

NATIONAL TRANSPORTATION SAFETY BOARD

 IN RE: :
 :
 THE EL FARO INCIDENT OFF : NTSB Accident No.
 THE COAST OF THE BAHAMAS ON : DCA16MM001
 OCTOBER 1, 2015 :
 :

Interview of: Jon Kendrick

Wednesday,
December 2, 2015

Marriott Hotel
Jacksonville, Florida

BEFORE:

CARRIE BELL, NTSB

This transcript was produced from audio
provided by the National Transportation Safety Board.

APPEARANCES:

On Behalf of the U.S. Coast Guard:

KEITH FAWCETT
U.S. Coast Guard

OTHERS PRESENT:

MELISSA SERRIDGE, TOTE Services

P-R-O-C-E-E-D-I-N-G-S

9:00 a.m.

1
2
3 MS. BELL: Okay. So today is December 2nd.
4 We are in Jacksonville, Florida, and we are
5 interviewing --

6 MR. KENDRICK: Jon Kendrick.

7 MS. BELL: -- Jon Kendrick, formerly an
8 employee at TOTE, for the *El Faro* accident.

9 I'll go through a few of the mandatory
10 briefing items and then we'll go around the room.

11 So NTSB is an independent federal agency
12 charged with determining probable cause of
13 transportation accidents and promoting transportation
14 safety. We're not a part of the Department of
15 Transportation or the U.S. Coast Guard.

16 The purpose of the investigation is to
17 increase safety, not to assign fault, blame or
18 liability.

19 NTSB cannot offer any guarantee of
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1 you choose to. And if you don't, then that's fine as
2 well.

3 So we'll go around the room. I am Carrie
4 Bell. I am the human performance investigator for
5 NTSB, and I'm also the Human Performance Group
6 chairman.

7 MS. SERRIDGE: Melissa Serridge, HR manager
8 from TOTE Services and a member of the Human
9 Performance Group.

10 MR. FAWCETT: My name is Keith Fawcett. I'm
11 a Coast Guard civilian marine casualty investigator,
12 licensed Merchant Mariner. I work with Carrie's Human
13 Performance Group, but I'm also sort of looking into
14 nautical operations for group members who aren't here,
15 so I may ask some questions in that direction.

16 MR. KENDRICK: Jon Kendrick, former VP of HR
17 and Labor at TOTE. I left in March of this year, March
18 of 2015.

19 MS. BELL: And you okay with us recording
20 this?

21 MR. KENDRICK: Yes. I'm sorry. I'm -- I'm
22 fine with the recording.

23 MS. BELL: Thank you. So you said you were
24 a former TOTE employee and you left in what month?

25 MR. KENDRICK: March.

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1 MS. BELL: March of 2015. So how long were
2 you holding your position at TOTE?

3 MR. KENDRICK: Exactly one year. It was
4 kind of a March 31st to March 31st, or April 1st to
5 April 1st.

6 MS. BELL: Okay. Just getting that closer.

7 MR. KENDRICK: Sure.

8 MS. BELL: Okay. So were you with TOTE
9 before that?

10 MR. KENDRICK: No.

11 MS. BELL: That was your only stint at TOTE
12 was the one year?

13 MR. KENDRICK: Yes, just the one year.

14 MS. BELL: Okay. And can you tell us a
15 little bit about your position at TOTE?

16 MR. KENDRICK: Yes, TOTE was moving from the
17 Philadelphia area to Jacksonville and the existing VP
18 of Labor and HR was not going to make the move, so I --
19 through various folks I knew and references I
20 interviewed and was assigned -- I was selected for the
21 position.

22 The position kind of had three primary areas
23 it oversaw: human resources, which is probably the
24 smallest area; labor relations, which was dealing with
25 the maritime unions; and then risk management, just

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1 managing the maritime insurance aspects of the company.

2 MS. BELL: Okay. And you said you did go
3 through interviews?

4 MR. KENDRICK: Yes.

5 MS. BELL: Okay. And what was that process
6 like?

7 MR. KENDRICK: I flew up to New Jersey and
8 interviewed with several folks up there: my
9 predecessor, the VP of -- of operations, Mitch
10 (phonetic), and the president, Phil Greene. And -- and
11 I had a couple of phone interviews, too, with the
12 general counsel Mike Holt (phonetic) and -- that may
13 have been it. Maybe an initial phone interview with
14 Phil before I came up there.

15 MS. BELL: Okay. And so can you tell us a
16 little bit about -- you said HR is the smallest part of
17 that. And where does crewing fit in with that?

18 MR. KENDRICK: Crewing, kind of under labor
19 relations. The direct reports I had were Melissa
20 Serridge as HR manager, the other Melissa (phonetic) as
21 crewing manager and her team, and then payroll. And
22 crewing was -- was under me. It was -- I guess you'd
23 call it part of labor relations. Not as much dealings
24 with the union in terms of contracts and negotiation,
25 but dealing more with the individual mariners and

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1 getting them assigned and -- and dealing with their
2 requests and needs.

3 MS. BELL: Okay. So you said Melissa
4 Serridge, Melissa Clark (phonetic). And was there
5 another?

6 MR. KENDRICK: Payroll. At the time it was
7 Marcie (phonetic) -- what was Marcie's last name? I've
8 forgotten.

9 MS. SERRIDGE: This is Melissa Serridge.
10 Barber (phonetic). Marcie Barber.

11 MR. KENDRICK: Marcie Barber at the time,
12 yes. And she left the company in January of 2015.

13 MS. BELL: Okay.

14 MR. KENDRICK: And Melissa took on payroll
15 duties as well.

16 MS. BELL: Okay.

17 MR. KENDRICK: Melissa Serridge.

18 MS. BELL: Got it. Oh, that's right. So
19 you do payroll, too?

20 Okay. So can you just kind of walk us
21 through the process of hiring crew? Are you involved
22 in the hiring of the crew members themselves?

23 MR. KENDRICK: I was not. I acted as
24 Melissa -- as -- as her supervisor, but really didn't
25 get involved in the day-to-day hiring aspects.

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1 MS. BELL: Okay.

2 MR. KENDRICK: Yes.

3 MS. BELL: What about in terms of
4 terminations? If there was someone who was going to be
5 terminated, would you be involved in that?

6 MR. KENDRICK: Yes, I typically would be
7 involved in that. That would -- that would bubble up
8 and we'd all discuss it at the senior level, because it
9 -- you know, it's pretty serious to terminate a crew
10 member, so --

11 MS. BELL: Yes. Okay. And if you don't
12 mind my asking -- you left after one year --

13 MR. KENDRICK: Yes.

14 MS. BELL: -- only one year. Are there any
15 reasons that could elaborate on?

16 MR. KENDRICK: Yes, I'll be happy to share.
17 Two primary reasons. In 2014 I -- I added up my travel
18 and it was about 70 percent. And it was going to get a
19 little less this year, but not significantly less, and
20 I just couldn't handle that. And the second reason is
21 I have another role. I'm a vocational pastor of a
22 church. And being gone that much, traveling that much
23 just didn't lend itself very well to that role. And
24 that was kind of the priority for me.

