



So it's always smooth sailing
Established 1989

Longshore Status

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Longshore and Harbor Workers' Compensation Act

STATUS



SITUS



+

= ELIGIBILITY

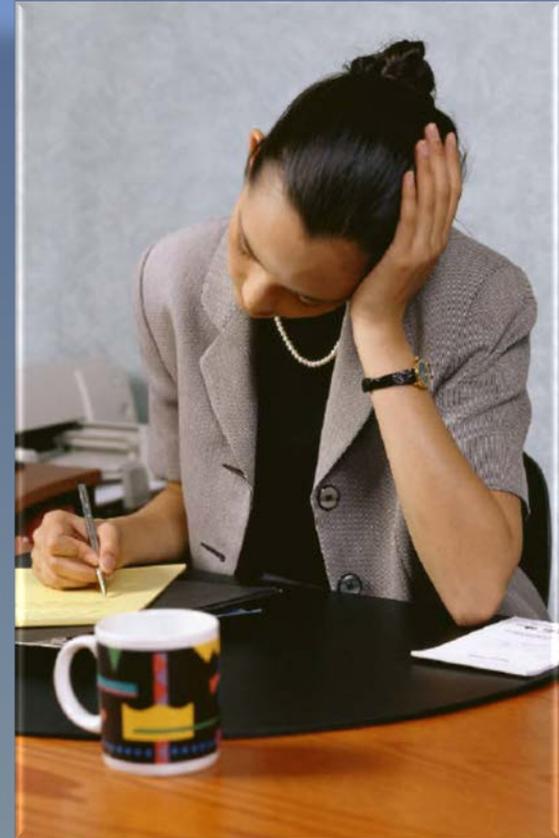
Longshore Act Status

The term "employee" means any person engaged in maritime employment, including any longshoreman or other person engaged in longshoring operations, and any harbor-worker including a ship repairman, shipbuilder, and ship-breaker, but such term does not include.....



Longshore Act Status Exclusions

- A) individuals employed *exclusively* to perform office clerical, secretarial, security, or data processing work;



Clerical Exclusion Limited

ILENE MANZO v. Carnival Cruise Lines (Dec 2003)

Manzo was a “clerical” employee of Carnival whose duties included checking-in passengers, reviewing documents and issuing of the “A” cards (electronic room keys). In the decision granting Manzo Longshore benefits, the judge ruled that “...*it is difficult to imagine how the hundreds of passengers... would even make it on board... and as such... was clearly an integral part of the loading process...*”.

BOONE v. Newport News Shipbuilding

the clerical functions had to be performed
in an office type environment

Longshore Act Status Exclusions

B) individuals employed by a club, camp, recreational operation, restaurant, museum, or retail outlet;



Longshore Act Status Exclusions

Income Predominantly
From Storage of
Recreational Boats.

- C) individuals employed by a marina and who are not engaged in construction, replacement, or expansion of such marina except for routine maintenance

Longshore Act Status Exclusions

- D) individuals who
 - I. are employed by suppliers, transporters, or vendors,
 - II. are temporarily doing business on the premises of an employer described in paragraph (4) and
 - III. are not engaged in work normally performed by employees of that employer under this Act;



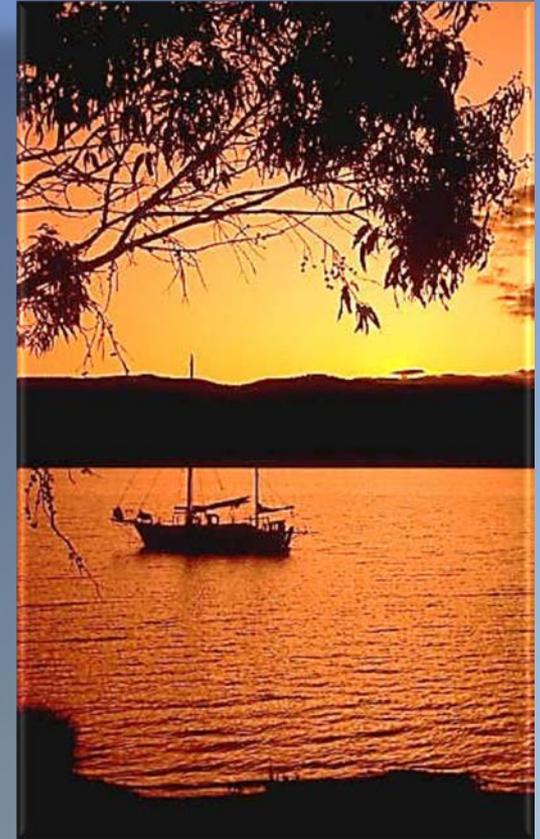
Longshore Act Status Exclusions

E) aquaculture workers;



