Cruise workers must endure long hours for others' leisure
By Kevin Moran
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MIAMI BEACH -- With spring break in full flourish and thousands of wealthy students swarming nearby beaches, the Filipino seafarers lining the Fairmont Hotel's lobby benches looked like extras who'd ended up on the wrong movie set.

Unlike folks at other chic art deco hotels, the Fairmont Filipinos sported neither gold credit cards nor designer swimsuits. They were living four or six to a room and eating mess hall style. In a way, the hotel mirrors the cruise ships where these seafarers work: a glamorous setting full of affluent people and a life that for the seafarers is neither.

They were waiting for their cruise ship assignments from Apollo Ship Chandlers Inc. Such stays, sometimes as long as 10 days, lengthen the workers' time away from faraway families and homes. And like hundreds of others every year, they weren't paid for the wait, although Philippine government requires Filipino cruise workers be paid from the time they leave their island nation until they return.

Apollo founder Rafael Ordonez and personnel director George Treserra said Apollo also deducted the cost of Filipinos' airline tickets from the workers' paychecks in monthly installments -- another violation of Philippine rules. The deductions are common practice in the industry, they said. It means a Filipino who signed up for a job that paid, say, $700 a month, received perhaps $575 after the air fare deduction, said Treserra.

Filipino workers usually sign 10-month contracts.

Apollo supplies restaurant and bar workers to 10 ships owned by five cruise lines, Ordonez said. He acknowledged that crew members aren't paid while they wait at the company-owned Miami hotel before they are assigned to a ship.

C.F. Sharp Crew Management, the Manila agency that recruits Filipinos for Apollo, said Apollo began sending Filipino workers directly to their assignments after Chronicle inquiries to Sharp and the Philippine Overseas Employment Administration, or POEA.

The POEA regulates the Philippines' huge labor export program, which put 165,000 people to work on ships in 1995.

Hans Rosenfeldt, Sharp's chief operating officer, and POEA officials said they'd never received complaints about Apollo's practices. Lorna Fajardo, POEA pre-employment services director, told the Chronicle in July that the POEA asked Labor Attache Manuel Imson in the Philippines' Washington, D.C., embassy to investigate Apollo. In September, Imson told the Chronicle he'd never heard of Apollo.
The 400 to 500 Filipinos that Apollo brings to the United States each year comprise just a fraction of their countrymen who labor on cruise ships. Besides people from the impoverished Philippines, thousands of other workers from Malaysia, India, Indonesia, Central America and Europe vie for cruise ship jobs that generally pay far more than they can make in their homelands but far less than cruise lines would have to pay Americans for the same work.

Seafarers' advocates maintain that cruise workers are some of the most overworked, underpaid and abused people in the maritime world today. Daily schedules routinely run 12 or more hours, seven days a week, for months on end, cruise workers say.

"It's not normal, and it's not healthy," said Miami attorney William Huggett. "It's economic slavery."

But a spokesman for Carnival Cruise Lines, the world's largest cruise company, said 12-hour days are the norm for everyone aboard. "The captain, the hotel manager, the cruise director, all the high-level people on board, are also working very long hours," said Tim Gallagher. "That's simply the nature of shipboard work. They know this when they get into it."

Seafarers' advocates and attorneys such as Huggett say cruise lines take advantage of cheap foreign laborers but ignore legal and moral responsibilities to them.

Doug Stevenson, an attorney and director of New York's Center for Seafarers' Rights, said poor training and fatigue cause many cruise worker injuries, and even could threaten passenger safety in an emergency.

"The public assumes that the people performing analogous jobs on cruise ships are trained in the same way as their counterparts on airplanes," he said. "The reality is that they're not. They may have problems even communicating with each other."

They also may be performing different jobs than they expected. Stevenson and other critics say lines sometimes sign people up for one job but give them another, lower-paying job when they get to a ship.

"This is pure evil going on here," said Miami attorney Sarah Duran, a Philippine native. "It's similar to what happens to migrant workers on land."

Cruise workers say they are afraid to complain about hours, pay or working conditions because cruise operators know that thousands of people wait in poor nations to fill empty slots. Ismet Mataraci, 57, a wine steward from Ankara, Turkey, has worked cruises since 1973. He said overwork has increased in the last 15 years or so, along with industry growth and an influx of laborers desperate for jobs.

Mataraci described the typical workday for dining room waiters.