25 So Phil Greene and I had a -- some

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1 conversations, as did Mike Holt and I. I had a dotted
2 line relationship to him. And just came to a mutual
3 agreement to step aside. So --

4 MS. BELL: Okay. And who was the second
5 person you --

6 MR. KENDRICK: Mike Holt. He is general
7 counsel at TOTE, Inc. and also at the time oversaw HR
8 functions. I assume he still does.

9 MS. BELL: Okay. So you were traveling a
10 lot. What was the reason for traveling?

11 MR. KENDRICK: The initial travel was just
12 back -- back and forth to Philadelphia before the
13 company moved, but then there were -- there's at least
14 three union meetings, four -- three or four union
15 meetings a year for two different unions. There were
16 other meetings -- we had normal -- within the TOTE or
17 Saltchuk family. There were HR meetings. There were
18 risk management meetings. I went up to New York for
19 some other union meetings as well as to meet our
20 insurers. Went to London to meet our underwriters over
21 there. And so just -- related to all facets of the
22 job. It was a lot -- it was a lot of meetings more
23 than anything. I never did make it to a ship other
24 than the ones here in Jacksonville.

25 (Laughter)

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1 MR. KENDRICK: I kept trying to do that, but
2 it was a little tough.

3 MS. BELL: Okay. So I asked you about the
4 terminations. So were you involved in any terminations
5 while you were at TOTE?

6 MR. KENDRICK: Yes. And -- and you'll have
7 to forgive me. I mean, memory's foggy and I moved on,
8 but I know there was one unlicensed on one of the ships
9 in Jacksonville that made some threats against one of
10 the licensed officers, and it came to our attention.
11 And I don't remember names, I'm sorry. But we
12 terminated him because of the threats and because of
13 the nature of it.

14 There were investigations ongoing when I
15 left including one on a ship based in the Far East
16 about some comments that were made. I don't know if
17 that resulted in a termination, but I think that's the
18 track we were on. It was a chief engineer or a first
19 assistant. I think it was a first assistant who made
20 some comments that were deemed racial. And that
21 investigation was nearing a close. So that may have
22 resulted in termination.

23 MS. BELL: Okay. Were you involved at all
24 in the termination of; I'm not sure if this was before
25 your time, the crew members who had been arrested for

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1 drug charges, and then resulting from that the four
2 officers who were terminated?

3 MR. KENDRICK: I was not involved in the
4 terminations. I was involved in the aftermath, the
5 settlements and working through some of that, but not
6 the terminations. That was before my time.

7 MS. BELL: Okay. But that would be
8 something if you would have been here --

9 MR. KENDRICK: Right.

10 MS. BELL: -- that you would have been
11 involved in the decision to terminate at that point?

12 MR. KENDRICK: Should have been. I'm not
13 sure how that worked exactly. It sounds like it was a
14 -- it was done at a level higher than TOTE Services.
15 It was done at the TOTE, Inc. level. So typically I
16 think someone in my role would have been involved in
17 that, but due to the egregious nature of it I think it
18 -- it stepped up a level.

19 MS. BELL: Okay. Let's see. Can you talk a
20 little bit about performance evaluations? You said
21 that you had three direct reports. And under those
22 people they would have -- for example, Melissa Clark
23 would be responsible for collecting performance
24 evaluations for the officers of the crew, is that
25 correct?

1 MR. KENDRICK: Yes, definitely the licensed.
2 And I think -- I can't remember if unlicensed were
3 evaluated or not, but we -- we asked the masters to
4 evaluate all their officers at the end of each -- of
5 their tours.

6 MS. BELL: Yes.

7 MR. KENDRICK: And Melissa typically
8 collected those.

9 MS. BELL: You collected those and reviewed
10 them?

11 MR. KENDRICK: No, I usually didn't review
12 them.

13 MS. BELL: So would Melissa review those and
14 then if anything came up --

15 (Simultaneous speaking)

16 MR. KENDRICK: If there was an outstanding
17 issue she would raise it, I guess, yes.

18 MS. BELL: Okay. And you mentioned that you
19 traveled for meetings with Saltchuk. Did you have a
20 lot of contact with them, interactions with the higher-
21 level manager?

22 MR. KENDRICK: Yes, Saltchuk hired an HR
23 person maybe about half way through my tenure, and they
24 hadn't had one before. So some contact with her. She
25 came out to visit us once and then I went to a -- an

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1 overall Saltchuk HR meeting. Most of my contact with
2 -- with Saltchuk was on the risk management side
3 because they were very active there. We obviously got
4 economies of scale, but because they owned other
5 maritime transportation companies and -- and pooled
6 some of that insurance. So --

7 MS. BELL: Okay.

8 MR. KENDRICK: -- very involved with the
9 risk managers. Probably at least once a week on the
10 phone or emailed with those folks.

11 MS. BELL: And can you talk a little bit
12 about the risk management? What does that entail?

13 MR. KENDRICK: For us it was -- it was
14 workers comp afloat. It -- it -- really it's the
15 shipboard accidents that take place and the illnesses
16 and -- and how those are paid out. We also carried the
17 hull and machinery, but never -- I never had a claim or
18 dealt with any of that.

19 MS. BELL: With what?

20 MR. KENDRICK: Hull and -- the -- the --

21 MS. BELL: Oh.

22 MR. KENDRICK: -- ship, insuring the ship
23 itself. Most of what we did -- and Melissa was very --
24 Melissa Serridge was very involved in that as well
25 because she did the day-to-day management of the

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1 claims.

2 MS. BELL: Okay.

3 MR. KENDRICK: But it was -- it was when a
4 -- a seaman was injured or hurt or sick --

5 MS. BELL: Okay.

6 MR. KENDRICK: -- and -- and filed a claim.

7 MS. BELL: So the risk management is
8 basically just in terms of insurance and unions and
9 things like that, not risk in --

10 MR. KENDRICK: Not corporate -- yes, I know
11 there's two levels.

12 MS. BELL: Right.

13 MR. KENDRICK: There's like enterprise risk
14 management. It wasn't that. It was more the -- the
15 insurance --

16 MS. BELL: Okay.

17 MR. KENDRICK: -- and -- and related to
18 injuries.

19 MS. BELL: Okay.

20 MR. KENDRICK: Yes.

21 MS. BELL: And I know I'm kind of jumping
22 back and forth, but a question about grievances. So if
23 a grievance was filed by a crew member, would that get
24 raised up to you?

25 MR. KENDRICK: Yes.

1 MS. BELL: And how does that process work?

2 MR. KENDRICK: I'm trying to remember if we
3 had any filed. There -- there is a very good
4 relationship between TOTE and the two unions and a lot
5 of things were worked out on an informal basis. Gee,
6 I'm trying to remember if we actually had a grievance
7 filed when I was there. I know I saw the aftermath of
8 a few because, for instance, SIU, the seafarer's union,
9 would convene aboard to consider appeals in -- in
10 different things and then render judgments on that.
11 But if a grievance were filed, it would be brought to
12 our attention. There's timelines in place in the
13 contract on how you handle it. I honestly don't
14 remember. I'm sorry.

