



BOARD OF EXAMINERS

New Orleans and Baton Rouge Steamship Pilots for the Mississippi River

Lee A. Jackson
Commissioner

Casey E. Clayton
President

Kevin G. Alario
Commissioner

MAY 25, 2022 QUARTERLY MEETING MINUTES

1. **Call to Order**

The quarterly meeting was called to order at 10:00 a.m. by President Casey Clayton.

2. **Roll Call**

Roll call was taken. Board members present were President Casey Clayton, Captain Lee Jackson, and Captain Kevin Alario.

Also present were Ralph Wall, Cory Grant, Jack Capella, and various members of the public.

3. **Adoption of Minutes**

Captain Clayton made a motion to approve the February 22, 2022 quarterly meeting minutes and the March 14, 2021 special meeting minutes; Captain Jackson seconded. The motion was approved with all Examiners voting in favor.

4. **General Session**

a. Update: Board Office Space

The Board provided an update on the ordering of office furniture approved at the previous quarterly meeting, noting that it had not ordered all of the furniture at one time so as not to overburden NOBRA with a large financial cost. At this point approximately only half of the furniture has been ordered.

The Board provided an update on the part-time temporary administrative help approved at the prior meeting. The Board has identified an individual to fill the role, who will work 3-4 days a week through July 29, 2022 at which time another assistant will be found. The Board noted that this individual will be a big help in getting the Board organized but also noted that a full-time replacement will be necessary at some point.

b. Update: 12 Hour Rest Rule

The Board provided an update regarding its decision not to readopt an emergency rule regarding the 12 hour rest rule, as discussed in detail at the Board's prior quarterly meeting. The Board notified the NOBRA Board of Directors of this decision at which

time Captain Wattigney wrote the Board stating that NOBRA would voluntarily enforce the rule. The Board made clear that this was a NOBRA decision that it agreed with.

c. Update: Retention of Records Board Policy

Counsel for the Board provided an update on the development of a record retention policy and provided a history of prior Board policy. Counsel is in the process of a first draft of the policy, which will be disseminated to the Examiners in the next week or two. The Board indicated its desire to make sure it is protected with regard to document related matters. Captain Jackson wanted the Board to think about the policy's effect on other pilot groups. Counsel noted that state law requires Boards and Agencies under the Division of Administration to have a written document retention policy.

d. Update: Apprentice Application/Apprenticeship Program/Deputy Pilot Program

The Board provided an update on the Apprentice Application noting that the application had been updated to confirm a copy of the Applicants degree was to be submitted with the application. Captain Clayton noted that all applications the Board has received are compliant.

The Board provided an update on the Apprenticeship Program as it tries to compile historical data and make comparisons with other pilot groups.

The Board provided an update on the Deputy Pilot Program noting that NOBRA has not provided data regarding current or prior classes even though it has in the past. The Board intended to review the current class's progress but is unable to without that information. The Board noted that it would need to request the information directly from the deputy pilots.

e. Update: Drug/Alcohol Testing Procedure

The Board provided an update on its Drug and Alcohol testing procedure. The Board noted that it needed to revise the process for its hair testing program for Global to put in place. The Board noted that the process for notice to the Pilots needed to be streamlined and it was suggested that the Board discuss the parameters with Global and let them handle the implementation.

f. Update: Pilot Assistance Program

The Board provided an update on its Pilot Assistance Program. The Board noted that it has held discussions with other pilot groups but that no other groups have a formal program, though some do have "go-to" professionals. The Board intends to continue its work on the Program and have an update at the next meeting.

g. Discussion: USCG Annual Physicals

The Board held a discussion regarding pilot USCG Annual Physicals. The Board noted that some pilots do not have physicals or approval from the USCG on file, including 4 pilots with no physical or proof of approval and 26 others with no physical. Counsel advised that current standards of conduct and CFRs require pilots to possess valid physicals or their license is invalid. The Board agreed on the need to reach out to individual pilots to find out why they have not provided proof of the physical.

h. Discussion: NOBRA Pilot Contact Information

The Board held a discussion regarding Pilot Contact Information. The Board noted that it had requested updated contact information from NOBRA but that NOBRA was refusing to provide despite having done so in the past. The Board noted that the responsibility of updating the BOE will have to fall on the individual pilots.

i. Discussion: NOBRA Safety Advisory Board

The Board held a discussion regarding the NOBRA Safety Advisory Board. The Board noted that NOBRA had indicated its intention to start this organization and that the Board would monitor its activity and progress.

5. Executive Session

Captain Alario made a motion to go into executive session pursuant to La. R.S. 42:17 to discuss the below items; Seconded by Captain Clayton. A member of the public made a comment/objection, stating that the Board's procedure of entering Executive Session was unsound and deficient. The motion was approved with all Examiners voting in favor.

- a. Incidents Pending Before the Board**
- b. Individual Pilot Review**
- c. Existing Litigation Update**
- d. Return to Regular Session**

Captain Alario made a motion to return to regular session; Seconded by Captain Jackson. The motion was approved with all Examiners voting in favor.

6. Any Necessary Votes Arising from Executive Session

No votes were held.

7. Adjournment

Captain Alario made a motion to adjourn the meeting; Seconded by Captain Clayton. The motion was approved with all Examiners voting in favor.

The meeting was adjourned at 11:49 a.m.