquid bulk cargo. Additionally, JAXPORT and its partners are pioneers in the transportation of Liquefied Natural Gas (LNG), offering an efficient off-pipeline fuel supply chain.

Being one of the 17 Strategic Ports designated to move military cargo in the United States, JAXPORT plays a vital role in supporting military operations.



## USMX PORT ASSOCIATION MEMBERS

### SOUTHEAST FLORIDA EMPLOYERS PORT ASSOCIATION



PortMiami is one of America's fastest-growing global gateways. It contributes more than \$43 billion annually to Miami-Dade County's local economy and supports over 334,500 jobs in Florida. Located at the crossroads of north-south and east-west trade lanes and with big-ship capabilities, PortMiami serves ocean carrier customers by linking worldwide markets with U.S. consumers and producers.

PortMiami also serves the cruise industry by providing impeccable customer service to millions of cruise travelers,

making it the undisputed Cruise Capital of the World. With its numerous capital development projects, including the launch of a NetZero program, PortMiami will continue to meet the needs of the cargo and cruise industries for generations to come.

Our business plan and quarterly performance reports outline PortMiami's strategic alignment, performance measures as well as our ongoing progress toward meeting those objectives. The documents include a table of organization that defines the reporting relationships within the department.



Port Miami

## USMX PORT ASSOCIATION MEMBERS

### WEST GULF MARITIME ASSOCIATION



Organized in 1968, the West Gulf Maritime Association succeeded former local maritime associations in Houston, Galveston and Brownsville, Texas. The West Gulf Maritime Association embraced within one non-profit association the membership of steamship owners, operators, agents along with stevedoring, and terminal companies located in all Texas ports and the Port of Lake Charles, Louisiana. Today, the Association has grown to over 200 members throughout the Gulf Coast.

WGMA negotiates and administers various multi-employer collective bargaining agreements with the International Longshoremen's Association. Headquartered in Houston, Texas, the West Gulf Maritime Association provides payroll and payroll support services for stevedores operating under the collective bargaining agreements. Last year alone, WGMA processed

almost \$400M in gross payroll for over 8,000 longshore workers. In addition, WGMA processes grievances and coordinates the training of workers to promote a safe and efficient working environment for all.

The West Gulf Maritime Association communicates and coordinates with various governmental entities throughout the West Gulf. We also provide a forum for discussions and exchange of information between member companies. Our Daily Industry Update Report also provides members with information impacting our industry.

Through a wide variety of services, the West Gulf Maritime Association is an active advocate and liaison for the maritime industry.



Port of Houston





# USMX DIRECT EMPLOYER MEMBERS



**APM Terminals North America, Inc.**  
**Ceres Terminals Incorporated**  
**Charleston Stevedoring Company, LLC**  
**Cooper/Ports America, LLC**  
**CP&O, LLC**  
**Gateway Terminals, LLC**

**GCT USA**  
**Maher Terminals, LLC**  
**New Orleans Terminal LLC**  
**Ports America**  
**SSA Atlantic, LLC**  
**Virginia International Terminals, LLC**

## USMX DIRECT EMPLOYER MEMBERS



### APM TERMINALS NORTH AMERICA

The ambition of APM Terminals is to be the "World's Best Terminal Company." We plan to achieve this by constantly lifting the standard of customer experience at each of our 62 ports and container terminals around the globe. We serve shipping line and landside customers, seamlessly integrating land and sea to ensure supply chains are safe and undisrupted.

APM Terminals in North America has four terminals serving the U.S. market: APM Terminals Elizabeth at the Port of New York/New Jersey; South Florida Container Terminal at the Port of Miami, Florida – a joint - venture with Terminal Link; APM Terminals Mobile at the Port of Mobile, Alabama; and APM Terminals Pier 400, Los Angeles.

Our port labor partnerships play a vital role in our company with a tremendous emphasis on our working relationships nationally and locally with the ILA Leadership and membership. The safety of our labor force is essential. We have a tremendous emphasis on safe operations at all our terminals to ensure our port labor is safe and protected — as well as the users of our terminals who visit us every day.

Importantly, our focus on lifting standards extends to the sustainability of our terminals and operations. We are firmly committed to be net zero by 2040 and, to get us there, we have defined a pathway to decarbonisation made possible by energy optimization, electrification, and increased use of renewable energy. Together we can make the future of global trade more sustainable.



### CERES TERMINALS INCORPORATED

Ceres Terminals Incorporated is one of North America's premier stevedoring and terminal operating companies. The Company's strong reputation is based on determination and commitment to excellence and reinforced by the people of Ceres who make customer satisfaction a daily objective.