15 MS. BELL: That's okay. I just lost track
16 of what I was going to ask you.

17 Do you have any questions?

18 MS. SERRIDGE: No.

19 MR. FAWCETT: Yes, Keith Fawcett with the
20 Coast Guard. You mentioned two different levels of
21 risk. First of all, like how intimately were you
22 involved with TOTE's corporate management? I mean, did
23 you have weekly meetings? Where were you in all that?

24 MR. KENDRICK: Yes, we had weekly meetings
25 that were really about half the company. I think on

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1 Wednesday afternoons everyone would get together, just
2 kind of update on operations and anything going on.
3 The senior team itself did not meet on a regular basis.
4 Yes, just as necessary, I guess. But, yes, the --
5 there were safety meetings. You know, there were
6 different types of meetings, but the one meeting a week
7 where everybody got together and talked just about
8 everything: operationally, safety, HR, labor, anything
9 going on.

10 MR. FAWCETT: Would that have been TOTE
11 Maritime Puerto Rico? I'm just trying to wrap my head
12 around --

13 (Simultaneous speaking)

14 MR. KENDRICK: Oh, I got you. No, this is
15 strictly TOTE Services.

16 MR. FAWCETT: TSI?

17 MR. KENDRICK: Yes, TSI.

18 MR. FAWCETT: Do you know if minutes were
19 kept of those meetings, the senior -- the weekly
20 meetings?

21 MR. KENDRICK: I think so. You know, I
22 don't know. I know I took notes for things that
23 concerned me. I don't know if anyone actually kept
24 minutes or not.

25 MR. FAWCETT: And then these two elements of

1 risk, there's another element of risk, which is
2 operational risk.

3 MR. KENDRICK: Yes.

4 MR. FAWCETT: Do you know who within TOTE
5 would be responsible for assessing operational risks?

6 MR. KENDRICK: I don't know that anyone was
7 assigned that specifically. John -- and I'm -- I'm
8 forgetting names. Captain John?

9 MS. SERRIDGE: Lawrence.

10 MR. KENDRICK: Lawrence. Thank you.

11 Obviously was our safety officer and always did after
12 actions and assessed risk in that aspect. Certainly
13 the operations team headed by Mitch and -- and those
14 folks would have done it for the ships they managed as
15 ship managers. I don't honestly know that anyone had
16 overall operational risk oversight. Kind of a team
17 effort, I guess.

18 MR. FAWCETT: And Mitch was?

19 MR. KENDRICK: Vice President of Operations,
20 Government Operations.

21 MR. FAWCETT: Last name?

22 MS. SERRIDGE: Walker.

23 MR. FAWCETT: Was it Mitch Walker?

24 MR. KENDRICK: Thank you. Yes.

25 MR. FAWCETT: Yes, I'm just trying to --

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1 MR. KENDRICK: I'm sorry.

2 MR. FAWCETT: I'm mean, because there's
3 Mitch and there's (inaudible) --

4 MR. KENDRICK: (Laughter)

5 MR. FAWCETT: -- and now there's John and
6 Jon.

7 MR. KENDRICK: Yes, that's right. John
8 Lawrence, Mitch Walker.

9 MR. FAWCETT: Right.

10 MR. KENDRICK: Should have a roster in front
11 of me.

12 MR. FAWCETT: Going back to the settlement
13 that you talked about --

14 MR. KENDRICK: Yes.

15 MR. FAWCETT: -- related to the *El Morro*
16 terminations, do you know if there were any like from a
17 -- when did that happen? When did you start dealing
18 with that versus when did you leave?

19 MR. KENDRICK: When I came on board it was
20 -- the hearings were still taking place with the
21 unions, the arbitration, I guess. They were in front
22 of arbitrators. Because I hadn't been involved in it,
23 I was never in front of the arbitrations. I know
24 Melissa Clark went up. My predecessor Bob Rogers
25 (phonetic) was involved. And the decisions were

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1 rendered while I was there. And then we just fulfilled
2 the -- the settlement agreements by paying out through
3 payroll a long time. So --

4 MR. FAWCETT: Were there any changes in TOTE
5 operating philosophy as a result of having to pay out
6 those settlements?

7 MR. KENDRICK: None that I'm aware of.

8 MR. FAWCETT: And then you mentioned, just
9 for clarification, the officer evaluations for senior
10 officers. Okay. So they go up to Melissa Clark?

11 MR. KENDRICK: Yes.

12 MR. FAWCETT: And she stamps them for
13 receipt with the date that she got them or something
14 like that. From your understanding how TOTE works, who
15 would have been the person that determined if officers
16 were actually competent?

17 MR. KENDRICK: If there was a feeling that
18 we had to review someone because of something in the
19 evaluation, it would come to Mitch Walker and I and the
20 ship manager, because the vessel managers had the most
21 dealings with the -- the masters and the senior
22 officers in that regard operationally. So it would
23 have -- again kind of a team effort to discuss
24 competency and if there was a need to -- to change
25 anything or -- or speak to anyone.

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1 MR. FAWCETT: So it would be Walker,
2 Kendrick and the ship manager for the appropriate
3 MSC or MORAD --

4 MR. KENDRICK: Right.

5 MS. BELL: -- or whatever?

6 MR. KENDRICK: Correct. Yes, sir.

7 MR. FAWCETT: And the selection process for
8 senior officers, I think you had said you didn't get
9 involved with that?

10 MR. KENDRICK: I didn't get involved with
11 day-to-day crewing.

12 MR. FAWCETT: I'm talking about let's say
13 for example we decide we're going to bring Captain Bors
14 Akselsen (phonetic) in.

15 MR. KENDRICK: Right.

16 MR. FAWCETT: You know, eh's out there in
17 the ether somewhere. We're going to bring him in as an
18 employee. Are you -- were you --

19 MR. KENDRICK: Yes, I would have been. We
20 -- our captains were pretty stable. Our masters were.
21 The one place we were looking at it was -- was manning
22 the new ships, the LNGs. And that was a -- a selection
23 process where we considered, you know, performance and
24 -- and history with us and -- but again, that was in
25 process when I left. We were -- were starting to cull

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1 the herd a little bit, I guess.

2 MR. FAWCETT: Okay. Could you take us to
3 the -- to help understand what you were looking for the
4 LNG ships? You had a stable of officers.

5 MR. KENDRICK: Yes.

6 MR. FAWCETT: And temporarily the fleet's
7 going to expand.

8 MR. KENDRICK: Right.

9 MR. FAWCETT: So what were you looking for
10 for the LNG ships?

11 MR. KENDRICK: The focus was very heavy on
12 the engineering side. We made that decision -- or
13 those decisions first, I guess, as we started looking
14 at people because that -- that seemed to be the more
15 critical side. Obviously a master's important and the
16 deck officers are important, but we wanted to nail down
17 the engineers, particularly for training, because they
18 were being sent overseas for training. And that
19 started about this time last year or early in the -- in
20 the calendar year. So they had to be decided first.