"Usually, the dining room opens at 7 a.m. for breakfast, sometimes 6:30," he said. "So at 5:30, usually two or three guys in the same cabin have to shave and shower in the same 45 minutes,
then go upstairs and get their stations ready before the passengers walk in."

Passengers eat meals in "seatings," or shifts, usually with two seatings per meal, he said.

"In between seatings, waiters have only half an hour to lay out the tables again," said Mataraci. "At about 10:30, they finish breakfast and go to cabin," he said. "They get shower, get ready and come back for lunch at 11:30. From 11:30 until 3 o'clock, they have to serve lunch.

"At 5 o'clock, they have to go back for dinner. Around 10:30 or 11, they finish. Some of them then will work in the midnight buffet.

"Then the next morning, they get back up for breakfast."

"It's just killing work," said Mataraci. "No matter how you look at it, you have no time at all for nothing else. After five or so years, you may make some money, but physically and mentally, you're not a right person. I think they should have reliefs."

Sick or injured crew members often have a hard time getting proper medical care on or off the ship, workers maintain. Ship doctors frequently give injured workers painkillers that mask symptoms. Injuries worsen when crew members return to grueling schedules.

Magdalena Norkowska of Warsaw, Poland, was attracted by claims she could make $2,000 a month in salary and tips as a bartender and waitress aboard the Horizon, a Celebrity Cruise Lines ship. The hours turned out to be longer than promised, and the pay less by half. Then she injured her back soon after starting.

A Bermudan doctor examined her, but the ship's doctor failed to review the report and X-rays for weeks, she said. She was told to buy a support belt in the crew store.

"They just gave me painkillers," she said. "I worked four and a half months in pain."

In late August 1995, Norkowska demanded medical care and her bosses said they planned to send her for care in Poland when they docked in New York.

"I had rights to proper medical care here, and they said I had no rights at all," said Norkowska. "I knew how the situation was in Polish hospitals. I knew that you had to wait a long time for surgery."

She heard of Miami attorney Charles Lipcon from a crewmate and hired him by fax from the ship. But the radio officer who sent the fax gave her boss a copy.

In New York, Celebrity sent her home, even after Lipcon demanded that Norkowska be treated in the United States.

She decided to fight and bought her own ticket from Poland to Miami. There, Lipcon negotiated a back surgery for her in November 1995. The company paid her about $900 a month in living
expenses while she underwent physical therapy.

"I got treatment only because I got legal assistance," Norkowska said.

Lipcon said Norkowska needs another operation, but the company hasn't approved it.

Miami attorney Domingo Rodriquez, who represents the cruise line and Apollo, declined comment.

Norkowska returned to Poland in May, but a lawsuit in the case is set for trial in December. Lipcon contends that Norkowska is entitled to "maintenance and cure" --food, shelter and medical care -- under maritime law concepts that date back centuries.

But many crew members endure pain rather than complain about medical problems because they fear losing their jobs.

Ernesto Paredes, 37, of Honduras, was a $500-a-month kitchen worker aboard a Costa Cruise Line vessel, sometimes working 16-hour days, when he fell in a freezer on Feb. 19, 1995 and injured his back.

"I waited until September to tell anyone I fell, until the pain was unbearable," said Paredes. "I was afraid they would send me home to Honduras, so I tried to stand as much pain as possible." After a doctor's visit and X-rays in Venice, Italy, he said he was given painkillers and a couple of weeks rest on board. He finished his 11-month contract and flew from Genoa to Honduras in November. Miami attorney Bill Huggett sued on Paredes' behalf earlier this year, and a judge ordered the cruise line in August to provide surgery.

Paredes, who worked as a laborer before he went to cruise ships in 1991, said he doesn't know what he can do now to support his wife and three teen-age children.

Although Paredes left his job voluntarily after the injury, many cruise workers say they fear dismissal if they complain about their health or living conditions, and claim that some workers are fired without being given a reason.

Jolanta Streker, 25, of Jawor, Poland, said she uttered no complaints but was fired last December from Miami's Top Associates Inc. for reasons still unknown to her.

Top Associates operated the casino on a Discovery Cruise Line vessel, where Streker worked as a cashier. She was on her second contract with no previous problems.

Streker said that when she reported for work one day, her supervisor told her she was being sent home. Cruise officials locked her in a guarded cabin for two days, then had a private security officer take her off the ship in handcuffs.