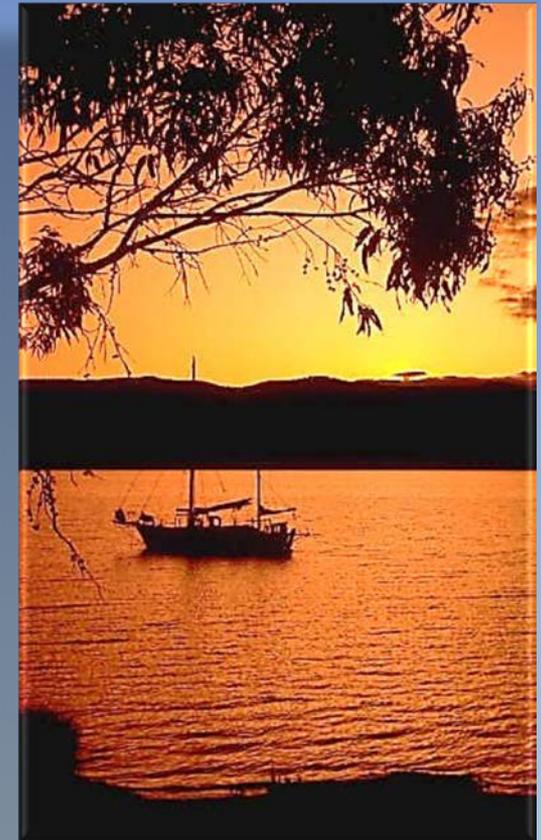
Longshore Act Status Exclusions

F) individuals employed to build, ~~repair, or dismantle~~ any recreational vessel under sixty-five feet in length; *or individuals employed to repair any recreational vessel, or to dismantle any part of a recreational vessel in connection with the repair of such vessel;*



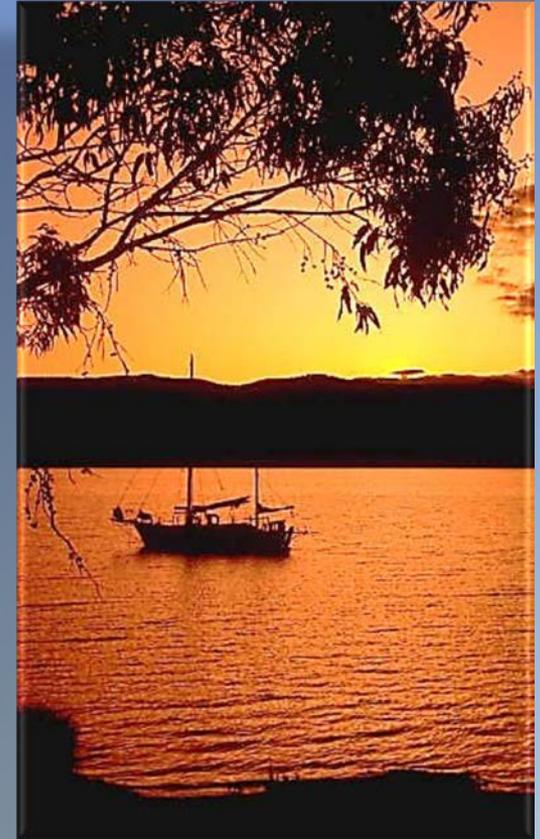
Longshore Act Status Exclusions

Type of Vessel	Repair/Service	Build/Construct /Manufacture
Recreational <65ft	State WC	State WC
Recreational >65ft	State WC	Longshore
Commercial	Longshore	Longshore