21 So we went through from chiefs down to
22 thirds and looked at engineers based on performance,
23 based on -- you know, we did look to see if anyone had
24 LNG experience in their background. We had very few in
25 -- in our fleet that I remember. And then moved on to

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1 the deck officers, with the master's of course being
2 the primary focus. But that -- that was still in a
3 state of flux when I left. We were just starting to
4 look at -- at -- at deck officers.

5 And some of it was filling slots, like who
6 -- because as you said, the fleet temporarily expanded.
7 So we suddenly need a lot of officers for -- well,
8 three ships and then four, and didn't have that pool
9 necessarily available. So we were looking at outside
10 résumés, too, and getting referrals. And again, we
11 were in mid-process when I left, so I'm not sure how it
12 all shook out.

13 MS. BELL: Can I interject?

14 MS. SERRIDGE: Can I interject?

15 MR. FAWCETT: Yes, you may.

16 MS. BELL: Carrie Bell, NTSB. You mentioned
17 that you had to nail down the engineers first because
18 of the training. From some of our other interviews
19 we've gathered that they still -- even the people that
20 had gone for training weren't sure that they were being
21 hired for the LNG ships. Were the people that you sent
22 for training already slated for the LNG ships and they
23 just not been informed of that?

24 MR. KENDRICK: Yes, I think the decision was
25 made to hold off informing, although if they were

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1 selected for the training, I -- I believe it was pretty
2 well understood they would be going to the LNG ships.
3 So --

4 MS. BELL: Okay.

5 MR. KENDRICK: Yes. But I -- I -- I don't
6 think they were -- and I -- and again I apologize for
7 my memory. I believe we did before I left inform some
8 of the engineers you are slotted. So that would have
9 been maybe in February of early March. It seems like
10 that was one of the last things, but --

11 MS. BELL: Was there a hesitation to let
12 them know ahead of time for any specific reason? It
13 seems like --

14 (Simultaneous speaking)

15 MR. KENDRICK: Well, yes, if someone wasn't
16 going to sail with us in the future, they might -- we
17 were balancing keeping people in the existing ships and
18 the existing routes with assigning them to sexy new
19 ships and -- and we knew some people would immediately
20 start looking for other employment. So we were trying
21 to -- we wanted to be fair to them, but also do it as
22 timely as we could to -- to keep a mass exodus of folks
23 to -- to other vessels or other fleets.

24 MS. BELL: I'm sorry to interject.

25 MR. FAWCETT: Why wouldn't -- this is from

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1 your position I'm asking this question, but why
2 wouldn't somebody that's been already running with you
3 as a master -- why wouldn't they just automatically
4 fill a slot in a new ship?

5 MR. KENDRICK: That was addressed and -- at
6 senior levels, and -- and basically Phil Greene. I
7 said these are the -- the best of the best ships. We
8 want the best of the best people. So we want a
9 process. We don't want to just have people cross
10 decks. So that was a driving philosophy, I guess.

11 MR. FAWCETT: Okay. So you mentioned the
12 word "process." So I'm sitting here today after having
13 conducted a number of interviews and I'm not sure what
14 that process was. In other words, by process I mean
15 how we identify those individuals. You mentioned
16 outside the company, looking for résumés. Then we
17 bring them into a process where we conduct an
18 interview, standardized questions. In my world we
19 standardize questions so no one can grieve --

20 MR. KENDRICK: Right.

21 MR. FAWCETT: -- the process.

22 MR. KENDRICK: Right.

23 MR. FAWCETT: We take minutes, we document
24 the follow-up meeting, the subsequent meeting so that
25 we have the whole thing laid out so we know that if

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1 anything happens we had fair, consisting hiring
2 practices that we can defend. So could you describe
3 the process so I can understand it?

4 MR. KENDRICK: Well, it hadn't gotten to
5 that point when I left. These were meetings just to
6 discuss who was available. It hadn't even gotten to
7 the point of -- of real interviews, particularly for
8 the masters. Again, some of the engineers were slotted
9 simply to get people in the training pipeline, but we
10 hadn't gotten to a point of formal interviews, formal
11 questions, particularly on the deck side.

12 I -- I don't remember on engineering. We
13 probably did do some informal interviewing, but the
14 process at that point was basically meetings of a
15 subcommittee for the whole LNG process to talk about
16 personnel timelines, training and how all that worked
17 together. So we hadn't got to the point of really
18 doing a formal hiring process. And -- and I don't know
19 that they would have gotten to that point other than
20 for people coming in who weren't sailing with us,
21 because I think there was a feeling, well, we're
22 familiar with these folks. So --

23 MR. FAWCETT: And talking about the LNG
24 ships and talking about TOTE and everything like that,
25 how much of your time was devoted to the LNG, either

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1 conversions or new construction versus looking at the
2 existing operation? Can you give me just a ballpark or
3 something?

4 MR. KENDRICK: Yes, very little. I was on
5 basically the LNG Subcommittee to -- to look at the
6 crewing, and that was my involvement. So five percent,
7 if -- if that, of my time. I dealt with folks in the
8 shipyard because we had -- had engineering officers out
9 there who were working for us and we were balancing
10 them wanting to be paid as if they were afloat versus
11 working in the shipyard. So --

12 MR. FAWCETT: Can't both ways, huh?

13 MR. KENDRICK: Yes, it was -- I did a lot of
14 work on that, but not as much with the ships
15 themselves.

16 MS. SERRIDGE: Can I ask a question real
17 quick? This is Melissa with TOTE Services.

18 Jon, in the selection process within the
19 collective bargaining agreement is there a section
20 listed in the contract that talks about interviews or
21 how they have to be conducted, or is that something
22 that's not even part of the collective bargaining
23 agreement and possibly not even grievable?

24 MR. KENDRICK: I don't think it was -- you
25 know, there are multiple collective bargaining

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1 agreements, because there's one for each -- not
2 necessarily each ship, but each company or -- or
3 government entity, and sometimes for each ship with
4 both unions. And I don't recall that ever being a part
5 of it. Selection is more or less up to the company,
6 but certainly working with the union. Now SIU had --
7 AMO was different. SIU had union halls and operated
8 out of the union halls. AMO, they kind of bid for
9 jobs. It was centralized dispatching. And again, a
10 very good informal working relationship. I don't
11 believe interviewing was part of any of the -- the
12 collective bargaining agreements and was grievable. So
13 --

14 MR. FAWCETT: So --

15 MS. SERRIDGE: That's all right.

16 MR. FAWCETT: Keith Fawcett again. So the
17 interviewing part may not have been?

18 MR. KENDRICK: Right.

19 MR. FAWCETT: But whether or not someone got
20 potentially hired might have been a grievable issue?

21 MR. KENDRICK: Oh, yes. I mean, they can
22 grieve whatever they want to.

23 MR. FAWCETT: Right.

24 MR. KENDRICK: So, yes, they could have said
25 this is unfair. I've got five years on this class

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1 vessel and he has two. So, yes. Sure.

