

NON-PAYMENT OF WAGES

Unpaid wages are the most common complaint which the ITF receives from seafarers.

Each year, crew members on about 1,500 ships complain to the ITF that their employer is unwilling or unable to pay their wages. It may be all the crew who are affected, or it may be only one person. In 1998, US\$41 million was recovered through the ITF for seafarers who had not been paid.

While most crew get their wages in the end, there are some who are never paid, and some who wait months or years for a final settlement of their outstanding wages. The shipowners concerned use bullying tactics, promises of future payment, or small advances on the total amount outstanding in order to try to maintain the operation of their ship with the smallest possible outlay.

Regrettably, manning agents are often involved in also trying to get crew to continue to work unpaid. They do nothing to help if there are

problems, and will not normally help crew who have not been paid, even if the crew concerned have paid them for the privilege of working on board the ship in the first place (which is, by the way, illegal).

Flag of convenience-registered ships are particularly risky because there is usually such a weak legal relationship between the employer and the crew.

The ITF suggests that you have a written contract of employment in your hands stating your agreed conditions of service on board before you even leave your home to join the ship. If the captain insists on having it for safe keeping, always keep a copy or, if possible, the original.

-
- Ensure that you have some means of being paid on a regular, monthly basis, through allotments, or remittances to your bank account at home. Or in cash on board.
 - Check regularly that your salary is being paid into this account. Be wary of undue delays to payments in cash.
 - Do not accept arrangements where your salary accrues throughout the time you are on board and where only small advances are paid until you finish your contract. If something goes wrong, you have too much to lose. You can yourself remit money to your home nowadays from almost everywhere in the world. Do not accept the argument that the money will be safer with the shipowner.
 - If your salary is significantly delayed for any reason (over two weeks late), then you should take the matter up with the captain to see what has happened and when you will be paid.
 - If you are given an assurance that you will be paid by a certain date, and this is not kept, you should be aware that the company may be having some significant problems or may just be wanting to cheat you. Check to see what is happening with other crew. If you are able, see what is happening on other ships within the fleet of the company. If you have not already done so, contact the ITF to discuss the problem and to get advice on how to proceed further.
 - Before you join a ship, or go to work for a new owner, try to check with other crew how payment of wages has been handled. Some crew join a ship where the previous crew have not been paid. Not surprisingly, if this is the case it is also unlikely that the new crew will be paid, so it is best to start looking immediately at how to be paid, or how to be repatriated.
 - Try to ensure that you have been paid all outstanding salary before you leave the ship, or at least that there is only a small sum remaining to be transferred to your account at home. If you have had problems being paid previously, then make sure that you take it all in cash when you leave.
- Remember that non-payment of wages is a part of running a substandard shipping operation. There will also be suppliers of goods and services who are not paid, or paid late, there will be little money for repairs or maintenance, and there may be port state control detentions for deficiencies on board.