Ceres established its corporate headquarters in Nashville, Tennessee and achieved strength through diversification. It has experienced rapid growth in both the cargo handling and cruise sectors. Most of Ceres' business consists of Containers, RORO, Automobiles, Breakbulk, Bulk and Project cargoes as well as managing world class container terminals throughout North America.

Ceres Terminals Incorporated has developed a distinguished, quality track record that is unsurpassed in the transportation Industry. The Company is a member of Green Marine, an environmental certification program for the North American marine industry as well as a participant in the U.S. Customs & Border Protection's C-TPAT Program.



### CHARLESTON STEVEDORING COMPANY, LLC

CSC is located in Charleston, South Carolina and is engaged in the provision of stevedoring and cargo handling services at all local container Ports. Established in 2020, the organization utilizes its extensive expertise and operational diversity to deliver the highest quality, value-added benefits to its customers. CSC strives to be a leader in the stevedoring space. What separates CSC from its competition is its outstanding customer service and an unmatched passion for quality.

CSC handles every type, size, and shape of cargo traveling via container vessel through Charleston. The world's most prestigious ocean carriers, the South Carolina State Ports Authority, and the local community demand the best from CSC, and they deliver with confidence, clarity, and commitment. CSC is focused on providing to each customer personalized service, high productivity, and quick vessel turnaround all while sustaining a safe and secure operating environment.

CSC provides full spectrum container stevedoring services for all container terminals at the port of Charleston. CSC provides on-terminal CFS services for all container terminals at the port of Charleston. CSC provides stevedoring services to load and unload breakbulk and project cargo to and from container vessels.



## USMX DIRECT EMPLOYER MEMBERS



### COOPER/PORTS AMERICA, LLC

The Cooper Group and Ports America merged their breakbulk operations in the Houston and surrounding ports into a new joint venture called Cooper/Ports America, LLC, which is referred to as C/PA. Operations commenced on October 1, 2016. Upon startup, C/PA acquired Shippers and Chaparral Stevedoring operations. Additionally, Integrated Marine Services (IMS) is also part of the joint venture. The combined businesses of Ports America, The Cooper Group, Shippers Stevedoring and IMS positions C/PA as the premier full-service stevedore, terminal operator, container yard storage, and maintenance and repair company in the Houston area market with operations at City Docks and Barbour's Cut.

Established in 1905, The Cooper Group has operations on all three U.S. coasts and foreign operations in Brazil and Mexico. The company maintains ownership in numerous subsidiary and affiliate companies, including warehousing, terminal operations, tugboats, push boats, barging, barge fleet, floating terminals, logistics, forestry operations, vessel repair and restaurants.

Ports America, headquartered in New Jersey, is the largest independent marine terminal operator and stevedore company in the United States. The company currently operates in more than 42 ports and 80 locations. With a highly skilled and trained labor force, Ports America has the expertise to manage all types of cargo.



## USMX DIRECT EMPLOYER MEMBERS



### CP&O, LLC

CP&O, a joint partnership between The Cooper Group, Ports America and Ceres Marine Terminals, provides stevedoring and terminal services at all major terminal facilities in the Port of Hampton Roads. These facilities include the three marine terminals operated by Virginia International Terminals in Norfolk, Portsmouth and Newport News. At Lambert's Point Docks, owned by Norfolk Southern Railroad, CP&O handles break bulk and project cargo. In addition to container and break bulk cargo, CP&O also handles automobiles at Newport News. Cruise vessels calling at Hampton Roads are serviced by CP&O at the Half Moon Cruise Terminal. CP&O provides all baggage handling and ship provision loading services.

Established in 1905, The Cooper Group has operations on all three U.S. coasts and internationally. The company maintains ownership in numerous subsidiary and affiliate companies.

Ports America, founded in 1922, is the largest independent marine terminal operator and stevedore company in the U.S. The company currently operates in more than 42 ports and 80 locations. Since its inception over 60 years ago, Ceres has expanded and thrived. Ceres' track record of success is largely attributable to the high quality of service, high productivity and complete dependability it has delivered to its customers across the Company's range of locations.



### GATEWAY TERMINALS, LLC

Ports America, Ceres Marine Terminals, Inc., and SSA Atlantic LLC have consolidated container terminals, truck & rail gates, and stevedoring services under a joint venture company, Gateway Terminals LLC, to help increase efficiency at the Port of Savannah.

Bringing together three experienced organizations under one umbrella provides a compelling opportunity for growth, especially in light of the tremendous increase in demand for services to support Georgia Ports Authority (GPA), the nation's third-busiest container port complex.

Our main purpose is to provide stevedoring and terminal operating services for the Georgia Ports. Our services include the movement of the containers from the ships to the port via the usage of cranes. From there, containers are loaded onto trucks and transported to the destination CFS to be prepared for transportation to its final destination.



