



BEFORE YOU BOARD

ITF advice on your contract to work at sea.

The best guarantee of proper conditions of employment at sea is only to sign a contract (Seafarers' Employment Agreement (SEA)) drawn up in accordance with an ITF-approved collective agreement. Failing that, here is a checklist to follow.

- Do not start work on a ship without having a **written contract**. It is a requirement of the Maritime Labour Convention (MLC) that you can review the contract before signing and seek advice if you want.
- Never sign a blank contract, or a contract that binds you to any terms and conditions that are **not specified** or that you are not familiar with.
- A list of the key information that must be included in your contract can be found on page 26 of the MLC or page 17 of the ITF Guide for Seafarers to the MLC.
- Check if the contract you are signing refers to a **Collective Bargaining Agreement (CBA)**. If so, make sure that you are fully aware of the terms of that CBA, and keep a copy of it along with your contract.
- Make sure that the **duration of the contract** is clearly stated.
- Do not sign a contract that allows for alterations to be made to the **contractual period** at the sole discretion of the shipowner. Any change to the agreed duration of the contract should be by mutual consent.
- Always ensure that the contract clearly states the **basic wages** payable and make sure that the **basic working hours** are clearly defined (for example 40, 44 or 48 per week). The International Labour Organisation (ILO) states that basic working hours should be a maximum of 48 per week (208 per month).
- Make sure that the contract clearly stipulates how **overtime** will be paid and at what rate. There could be a flat hourly rate payable for all hours worked in excess of the basic. Or there may be a monthly fixed amount for a guaranteed number of overtime hours, in which case the rate for any hours worked beyond the guaranteed overtime should be clearly stated. The ILO states that all overtime hours should be paid at a minimum of 1.25 x the normal hourly rate.

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- Make sure that the contract clearly states how many days **paid leave** per month you will get. The ILO states that paid leave should not be less than 30 days per year (2.5 days per calendar month).
 - Make certain that the payments for basic wages, overtime and leave are clearly and **separately itemised** in the contract.
 - Check that your contract states that you are entitled to the costs of your **repatriation**. Never sign a contract that contains any clause stating you are responsible for paying any portion of **joining** or **repatriation** expenses.
 - Do not sign a contract that allows the shipowner to withhold or retain any portion of your wages during the period of the contract. You should be entitled to **full payment** of wages earned at the end of each calendar month.
 - Be aware that an individual employment contract will not always include details of **additional benefits**. Therefore, try to obtain confirmation (preferably in the form of a written agreement or contractual entitlement) of what compensation will be payable in the event of:
 - sickness or injury during the contractual period
 - death (amount payable to the next of kin)
 - loss of the vessel
 - loss of personal effects resulting from the loss of the vessel
 - premature termination of the contract.
 - Do not sign a contract that contains any clause that restricts your right to join, contact, consult with or be represented by a **trade union of your choice**.
 - Ensure that you are given and retain a **copy of the contract** you have signed.
 - Check the conditions for terminating your contract, including how much **notice** the shipowner must give you to terminate your contract.
 - **Remember...** whatever the terms and conditions, any contract/agreement that you enter into voluntarily would, in most jurisdictions, be considered legally binding.

To find out if your ship is covered by an ITF approved agreement use the **Look Up page** of the ITF Seafarers website (www.itfseafarers.org), or contact the ITF Seafarers' Support team by email at seafsupport@itf.org.uk