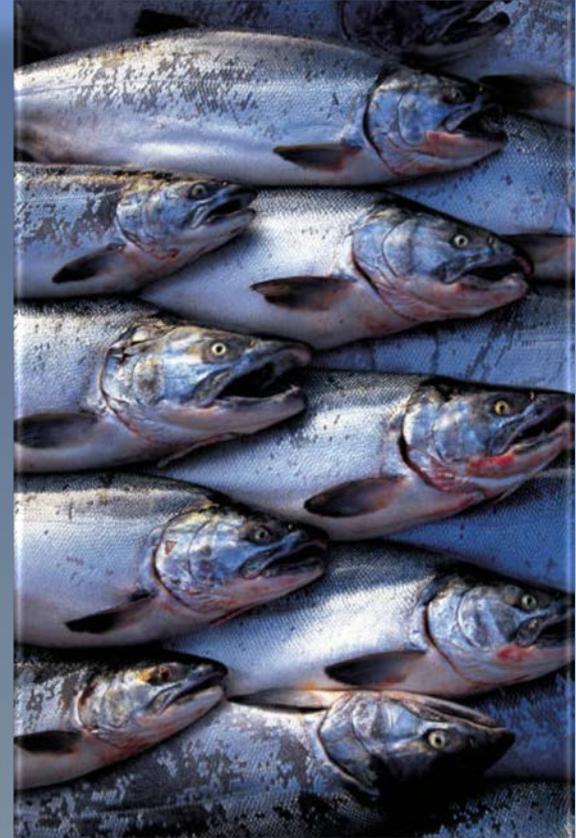
Longshore Act Status Exclusions

If individuals described in clauses (A) through (F) are subject to coverage under a State workers' compensation law



Longshore Act Status Exclusions

- G) a master or member of a crew of any vessel; or
- H) any person engaged by a master to load or unload or repair any small vessel under eighteen tons net;



Cases Satisfying the Status Test

AMPHIBIOUS WORKER	BARGE WORKER	BIN DECK OPERATOR
BLOWER	BOAT OPERATOR	BOILERMAKER
BOOK CLERK	BURNER (Shipbreaker)	CARGO LOADER AND UNLOADER
CARGO OPERATIONS MANAGER	CARPENTER	CARPENTER (Shipwright)
CHECKER	CHIP-PILE OPERATOR	CHIPPER
CLEAN-UP CREW MEMBER	CLERK	COMPUTER TRAINER
CONCRETE FINISHER	CONSTRUCTION FOREMAN	CONSTRUCTION WORKER
CONTAINER MAINTENANCE MECHANIC	CONTAINER REFURBISHER	CONTAINER REPAIRMAN
CONTAINER STRIPPER	CONTAINER STUFFER	COOPER
COTTON HEADER	COURIER	CRANE OPERATOR
DARK ROOM ASSISTANT	DECK ENGINEER	DECKHAND
DELIVERY CLERK	DISPATCHER	DIVER
DOCK BUILDER	DRAFTSMAN/ILLUSTRATOR	DREDGE MAN
DRIVER	DRIVER-COURIER	ELECTRICIAN
ELECTRONICS WEAPON PLANNER	EQUIPMENT OPERATOR	EXPEDITER
FISH SPOTTER (Airplane Pilot)	FITTER	FOREMAN