## USMX DIRECT EMPLOYER MEMBERS



### GCT USA

GCT USA operates two award-winning facilities: GCT New York on Staten Island, New York, and GCT Bayonne in Bayonne, New Jersey.

GCT New York is the primary terminal in New York state. The full-service container terminal is exceptionally customer-focused, boasting the fastest truck processing times in the harbor, and housing the only terminal-affiliated customs exam station in the port. GCT New York has operated the ExpressRail Staten Island on-dock rail facility, consisting of 9,200 linear feet of working track, for over 10 years. The ramp offers full connectivity to both the CSX and Norfolk Southern rail networks.

International award-winning, semi-automated GCT Bayonne is one of the most advanced terminals in North America. Strategically located at the harbor entrance, the big ship ready, high productivity facility handles the largest ships calling the Port of New York and New Jersey. Opened in January 2019, GCT Bayonne's near dock rail facility (ExpressRail Port Jersey) has 9,600 linear feet of working track and also offers full connectivity to both the CSX and Norfolk Southern rail networks.



### MAHER TERMINALS LLC

Established over seventy-five years ago, Maher Terminals LLC is one of the largest privately held multi-user container terminal operators in North America. Maher is strategically located in the heart of one of the most affluent markets in the world and has immediate access to major interstates and warehousing districts. As a true multi-modal terminal, Maher's on-dock rail facility handles miles of trains and thousands of containers daily.

Maher strives to provide best-in-class service to our ocean carrier customers, the trucking community, and Class 1 railroads while at the same time minimizing the impact on the environment and surrounding communities through our ambitious sustainability initiatives. Maher is committed to sustainable growth and has developed a plan to be Net Zero by 2040 – ten years ahead of the Paris Accords. Maher has been recognized by industry authorities for its safety leadership programs and prioritizing employee safety. Maher's seasoned labor and management team delivers excellence by utilizing the largest straddle carrier fleet in the world and the greatest number of ship-to-shore cranes in North America in conjunction with the latest technology.



## USMX DIRECT EMPLOYER MEMBERS



### NEW ORLEANS TERMINAL LLC

Created in 2007, New Orleans Terminal was planned to be the most advanced marine terminal in the Port of New Orleans. As the years passed, we have kept pace with the latest technology, equipment, infrastructure and services to maintain the ever-changing operational requirements of our customers. As vessels expand capacity, New Orleans Terminal has adapted itself to quickly and expeditiously deliver consistent, professional and seamless service.

As with all maritime facilities in the city, New Orleans Terminal is located along the Mississippi River at Napoleon Avenue. It is the single operator for the N.O.T. Container Facility, the N.O.T. Container Freight Station and the New Orleans Intermodal On-dock-Rail Ramp.

The Terminal is ninety acres with a capacity of 366,000 TEUs. It has over 300,000 FT<sup>2</sup> warehousing space, 335,000 FT<sup>2</sup> open support land and a container marshalling yard of 45+ acres. The terminal has an on-dock rail and is located within close proximity of the six, Class 1 rail lines that intersect New Orleans.



Port of New Orleans



### PORTS AMERICA

Ports America is the largest American terminal operator and stevedore with operations in 42 ports and 80 terminals within the United States. With a highly skilled and trained labor force, Ports America has the experience and expertise to manage all types of cargo handling.

Having handled more than 13.4M TEUs, 2.5M vehicles, 10.1M tons of general cargo and 2.1M cruise ship passengers annually, Ports America has operations ranging from pure container terminals to "under-the-hook stevedoring." Operations also include container, bulk, breakbulk, military, project and RoRo cargo handling; cruise terminal operations; intermodal facilities; and maintenance and repair.



Port of Newark



**SSA Atlantic**  
A Carrix Enterprise

### SSA ATLANTIC, LLC

SSA Atlantic is a wholly owned subsidiary of SSA Marine, the world's largest independent, privately held marine terminal operator, with activities at more than 250 terminal facilities and rail operations throughout geographies in the U.S., Canada, Latin and South America, Asia, New Zealand and South Africa. Established in 1949 by the Smith/Hemingway family and headquartered in Seattle, SSA Marine is a premier operator in terminal management, efficiency, and throughput. SSA Marine subsidiaries have long-term marine terminal concessions in key strategic ports on the U.S. East and West Coasts, Latin American gateway countries of Panama, Mexico, Chile, and Colombia, and in Vietnam.