2 MS. BELL: Carrie Bell, NTSB. So was there
3 a question or a concern about the current officers
4 possibly filing grievances if they were not hired? Was
5 that something the company was concerned about?

6 MR. KENDRICK: It -- it didn't come up in
7 conversations, just that they might leave us if they
8 weren't selected.

9 MS. BELL: Yes.

10 MR. KENDRICK: Yes, I don't recall any
11 conversations that said there's a risk of a grievance
12 here.

13 MS. BELL: I'm just curious since that
14 follows so closely behind the terminations that --

15 MR. KENDRICK: Yes.

16 MS. BELL: -- that they did file grievances.

17 MR. KENDRICK: Right. Right.

18 MS. BELL: So I was curious if that might be
19 something to take into consideration in future hiring.

20 MR. KENDRICK: No, I understand. Yes.

21 MS. BELL: So is there any kind of a list of
22 criteria that you were specifically looking for, I
23 mean, in terms of who was going to be coming onto the
24 new ships?

25 MR. KENDRICK: The LNGs? I don't believe

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1 so. I think it was just considering the people we had
2 --

3 MS. BELL: Yes.

4 MR. KENDRICK: -- at least in the initial
5 steps.

6 MS. BELL: Did you have any interactions
7 specifically with the masters of the *El Faro* related to
8 that? Any conversations with them related to whether
9 they were going to be hired for the LNG ships?

10 MR. KENDRICK: I don't recall any. I think
11 they were a little nervous about having those
12 conversations because they may not have wanted -- you
13 know, just I don't want bad news or I don't want --
14 let's see what happens. I certainly dealt with both
15 master -- or all four masters, but I don't recall any
16 conversations specifically about them. Now we did
17 talk, I think, about some of the engineers. And that
18 was more with the chiefs than it was the masters,
19 although we got the masters' input as well. But I
20 don't recall any conversations with the masters about
21 what they themselves would be doing.

22 MS. BELL: Okay. Can you tell me who the
23 four captains were that you're referring to?

24 MR. KENDRICK: Well, Mike Davidson,
25 obviously. Mike Richey (phonetic).

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1 MS. BELL: Who's that?

2 MR. KENDRICK: Mike Richey. I got his name
3 right, didn't I? Mike Richey. Bors Akselsen. And
4 then -- oh, I can picture him. He lives out West.

5 MS. BELL: (Chuckle) Sorry.

6 MR. KENDRICK: I'm sorry, too. I -- I'm
7 just drawing a blank.

8 MR. FAWCETT: Is that Earl Loftfield?

9 MR. KENDRICK: Earl Loftfield. Thank you.
10 Yes, he was the fourth.

11 MR. FAWCETT: Keith Fawcett, Coast Guard.

12 MR. KENDRICK: Yes, Earl Loftfield.

13 MS. BELL: So did you have regular
14 interactions with the senior officers?

15 MR. KENDRICK: Not regular. As needed. I
16 visited the ships occasionally. If there was an issue
17 they wanted to talk about, we would or they would call.
18 I know Mike Richey had a -- a case of -- a potential
19 racial issue and he called me and we talked through it
20 while he was in port. And I eventually visited the
21 ship and did an investigation. Mike Davidson had the
22 -- the unlicensed who -- who made the statements and
23 threats to the licensed officer. So there were
24 interactions, but not on a regular basis.

25 MS. BELL: Yes.

1 MR. KENDRICK: Usually when a problem came
2 up or if I just happened to be out visiting the ships,
3 you know, have lunch with them, something like that.

4 MS. BELL: Yes. So you mentioned that you
5 did an investigation for the potential racial issue.
6 What does that entail, your investigation?

7 MR. KENDRICK: Going out and interviewing
8 everyone, observing. And just very briefly what
9 happened was an African-American unlicensed engineer
10 pulled a rag out of a 55-gallon drum that had -- it was
11 white and had two holes in it and it looked like a -- a
12 KKK mask, and he felt someone had left it there on
13 purpose. And so we conducted an investigation. We had
14 the union there, SIU. The local union boss Archie
15 (phonetic) someone was out there. And Melissa I think
16 was there as well.

17 Didn't you come out on that?

18 MS. SERRIDGE: Melissa Serridge.

19 MR. KENDRICK: Yes.

20 MS. SERRIDGE: Yes, that's correct.

21 MR. KENDRICK: Yes.

22 MS. SERRIDGE: I was involved in that
23 investigation.

24 MR. KENDRICK: And it was really talking to
25 everyone, observing what happened. And for what it's

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1 worth, we determined that the people who produced the
2 rags used old jeans and cut out the rivets. And so
3 they -- you could tell where they cut the rivets out of
4 the pockets. And -- and I'm not sure that satisfied
5 the young man, but it -- it satisfied everyone else.
6 The union rep said, yes, this is obviously not -- no
7 one went to this specific waste -- he was reusing an --
8 an old rag and he said no one went there and literally,
9 you know, put this here so you would find it. So --

10 MS. BELL: Yes.

11 MR. KENDRICK: -- that was the nature of
12 that investigation.

13 MS. BELL: Okay. Thank you for describing
14 that.

15 MR. KENDRICK: Yes.

16 MS. BELL: So we were talking about the
17 performance evaluations, back to the LNG ships.

18 MR. KENDRICK: Yes.

19 MS. BELL: Did you at any point pull
20 together all the performance evaluations you had on
21 your officers to review those while you were discussing
22 the whole who's going to be included in the candidates?
23 Did you look at performance evaluations for that?

24 MR. KENDRICK: Yes, as I recall we pulled
25 the most recent ones to look at --

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1 MS. BELL: Yes.

2 MR. KENDRICK: -- or to talk about. Or we
3 -- you know, most of us had knowledge of what was in
4 them, so, yes, they were part of the discussion.

5 MS. BELL: Were there any performance
6 evaluations in the time that you were at TOTE that had
7 a negative -- anything negative in their evaluation
8 that you had to address?

9 MR. KENDRICK: Not with the masters.

10 MS. BELL: Or anyone?

11 MR. KENDRICK: Yes, I'm trying to think of
12 the other -- there were -- there -- you know, from time
13 to time there were evaluations people weren't happy
14 with. They would call Melissa Clark and discuss them.
15 She would bring it to my attention. But no
16 investigations launched. It was counseling more than
17 anything and walking them through and -- and no
18 problems arose because of it that I recall. So --

19 MS. BELL: Yes. Would you request or
20 recommend additional training in any case if a
21 performance evaluation was bad?

22 MR. KENDRICK: Yes, and typically it's
23 shipboard. I mean, the -- the one I remember where
24 there were issues were people just not maintaining an
25 alert watch or -- or -- you know, I'm -- I'm struggling

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1 to -- it was usually junior engineers, junior deck
2 officers, because once you rise to a, you know, higher
3 level, it's -- you're a little more conscientious and
4 more responsibility, I think. So it was -- it was
5 usually just things that required counseling from the
6 captain or the chief and were addressed. I don't
7 remember any instances of providing special training.

