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POLICY MEMORANDUM NO. 14-88

To: All Employees	**Subject:** Procedures for Reporting Pilferage, Damage, Loss of Cargo, Port Properties and/or Crime Against Person/Other Properties Within the Port's Jurisdiction.
Effective Date:	**Revision Date:**
Approved By: DAVID B. TYDINGCO, General Manager	

ALL REVISIONS ARE MARKED WITH AN ASTERISK (*)

I. PURPOSE:

To establish procedures for reporting:

A. pilferages, damages and losses of cargoes under the custody of the Port and Port owned properties.

B. criminal acts committed against person and/or other properties within the jurisdiction of the Port Authority.

C. to provide information to protect the interest of the Authority in case of compensation and other claims.

II. DISCUSSION:

Pilferage and negligent damages to Port properties are probably two of the most common and annoying hazards that we face today. These two, if not corrected can be a financial burden to our operating profits and detrimental to our cargo handling operations.

Prevention of pilferage, losses, damages, crime against person and/or other properties require:

A. alertness and aggression on the part of each and every employee;

B. careful planning and implementation of physical security measures and strict enforcement of safety/security rules and regulations; and

C. extensive security and safety education programs.

The prevention of pilferage and application of safety and security measures on-the-job is a continuing process which must be given careful attention. All security measures available will be employed to insure timely information of pilferage/damages which may lead to serious financial losses.

Theft of property and intentional or unintentional damages to cargo/properties can be minimized if we make it everyone's concern or business.

However, certain positions due to the nature of their work, required the reporting of specific incidents. The incidents and the positions involved are outlined in Section IV. Reporting procedures for employee injuries on-the-job are promulgated through Policy Memorandum No. 05-88 issued on June 22, 1988.

III. DEFINITIONS:

A. Cargo shall mean containerized or breakbulk merchandise shipped through the Port. These merchandise are considered under the custody of the Port until issued to the consignee.

B. Port Properties include:

1. Port Facilities which shall mean all permanent structures including but not limited to buildings and appurtenances thereto, perimeter fencing, water lines, fire hydrants, light poles, transformers, fuel pumps, pavements, wharves and fender system.

2. Port Equipment which shall mean all movable and/or stationary tools, machinery, devices, parts and supplies.

C. Other Properties shall mean properties not owned or under the custody of the Port Authority but such properties are owned by employees, tenants, visitors and users and are not considered as cargoes.

IV. RESPONSIBILITIES:

A. It shall be the responsibility of the Cargo Checker Supervisor/Leader to:

1. Report cargoes or containers which are though be damaged prior to loading on board vessels;

2. Report containers with broken seals upon discharged from vessels or broken seals on grounded containers.

3. The Cargo Incident Report Form (Exhibit I) shall be utilized for reporting incidents of these nature. Copies of this report must be forwarded to the consignee/customer, Security Office and Claims Officer of the Financial Affairs Division.

B. It shall be the responsibility of the Cargo Checker/Supervisor/Leader to:

1. Survey all devanned/discharged vehicles and report any discrepancies on the Port's Vehicle Damage Report Form (Exhibit II). Copies of this report must be forwarded to the consignee/customer, Security Office and Claims Officer of the Financial Affairs Division.

C. It shall be the responsibility of the Duty Stevedoring Supervisor to:

1. Report cargoes or containers which are thought to be damaged prior to discharged from vessels.

2. The Cargo Incident Report Form (Exhibit I) shall be utilized for reporting incident of this nature.

3. Discrepancies shall be listed and must be acknowledged by the ship mate on duty or the Agent's authorized representatives prior to discharge.

4. Copies of this report must be forwarded to the consignee/customer, Terminal Division, Security Office and Claims Officer of the Financial Affairs Division.

D. It shall be the responsibility of the SECURITY PERSONNEL to investigate incidents/accidents to cargo and/or Port facilities, equipment, and/or any crime committed against a

person/other property within the Port area. Depending on the nature of the incident one of the two types of forms must be utilized. These forms are:

1. Incident Report - Port Property Damage Form is to be utilized whenever damages to the cargo (exclusive of those outlined in Section IV.A above), Port facilities or equipment occur.

2. Report of Criminal Act Form is to be used whenever a crime is committed against a person or property within the Port area.

E. It shall be the responsibility of the Duty Security Supervisor or the ranking Security Officer on duty to notify the Guam Police Department whenever:

1. a crime is committed against a person involving serious bodily injury;

2. any traffic accident involving serious bodily injury;

3. any traffic accident not involving Port equipment or official vehicle and only when requested by person(s) involved;

4. any felonious crime committed within the Port area;

5. upon request of the victim/complainant of any reported incident.

V. INVESTIGATION OF DAMAGES/CRIMINAL COMPLAINT:

A. Upon receipt of a damage or criminal complaint, the ranking Security Officer on duty shall immediately proceed to the scene and shall evaluate the case for proper investigative procedures. All witnesses and parties involved shall be interviewed in order to determine the chain of events. All physical evidence shall be examined and photographed. All witnesses and parties involved who are Port employees shall be required to submit written statements to the Security Officer assigned to the case as soon as possible.

B. The appropriate report form must be completed by the investigating Security Officer. All photographs and statements shall be attached and be made part of the report.

VI. DISPOSITION OF DAMAGE REPORTS:

A. Upon completion of the investigative report, the Chief of Security shall review the report for accuracy and forward all original documents to the General Manager for further action.

B. The General Manager shall inform the employee or other third party determined to be the responsible party of a pending action against them.

C. A copy of the report shall be forwarded to the affected division superintendent who shall be responsible for preparing an estimated cost of repair and schedule of repair time report. A copy of the repair costs shall be provided to the property custodian. It shall be the responsibility of the division head who has been designated the custodian of the damaged equipment/property to submit a work order request to effectuate repairs.

D. Upon receiving the estimate of repair cost and schedule of repair time, the General Manager shall notify the responsible party of the amount and schedule or repair time.

E. The General Manager shall be responsible for securing the funds necessary to underwrite repair costs through any of the following methods:

1. Payroll deductions whenever a Port employee is at fault;

2. Payment from a shipping agent or vessel operator when their employees or contractors are responsible for damages;

3. Contingency and/or insurance funds when damages are the result of an act of nature.

VII. DISPOSITION OF CRIMINAL REPORTS:

A. Upon receiving the report and have determined that all necessary information, documents etc., are attached to the report, the Chief of Security shall forward all original documents to the General Manager for propercourse of action. All reports shall be treated confidential until authorized for release by the General Manager.