## USMX DIRECT EMPLOYER MEMBERS



### VIRGINIA INTERNATIONAL TERMINALS, LLC

#### Terminal Specs

- 3.6M TEU capacity
- 378 operating acres (total footprint of 567 acres)
- FTZ #20
- 6,630 FT wharf
- 55 FT water depth by 2024
- 19 Super Post Panamax ship-to-shore cranes
- 96 semi-automated stacking cranes
- 800+ reefer plugs
- 27,416 linear FT of on-dock
- Rail track served by CSX & NS
- Semi-automated container terminal separated into three different sections: the North terminal, the South terminal and the Central Rail Yard
- Current annual throughput capacity of 2.2M TEUs; currently undergoing two expansion projects to further optimize the terminal and increase the total annual throughput capacity to 3.6M TEUs
- Container yard will consist of 58 semi-automated stacks post-expansion, served by 96 semi-automated stacking cranes
- 27,416 linear feet of working track post-expansion directly served by both Norfolk Southern and CSX
- Direct highway access to the I-64 interstate system (via 564 and Hampton Boulevard)
- Utilizes PRO-PASS®, the port's own trucker reservation system, to increase productivity at the gates and ensure industry-leading truck turn times
- US Customs-designated port of entry with full range of customer functions



## 2023 CCC SERVICE CORPORATION



**Anthony J. Dalonges**  
CCCSC President



**Richard Glogowski**  
Assistant Controller



**Karen Chin**  
Director of Finance

### ACCOUNTING DIVISION



**Rita Huryk**  
Manager Assessment  
Reporting & Collections



**Michele Osorio**  
Accounts Receivable/  
Payable Specialist



**Kelly Ann Ryan**  
Executive Assistant

**CCC Service Corp. (CCCSC) is a division of USMX and is responsible for providing essential services, such as member assessments reporting, service agreements, managed services and information technology services, for USMX and its various Master Contract Trust Funds.**

#### Member Assessments Reporting

CCCSC is responsible for the administration of the reporting and payment of Master Contract assessments by USMX's members. CCCSC, in conjunction with the Container Royalty Central Collection Fund (CRCCF), has successfully transitioned all major carriers over to CRCCF's central collection reporting system. Currently, the receivables rate achieved by the centralized collection process stands at 41 days, three higher than the 38-day target rate.

#### Service Agreements

CCCSC has established Service Agreements with the following organizations, trust funds and programs:

- Management-ILA (MILA) Managed Healthcare Trust Fund
- Carrier-ILA Container Freight Station (CFS) Trust Fund
- Carrier-ILA Container Royalty (CR4) Trust Fund
- Carrier-ILA Container Royalty 5 (CR5) Trust Fund
- Container Royalty Central Collection Fund (CRCCF)
- Shipping Industry Mutual Assurance Association Limited (SIMAS)
- The Shipping Association of New York and New Jersey Port of Discovery Program
- USMX-ILA Money Purchase Fund & Savings Plan (MPP)

## 2023 CCC SERVICE CORPORATION

### IT DIVISION



**David Stankiewicz**  
IT Ops Manager



**Andrew J. Heo**  
IT Ops Manager



**Rachel Kane**  
Application Support  
Specialist



**Thomas Ochoa**  
IT Specialist

#### Managed Services Provider

CCCSC provides payroll, general accounting and financial reporting services for itself, USMX, CRCCF, CFS, CR5, CRF, MPP and CPRF along with IT administration for itself, USMX and CRCCF.

In 2023 we had one full year of the new (Manhours and General Ledger) systems without any major issues. As users became familiar with the new systems, we were able to create additional reports to assist departmental needs.

The IT group has been cross trained and has taken educational classes to improve on attack scenario-based security.

#### NOTABLE ACCOMPLISHMENTS

CCCSC has maintained long-term success with regard to headcount productivity and financial management:

- Headcount productivity continues to increase; there has been staff reduction of three over the last fourteen years, with tonnage increasing 55% over the same time period.
- USMX/CCCSC financial results continue to meet or exceed budget guidelines by 8.98%, while maintaining the USMX operational assessment at \$.04 per ton since January 1, 2016.
- For the fourth year in a row the annual financial audits were successfully performed virtually.

# USMX OFFICERS AND STAFF



**David F. Adam**  
Chairman &  
Chief Executive Officer



**F. Paul De Maria**  
Executive Vice President &  
Chief Operating Officer



**Anissa Frucci**  
Executive Vice President  
Finance & Administration



**Anthony J. Dalonges**  
CCCCSC President  
Corporate Treasurer



**Jason Winter**  
Director, Labor Relations  
Atlantic Coast



**Joseph A. Weeks**  
Director, Labor Relations  
South Atlantic/West Gulf



**Beth Monica**  
Corporate Secretary  
South Atlantic/West Gulf  
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**Kim F. Perez**  
Executive Assistant



**Queleen J. Roland**  
Board Administrator



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