8 MS. BELL: Yes.

9 MR. KENDRICK: I mean, there may have been
10 some, but I just don't recall.

11 MS. BELL: Any instances of demotions based
12 on performance?

13 MR. KENDRICK: I don't recall any based on
14 performance. I know some happened based on just
15 scheduling, people either coming back to us after
16 taking some time off and there may not have been a
17 second assistant engineer, but there was a third. So
18 --

19 MS. BELL: Yes.

20 MR. KENDRICK: And there -- there seemed to
21 be a lot of movement up and down like that in the
22 industry where people just took what they could to
23 sail. So --

24 MS. BELL: Yes.

25 MR. KENDRICK: Okay. Questions?

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1 MS. SERRIDGE: No.

2 MR. FAWCETT: Keith Fawcett with the Coast
3 Guard. Jon, what are you doing now?

4 MR. KENDRICK: I still have the pastoral
5 role. But that is definitely bi-vocational, so I
6 needed another job. And I actually pieced together
7 some consulting over the summer, but just went to work
8 in late August for JEA, which used to be the
9 Jacksonville Electric Authority, but goes by the
10 initials JEA. And I'm an HR business partner there.
11 No travel.

12 MR. FAWCETT: So just do you recall offhand
13 how long Captain Davidson had been with TOTE,
14 approximately?

15 MR. KENDRICK: The year -- the year I was
16 there. No, I don't recall. It seems like Melissa
17 Clark told me he had been with us before and sailed
18 maybe as a first and then come back and -- or went and
19 picked up master somewhere and came back to us. He was
20 there when I got there and I don't know how long he'd
21 been sailing at that point.

22 MR. FAWCETT: While you were there did you
23 see any evaluation for Captain Davidson?

24 MR. KENDRICK: I probably did, but I don't
25 -- it didn't -- nothing stands out for me to remember,

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1 so --

2 MR. FAWCETT: From a corporate side the
3 termination settlements that occurred apparently were
4 pretty costly.

5 MR. KENDRICK: Yes.

6 MR. FAWCETT: Do you recall how much that
7 cost?

8 MR. KENDRICK: Ooh, it would be a ballpark.
9 It seems like it was basically lost wages and -- and
10 things like that. So maybe about 100,000 apiece.
11 Something like that. I don't know. I -- I -- I don't
12 -- I honestly don't remember. I remember paying them,
13 and there was a glitch in paying one of them because of
14 a direct deposit fowl-up. And I just remember the --
15 the guy was very understanding, which surprised me. So
16 -- and we got it straightened out. They're -- they --
17 they were pretty significant amounts, yes.

18 MR. FAWCETT: So these guys were terminated.
19 The court -- when the arbitration said that it was
20 correctly terminated --

21 MR. KENDRICK: Right.

22 MR. FAWCETT: -- was there any corporate
23 sit-down, lesson learned, what did we do wrong, how do
24 we circle the wagons, how do we prevent this kind of
25 thing in the future, anything like that?

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1 MR. KENDRICK: No. I got the sense the same
2 decision would be made if it happened again.

3 MR. FAWCETT: So it was a sense?

4 MR. KENDRICK: (No audible response)

5 MR. FAWCETT: Okay. So the company has --
6 and I've been on the ship, the *El Yunque*, and they have
7 posted around the ship the number for the QI, the
8 number for the DP. There's a number for a speak-up
9 line.

10 MR. KENDRICK: Yes.

11 MR. FAWCETT: Or something like that. Can
12 you talk about what that is?

13 MR. KENDRICK: Yes, Saltchuk and I believe
14 TOTE operate an ethics hotline, and they are --
15 anyone's free to call that in the company, the mariners
16 and -- and anyone. And it is operated above our level.
17 We get the reports and, you know, we get sometimes
18 investigations to do, I guess, resulting from them.
19 But Mike Holt was our chief -- well, I guess I was the
20 ethics officer for TSI, but Mike was the chief ethics
21 officer for TOTE, Inc. and managed the hotline. And
22 that -- now I can't remember if there was -- I know
23 there was a Saltchuk line -- or if TOTE had its own
24 line. And we may have -- TOTE may have its own and
25 then Saltchuk. So I just -- I don't remember the

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1 sequence there.

2 But, yes, ethics hotline and operated by,
3 you know, an independent third party that would let
4 Mike know of anything that came up that related to us
5 and then it would bubble down if we needed to do
6 anything or have any investigations.

7 MR. FAWCETT: Can anybody related to TOTE
8 use it? In other words, if I Googled it and found it
9 and I was a stevedore or a contractor anybody related
10 to --

11 MR. KENDRICK: Oh, yes. I mean, anybody
12 could call; it's an 800 number, if you ran across it,
13 you know? And I've managed ethics hotlines before and
14 sometimes you get some crank calls, so it's certainly
15 open to anyone. But we would want someone like a
16 stevedore who observed something, you know, if it was a
17 safety issue or -- or something like that to call. So,
18 yes.

19 MR. FAWCETT: Do you recall in the year that
20 you were there how many trickle-down reports you might
21 have gotten? Just a ballpark.

22 MR. KENDRICK: Very few. I'd say less than
23 -- than five, if that many. And I can't remember
24 specifics about any of them, unfortunately, because
25 they didn't -- they didn't amount to anything.

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1 MR. FAWCETT: You know the buck stops with
2 masters --

3 MR. KENDRICK: Yes.

4 MR. FAWCETT: -- of ships, and I might have
5 asked you this before, but I just want to make sure I
6 didn't lose it. And that's one of the reasons we
7 record these interviews.

8 MR. KENDRICK: Right.

9 MR. FAWCETT: But who would you say is
10 responsible within TOTE while you were there for the
11 oversight of the masters?

12 MR. KENDRICK: I'd say each of the VPs of
13 operations. Mitch Walker and Phil -- here we go again.
14 The other Phil. Not Phil Greene.

15 MR. FAWCETT: Morrell (phonetic)?

16 MR. KENDRICK: Burrell (phonetic). Thank
17 you.

MR. FAWCETT: Morrell.

18 MR. KENDRICK: Morrell. Yes.

19 MR. FAWCETT: That was Keith Fawcett, Coast
20 Guard. And in your capacity while you were at TOTE
21 were there any labor issues or personnel issues? Now,
22 when I say personnel issues, I'm talking about anything
23 related to interaction between people on the crew,
24 grievances, anything that were related to Captain
25 Loftfield that you recall.