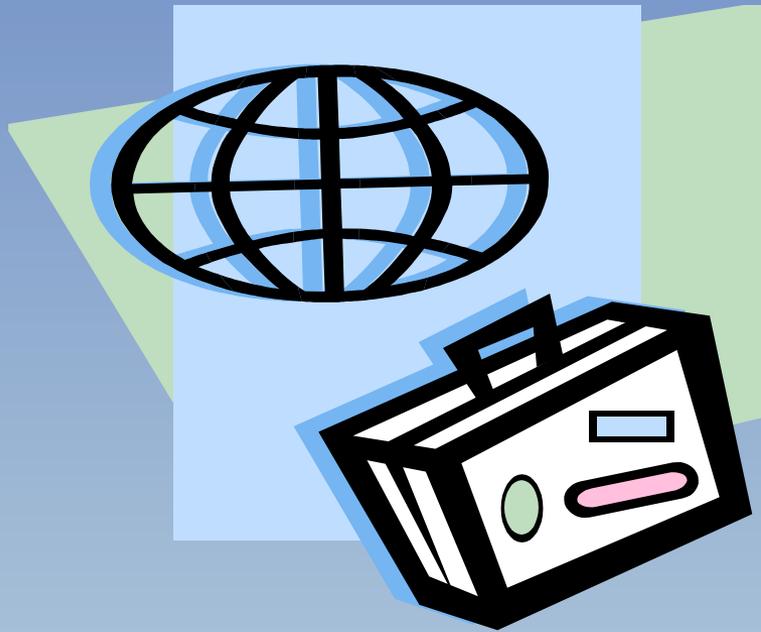
Cases Satisfying the Status Test

FORKLIFT OPERATOR	FORM CARPENTER	GEAR LOCKERMAN
HOLDMAN/DRIVER/SORTER	HUSTLER	KEYMAN
INSULATION INSTALLER	IRONWORKER	LABOR RELATIONS REPRESENTATIVE
LABORER	LINESMAN	LOADER
LONGSHOREMAN INSTRUCTOR	MACHINERY MAINTENANCE WORKER	MACHINERY OPERATOR
MACHINIST	MAINTENANCE CREW	MAINTENANCE MECHANIC
MAINTENANCE WORKER	NUCLEAR SHOP WORKER	OFFSHORE OIL FIELD WORKER
OFFSHORE PLATFORM CONSTRUCTION WORKER	OIL GAUGER	OILER
PAINTERS/SANDBLASTER	PARTS COORDINATOR	PETROLEUM INSPECTION
PICKUP DRIVER	PILE DRIVER	PILEBUTT
PIPE CLERK	PIPE INSPECTION	PIPEFITTER
PLAN FILE CLERK	PONDMAN	PUMPHOUSE OPERATOR
PUMPMAN	PURCHASING AGENT	RAILROAD WORKERS
RECREATIONAL BOAT INSPECTOR	REPRODUCTION CLERK	RESTAURANT VESSEL WORKER
RIGGER	ROUSTABOUT	SAFETY INSPECTOR
SCRAP METAL WORKER	SECURITY GUARD	SENIOR MATERIAL PLANNER

Cases Satisfying the Status Test

SENIOR OFFICE CLERK	SENIOR REPRODUCTION CLERK	SHEET METAL WORKER
SHIP-BREAKER	SHIPBUILDER	SHIP REPAIRMAN
SHIPFITTER	SHIPFITTER HELPER	SMALL BOAT SHIPBUILDER
STEEL RIGGER/ERECTOR	STEVEDORING MECHANIC	STRIPPER
STRUCTURAL FITTER SUPERVISOR	SWAMPER	TANKERMAN
TERMINAL LABORER	TERMINAL OPERATOR	TIMEKEEPER
TORCH OPERATOR	TRACK MAINTENANCE CREW MEMBER	TRAILER INTERCHANGE RECEIVING MAN
TRAINEE	TRUCK AND CAR DRIVER	UTILITY MAN
VESSEL PLANNING AND STOWAGE COORDINATOR	WAREHOUSEMAN	WELDER
WIRELESS OPERATOR	WIRELINE OPERATOR	WORKER FABRICATING SHIP COMPONENTS AND MODULES
WORKER IN TRANSIT		

Certified Marine Insurance Professional



Insuring Waterfront Businesses

April 20-21, 2015

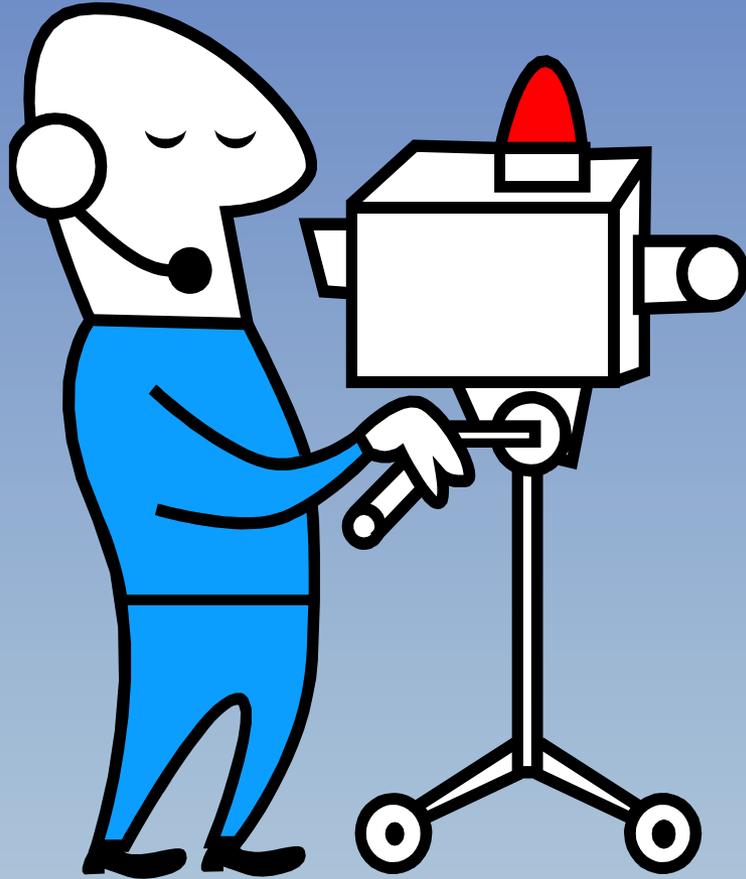
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To Register

2015 Webinars

All Webinars are 1:30pm Eastern Time



Collision and Towers Liability	May 12, 2015
Longshore Situs	June 2, 2015
Protection & Indemnity	July 7, 2015
Longshore Insurance Coverage, Payroll, Mod, and Rules	August 11, 2015
Understanding Mutuality	September 1, 2015
Stock Throughput	October 13, 2015