Streker said the guard put her on a plane home with $6 in her pocket and no warm clothes for the Polish winter. "I came home without money, without anything," she said.
Bill Pagan, a longtime cruise industry manager who owned Top Associates, said he does not recall the case and that the company is out of business.

Pagan and others in the cruise business said they believe the U.S. Immigration and Naturalization Service authorizes handcuffing of foreign seafarers by private security services.

INS spokesman Russ Bergeron said, however, that while ship operators face stiff fines if they lose track of a foreign seafarer, they are simply required to return dismissed workers to their home countries. INS policies do not address handcuffing.

Normally, dismissed workers are not considered criminals and are not in violation of any immigration laws, Bergeron said.

Steven Masdeu, operations director of Miami's General Patrol Services, said his firm handcuffs ship workers only if they refuse to get on a plane at the scheduled departure time. The workers are then turned over to the U.S. Border Patrol.

"I handcuff maybe five people in a year," he said.

Cruise workers' complaints commonly concern pay and hours, and their advocates say cruise lines have gone to great lengths to get long hours from employees. The owners lobbied the Panamanian government to amend a law guaranteeing Panamanian workers a day off each week, said Lipcon.

Now the law says a captain of a Panamanian-flag ship can require extra work if necessary.

"I take that to mean that if, for some unusual reason, they have to get seven days a week out of a guy, they can do it," said Lipcon. "But they've taken that to mean that they can work crew members seven days a week for eight or nine months at a time."

"You're just dealing with the modern-day robber barons," said Lipcon. "I have nothing against industry and people making money. But at the same time, I think they should live up to some moral and ethical guidelines."

In August, a federal judge approved a $900,000 settlement of a class action lawsuit Lipcon brought against Carnival Cruise Lines on behalf of people who held ship jobs paid partly with tips. Waiters, busboys, bartenders and other cruise workers commonly are paid $50 or less a month in jobs that can earn them perhaps $1,000 to $2,000 monthly in tips. Cruise lines want to pay sick seamen only base wages of $50 if they fall ill, Lipcon said.

Lipcon said he has sued all cruise lines to force them to compensate sick workers for lost tips, but only Carnival has settled.

U.S. federal courts are open to foreign seamen with wage disputes but generally closed to them for other purposes.
Lawsuits and complaints notwithstanding, not all cruise workers are unhappy.

Two Indonesian men, 25 and 26, said they earned up to $1,000 a month as cruise waiters, working about 11 or 12 hours a day, seven days a week. That breaks down to an hourly wage of about $2.77.

The two worked on Holland America Line's Ryndam, a ship with about 650 crew and a 1,250 passenger capacity. Holland America is owned by Carnival.

"We get money," said one. "We have fun with our friends."

They said they expected to quit the cruise business soon, however, and use their experience to get supervisory jobs in restaurants at home.

A 24-year-old Indonesian on his first contract with Holland America Line's Westerdam as a dining room waiter said he was making about $1,200 a month.

"I enjoy it because of the money," he said during a brief visit to a Port Everglades, Fla., seamen's center between cruises.

The cruise worker, who declined to give his name, said he has adapted to the tough schedule and short breaks between shifts. "Now, one hour is very useful for me to get rest," he said.

But a Westerdam cook who overheard a shipmate saying life was good on the ship offered a different view.

"We work very long, to 14 hours a day," he said. "They only pay for 10.5 hours. Even when you are sleeping, they knock on your door to come and clean.

"If you tell complaint, they say, 'If you don't want to work here, go home.'"

The cook, a 34-year-old Filipino, said he'd spent several years on cargo ships and was fed up with cruise ships after three years.

"I will quit the passenger ship," he said. "I thought the passenger ship was much better than the cargo ship, but I was wrong. I cannot explain to you the pressure. Sometimes I go to the back of the ship to cry."

Most employees say they are on cruise ships because they have families, or even extended families, to support back home.

"I'll never forget a conversation I had with a Haitian seafarer who told me he's been working on cruise vessels for something like 18 years and he gets home to Haiti for maybe a maximum of one month a year," said Stevenson of the Center for Seafarers' Rights. "I asked him why he did this, and he said he basically was sacrificing his life for his family."
"Because of what he's doing, his daughter can go to high school, his family has a home," said Stevenson. "We forget these people out there who are making these sacrifices. Not only are they making personal sacrifices for their families, but they're also suffering abuse and indignities and all manner of problems that we don't seem to care about."