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1 MR. KENDRICK: No grievances that I recall.
2 Captain Loftfield reported what he thought was an abuse
3 of overtime when I was still -- my predecessor was
4 still there. We were there together kind of in a
5 transition period. And it had been an accepted
6 practice, I guess, on -- that would have been the *El*
7 *Yunque*. He and Richey, Mike Richey were the two
8 masters there. And Loftfield felt, I guess, there were
9 some overtime that was being approved. And I'll
10 probably get a little sketchy on the details, but the
11 bosun was allowing some things to happen or -- or --
12 and it had -- it and literally had been in place for
13 years, I guess, and had just become accepted practice
14 and no one really deemed that it was wrong, including
15 Loftfield until I guess he really looked into it. So
16 he -- he mentioned that. And an investigation was done
17 and, you know, a lot of record compiled and -- and gone
18 through. But I don't recall any grievances or
19 disciplinary issues with Captain Loftfield.

20 MR. FAWCETT: And then any personnel issues
21 at all?

22 MR. KENDRICK: No, none that I can remember.

23 MR. FAWCETT: How about Captain Akselsen?

24 MR. KENDRICK: No.

25 MR. FAWCETT: Captain Richey?

1 MR. KENDRICK: Just related to the overtime,
2 because he'd been approving it. So --

3 MR. FAWCETT: He was involved with the other
4 one?

5 MR. KENDRICK: Yes. Yes.

6 MR. FAWCETT: And had any of these guys
7 served on the *El Morro* that you're aware of?

8 MR. KENDRICK: Yes, they would have. And it
9 was shortly after I came on board. We -- the *El Faro*
10 came back in the fleet from the yards and the *El Maro*
11 (phonetic) was -- *El Morro* was decommissioned, but I
12 don't remember. You know, I'm -- I'm -- I'm assuming
13 Akselsen and Davidson crossed deck, but I -- I don't
14 remember exactly.

15 MR. FAWCETT: And then just finally Captain
16 Davidson?

17 MR. KENDRICK: Perform -- or disciplinary --

18 MR. FAWCETT: Yes, the same kind of --

19 (Simultaneous speaking)

20 MR. KENDRICK: Yes. no.

21 MR. FAWCETT: -- labor issues, personnel
22 issues that you're --

23 (Simultaneous speaking)

24 MR. KENDRICK: No, other than that

25 investigation that was done for the -- the threat made

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1 from the junior to the -- the unlicensed to the
2 licensed. I don't recall anything with -- with Mike.

3 MS. BELL: Speaking of Mike; this is Carrie
4 Bell, what did people think of him in general? Did you
5 get a sense of what the crew thought of him, just
6 interactions?

7 MR. KENDRICK: No, not from the crew, but I
8 don't know that they would --

9 MS. BELL: What about from --

10 MR. KENDRICK: -- have told me.

11 MS. BELL: -- the other captains?

12 MR. KENDRICK: The other captains respected
13 him. I mean, they -- they seemed to have good
14 turnovers, he and Akselsen. Melissa indicated
15 sometimes the crews felt that he was probably a little
16 stiff, I guess, or formal, but, no, I don't recall
17 anything untoward or -- or -- yes, about his behavior
18 or performance.

19 MS. BELL: Okay. You said Melissa. Clark?

20 MR. KENDRICK: Melissa Clark. I'm sorry.

21 MS. BELL: Had indicated that? Was that
22 from the crew, or was that her own personal
23 observation?

24 MR. KENDRICK: Probably a little of both,
25 although I think she got along very well with him, so

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1 maybe more the crew.

2 MS. BELL: Anything about this morale of the
3 crew on board when he was on board?

4 MR. KENDRICK: Not that I'm aware of, no.

5 MR. FAWCETT: Keith Fawcett, Coast Guard.
6 Like you would go visit the ships, right?

7 MR. KENDRICK: Some, yes.

8 MR. FAWCETT: And it relates to Carrie's
9 question about morale. Did you notice -- like the *El*
10 *Yunque* had I think Loftfield as a regular skipper and
11 Richey --

12 MR. KENDRICK: Richey, right.

13 MR. FAWCETT: And then Akselsen and
14 Davidson. Did you notice like any difference between
15 the ship as far as like whether it's being morale or --
16 I always like to serve on a happy ship where
17 everybody's getting along together --

18 MR. KENDRICK: Yes.

19 MR. FAWCETT: -- and there's all -- there's
20 mutual synergy going on.

21 MR. KENDRICK: Yes.

22 MR. FAWCETT: Was there some kind of
23 difference at all that you could observe between the
24 two ships?

25 MR. KENDRICK: I don't know that I was on

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1 them often enough to be qualified to say that. I will
2 say the captain that seemed most well-liked was Richey,
3 and maybe just more personality-driven than anything.
4 And he had a -- a -- a chief that was pretty easygoing,
5 too, and got along with his crew. So maybe Richey on
6 the *El Yunque*, but not an appreciable difference. And
7 again, I don't know that I was on there often enough.
8 You know, had I sailed with him a couple of times, it
9 might have been a little easier to pick up on that, but
10 --

11 MR. FAWCETT: So what we've talked about
12 here a pretty stable group of masters, just looking at
13 the paperwork we've looked at. How about the stability
14 of the chief mate position? Would you say it was
15 stable
16 or --

17 MR. KENDRICK: I'm trying to remember who
18 they were. Yes, I don't recall any issues. I know --
19 it seems like we had more than just the four. I know
20 there was one guy from Africa who was very stable who'd
21 been on board awhile. I know in the -- and I think he
22 was on the *El Yunque*. I know one of -- well probably
23 both of the -- the chief mates were involved in the
24 overtime thing, or at least knew -- knew of it, but
25 again an accepted practice. I don't remember any

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1 instability necessarily, but --

2 MR. FAWCETT: How about turnover? In other
3 words, you can name --

4 MR. KENDRICK: Yes.

5 MR. FAWCETT: -- the four guys --

6 MR. KENDRICK: Right.

7 MR. FAWCETT: -- on two ships.

8 MR. KENDRICK: Right.

9 MR. FAWCETT: Could you name everybody that
10 had served in the chief mate capacity --

11 MR. KENDRICK: I couldn't.

12 MR. FAWCETT: -- during your --

13 MR. KENDRICK: I couldn't even give you one
14 name right now, and I'm sorry.

15 MR. FAWCETT: Okay. And then my final
16 question is you came into the company in March 2014.
17 And did the termination of these officers -- like did
18 you have to mend fences with ship's officers -- not you
19 personally, but did the company have to mend fence with
20 the officers that remained? In other words, their
21 brothers, union brothers had been terminated.

22 MR. KENDRICK: Yes.

23 MR. FAWCETT: They prevailed. But was there
24 a lingering something?

25 MR. KENDRICK: None that I picked up on. I

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1 can remember a conversation with one of them about it,
2 and it was more like, man, this is just a shame that it
3 happened, but they understood why it happened. So I
4 don't think there was any lingering animosity or -- or
5 ill will. Just grateful it hadn't happened to them, I
6 think, was -- is more -- they saw it more as victims of
7 circumstance, I think, than anything.

8 MR. FAWCETT: And the decision to terminate
9 off-duty --

10 MR. KENDRICK: Yes.

11 MR. FAWCETT: -- you've got these guys on
12 the ship that do something. You have the master and
13 the chief mate there. Then you reach out and you say
14 you're going and you're going.

