



SEAFARERS' EMPLOYMENT AGREEMENTS

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DANISH MARITIME AUTHORITY

MLC, 2006

Regulation 2.1

- Ensure that the seafarer has an opportunity to review and seek advice on the terms and conditions in the agreement and freely accepts them before signing
- a seafarers' employment agreement signed by both the seafarer and the shipowner or a representative of the shipowner

SEA

Seafarers' employment agreements shall in all cases contain the following particulars:

- the amount of the seafarer's wages or, where applicable, the formula used for calculating them;
- the amount of paid annual leave or, where applicable, the formula used for calculating it;
- the health and social security protection benefits to be provided to the seafarer by the shipowner;
- the seafarer's entitlement to repatriation;

PSC DATA PARIS MOU

MLC DETAINABLE DEFICIENCIES TOP 5	2017		2018	
	Detainable deficiencies	% Total detainable deficiencies	Detainable deficiencies	% Total detainable deficiencies
MLC detainable deficiencies				
Wages	52	11.5	31	9.4
Seafarers' employment agreement (SEA)	42	9.3	31	9.4
Calculation and payment of wages	14	3.1	28	8.5
Manning specified by the minimum safe manning doc	26	5.8	16	4.8
Sanitary Facilities	22	4.9	19	5.8

PSC DATA PARIS MOU

MLC DEFICIENCIES TOP 5

Deficiencies	2017		2018	
	Deficiencies	% Total deficiencies	Deficiencies	% Total deficiencies
Seafarers' employment agreement (SEA)	553	6.8	466	6.3
Electrical	435	5.4	364	4.9
Records of seafarers' daily hours of work or rest	420	5.2	351	4.7
Ropes and wires	337	4.2	303	4.1
Access / structural features (ship)	322	4.0	306	4.1

ENFORCEMENT

Sources of non compliance can be:

- Port State Control
- Complaint

As said before deficiencies regarding the SEA appear in the Paris MoU MLC deficiencies Top 5 and MLC detainable deficiencies Top 5.

CHALLENGES

What can a PSCO look into?

- Seafarers do not have a written SEA
- Has the seafarer had an opportunity to review and seek advice on the terms and conditions in the agreement and freely accepts them before signing?
- A SEA that does not contain all the required items
- A SEA that is inconsistent with the MLC, 2006 requirements
- Can anyone understand the legal terms used in the SEA?
- Is a modern SEA a kind of “compliance contract”?

Complaint – who is responsible for what?

THANK YOU FOR
YOUR ATTENTION