15 MR. KENDRICK: Yes.

16 MR. FAWCETT: Do you understand why that
17 happened?

18 MR. KENDRICK: I understand why TOTE made
19 the decision.

20 MR. FAWCETT: That's what I mean.

21 MR. KENDRICK: Yes.

22 MR. FAWCETT: Could you share that with us?

23 MR. KENDRICK: I'll probably be a little
24 sketchy, but someone was down in Puerto Rico during I
25 guess that investigation and they claimed that someone

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1 in law enforcement; and I guess it was Customs,
2 inferred that the -- the masters needed to be let go or
3 TOTE would lose a particular license to import goods or
4 -- and I'm -- I'm sorry, I don't know the terminology.
5 I've been -- I don't know the specifics. But it was
6 strongly suggested that -- that we should let the
7 masters go.

8 That was denied after the fact, but in -- I guess
9 in the moment TOTE, who -- and I honestly don't
10 remember who it was that was down there, but they saw
11 the business drying up, or, you know, this license
12 being taken away. And -- and -- and they also felt
13 that -- that I guess the captain and chief mates hadn't
14 exercised as much supervision as they should have. So
15 those two combined, they made the decision to let the
16 -- let the officers go.

17 MR. FAWCETT: And then my question was why
18 would you let the off-duty guys go for a particular
19 incident unless the people that were trafficking, or
20 whatever they were doing, were doing it on a
21 reoccurring basis? I mean, could you help me to
22 understand how the off-duty officers --

23 (Simultaneous speaking)

24 MR. KENDRICK: You're saying they were off
25 duty when the events occurred?

1 MR. FAWCETT: Yes, I'm saying that --

2 MR. KENDRICK: Oh.

3 MR. FAWCETT: -- it makes sense to let go
4 these two guys, perhaps.

5 MR. KENDRICK: Right. Right.

6 MR. FAWCETT: Those two guys --

7 MR. KENDRICK: Yes, I'm sorry.

8 (Simultaneous speaking)

9 MR. FAWCETT: -- California.

10 MR. KENDRICK: Yes, I think --

11 MR. FAWCETT: Why would you let them go?

12 MR. KENDRICK: I think they felt it had been
13 an ongoing thing and it happened under their watch as
14 well.

15 MR. FAWCETT: Understand. Thank you.

16 MR. KENDRICK: Yes. I'm sorry.

17 MR. FAWCETT: That's all I have for you.

18 MR. KENDRICK: Okay.

19 MS. BELL: I just have one more question.

20 We've been kind of trying to understand more about the
21 process of hiring and terminating --

22 MR. KENDRICK: Right.

23 MS. BELL: -- employees. We interviewed

24 Captain Akselsen, and from what we gathered from him,

25 when he was hired, he got a phone call out of the blue

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1 just saying would you be interested in coming to work
2 for us? And that he had to turn in a résumé, but never
3 had an interview. Is that a typical turn of events
4 when you are hiring new people? If you find a master
5 or you find someone that's qualified, do you typically
6 interview them before you bring them on?

7 MR. KENDRICK: I would strongly recommend it
8 from an HR perspective. My recommendations were not
9 always taken into account. We probably didn't follow
10 best practices as a company. But, yes, I think they --
11 he certainly should have been interviewed. Now, you
12 know -- and you guys have a lot more familiarity with
13 this industry than I do, but I think it's just -- you
14 know, word gets around to people. It's a small
15 community and you know if someone's qualified. I think
16 there's a feeling, well, he sailed master here this
17 long; he'll be fine transitioning over here. So I -- I
18 think that happens a lot more where it just a phone
19 call based on what we know about you. Come on.

20 MS. BELL: Yes.

21 MR. KENDRICK: So -- so I don't think that's
22 unusual, but I would certainly recommend there be a
23 more formal process.

24 MS. BELL: And who would you recommend that
25 to in the company while you were there?

1 MR. KENDRICK: Phil Greene or -- yes.

2 MS. BELL: So do they ultimately have the
3 hiring responsibility?

4 MR. KENDRICK: It's -- it's in conjunction
5 with the heads of operation and the ship managers, so
6 Mitch and -- and -- Mitch Walker and Phil Morrell I
7 guess would make the ultimate call, but Melissa --
8 Melissa Clark did all the leg work to find who's
9 available --

10 MS. BELL: Yes.

11 MR. KENDRICK: -- and things like that. And
12 I know once they let those -- those fellows go after
13 the investigation of the -- the drug incidents, there
14 was a need to get someone on board, you know, pretty
15 quickly for the next rotation.

16 MS. BELL: Yes.

17 MR. KENDRICK: And -- and that probably sped
18 up the process more than it would have. But, you know
19 --

20 MS. BELL: Yes, okay. Also when we talked
21 with Akselsen he mentioned that he got a phone call to
22 let him know that his services were no longer needed
23 when they decided, or someone decided that they didn't
24 need him anymore.

25 MR. KENDRICK: Right.

1 MS. BELL: Is that a typical way to -- I
2 mean, that doesn't sound like a termination, if you
3 will, because he did come back after that.

4 MR. KENDRICK: Right.

5 MS. BELL: But is that a way that --

6 MR. KENDRICK: When I saw that done -- and I
7 don't know his -- his particulars, but when I saw that
8 done, Melissa or one of the crewing people would
9 typically say this is a short-term deal. We need a
10 replacement or, you know, we need you to sail for this
11 period of time. So it was usually understood up front.
12 It sounds like maybe it wasn't in that case. But, yes,
13 typically there was a fill-in. Because there was an
14 understanding with -- with the unions that if somebody
15 sailed and sailed consistently, that was their job to
16 keep. So --

17 MS. BELL: Yes. He did say he was
18 temporary.

19 MR. KENDRICK: Okay.

20 MS. BELL: I mean, but he'd --

21 MR. KENDRICK: So he knew that one -- yes.

22 MS. BELL: -- been there for a year or so --

23 MR. KENDRICK: Yes.

24 MS. BELL: -- at that point. So I was just
25 curious.

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1 MR. KENDRICK: Oh, okay. Yes.

2 MS. BELL: Okay. I don't think I have any
3 more questions. Go around again?

4 MS. SERRIDGE: No.

5 MR. FAWCETT: No, thank you. Keith Fawcett.
6 No, I don't any more. Thanks.

7 MS. BELL: Thank you for your time. We
8 really appreciate it. Is there anything that you have
9 to offer us that we may not have asked about?

10 MR. KENDRICK: No, nothing I can think of.

11 MS. BELL: Okay.

12 MR. KENDRICK: Thanks for asking.

13 MS. BELL: This ends our interview.

14 (Whereupon, the above-entitled matter went
15 off the record at 9:53 p.m.)

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C E R T I F I C A T E

MATTER: EL FARO INCIDENT OFF THE COAST
OF THE BAHAMAS ON OCT. 1, 2015
NTSB Accident No. DCA16MM001
Interview of John Kendrick

DATE: 12-02-14

I hereby certify that the attached transcription of page 1 to 53 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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