



WAGES

KNOW WHAT WAGES YOU ARE ENTITLED
TO, AND WHERE TO TURN FOR SUPPORT
IF YOU ARE NOT PAID



IT IS IMPORTANT THAT YOU KNOW WHAT WAGES YOU ARE ENTITLED TO, AND WHERE TO TURN FOR SUPPORT IF YOU ARE NOT PAID.

Your wage rates will depend on whether you are serving on a national flag vessel or a ship covered by an ITF agreement.

If your vessel is covered by an ITF agreement, you are entitled to the wages in that agreement.

To find out if your ship is covered by an ITF approved agreement, go to the Look Up section of the ITF Seafarers website, or download the **free** ITF Seafarers app, available from the Google Play Store and the Apple Store.

Wage levels on national flag vessels can be set by a national collective bargaining agreement and negotiated with social partners representing seafarers and shipowners. If they are not, the ITF believes that they should be set in line with national wage scales. The ITF believes that no seafarer should be paid below the minimum level recommended by the International Labour Organization (ILO).

Recommended basic minimum wage

The International Labour Organization (ILO) recommends a minimum basic wage for an able seafarer.

This aims to provide an international safety net for the protection of seafarers and to contribute to decent work for seafarers.

The recommendation defines a seafarer as 'any person defined as such by national laws or regulations or collective agreements who is employed or engaged in any capacity on board a seagoing ship ...'. This interpretation only relates to the earnings for an able seafarer. It should not be construed as implying an interpretation of the earnings that should be received by other grades of seafarer.

Guideline B2.4.4 of the MLC recommends that the basic pay or wages for a calendar month of service for an able seafarer should be no less than the amount periodically set by the Joint Maritime Commission.

The Joint Maritime Commission (JMC) is made up of shipowners and seafarers, and was established by the ILO. The Joint Working Group of the JMC

meets every two years. In 2022, it agreed to increase the current ILO minimum monthly basic wage for an able seafarer to:

- USD658 as of 1 January 2023,
- USD666 as of 1 January 2024, and
- USD673 as of 1 January 2025.

Hours of work, leave, rest and overtime

In addition to setting the minimum wage for an able seafarer, the ILO has determined the following entitlements of all seafarers to hours of work, leave, rest and overtime.

Working hours

MLC Guideline B2.2.2 recommends normal hours do not exceed 48 hours per week (which equates to 208 hours per month).

Total working hours should be determined by one of the following measures:

Working hours should not exceed 14 hours a day or 72 hours per week; or

Rest hours shall be at least 10 hours a day or 77 hours per week.

Leave

Leave shall in no case be less than 30 calendar days for one year's service i.e. 2.5 days per calendar month.

One day's basic wage = basic monthly wage divided by 30. Multiply by 2.5 to get leave pay per month.

Overtime rate

MLC Guideline B2.2.2 recommends each hour of overtime should be compensated at a rate of 1.25 times the basic hourly rate.

Overtime hours

Overtime records should be kept and signed by the seafarer and the master or duly authorised officer.

The scandal of unpaid wages

Each year, crew members on around 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.

And each year, ITF inspectors recover huge amounts of wages owed to seafarers. In 2022 alone, they recovered more than USD35 million.

Most crew members get their wages in the end. But some seafarers are never paid, and some 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 to try to maintain the ship's operation with the smallest possible outlay.

Rogue manning agents are part of the problem, too. They will try to get crew to continue to work unpaid and will do nothing to help if there are pay or other problems.

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

Non-payment of wages is a part of a substandard shipping operation. There will also be suppliers of goods and services who are not paid, or are paid late. There will be little money for repairs or maintenance. And there may be port state control detentions for deficiencies on board.

Minimise your risk of not being paid

The ITF strongly advises that before you accept a position on board, you:

- Find out as much information as you can about the company and the vessel you will be joining. In particular, look for indications of problems on board, for example on maritime social media or by checking with other crew members.
- Check whether the previous crew has been paid. If they haven't, it is very likely that you will not be paid either.
- Check that the manning agency is registered – and check that it is not red listed by the ITF by visiting www.itfshipbesure.org.
- Make sure that the ship you join is covered by an ITF agreement, as this makes it easier to resolve any owed wages claims.

- Insist on a written contract of employment, which sets out your wages and working conditions. This is an MLC requirement and makes any back pay claims much easier to prove. Keep it somewhere safe at all times.

Once you're on board, follow this advice:

- Ensure that you have some means of being paid on a regular, monthly basis, whether it is through allotments, remittances to your bank account, or in cash on board.
- Check regularly that your salary is being paid into this account monthly. Be wary of undue delays to cash payments.
- 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. Do not accept the argument that the money will be safer with the shipowner.
- If your salary is significantly delayed (over two weeks late) for any reason, 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, the company may be having significant problems or may just be cheating you. Check to see what is happening with other crew and, if possible, see what is happening on other ships within the company's fleet. Contact the ITF for advice on how to proceed.
- Try to ensure that you have been paid all your 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.

What to do if your wages have not been paid

1. Contact the ITF

MLC requires that you are paid at least once per month. If you find that your wages have not been paid, **do not delay**. Situations are easier to resolve if you have not been paid for two months than if you have not been paid for nine months.

Contact the nearest ITF inspector or email the ITF Seafarers Support team at seafsupport@itf.org.uk.

Make sure you have as much information and evidence to hand. If possible, you should have:

- Details of the ship – name, flag, IMO number, type of vessel.
- A copy of your employment contract, detailing what wages you should have been paid.
- Details of when you joined the ship.
- Details of what hours you have worked.
- Details of the shipowner – e.g. name, country, any contact details.
- Bank statements showing the last payments by the company and periods where no payment was received.
- Copies of any correspondence with the company.

The ITF will do everything possible to assist you and resolve the situation, although we cannot make any guarantees that your wages will be paid.

2. Find out if other colleagues have the same problem.

- Talk to your fellow crewmembers and find out if they are also owed wages.
- Find out how long they have been unpaid or underpaid.
- Ask if they are interested in pursuing a claim. It may be easier to do so together.

Once crew members know that others are in the same situation, and are doing something about it, they may feel less nervous about standing up for themselves.

3. Consider if you wish to take action.

Seek local advice before you take any form of action. In some countries the law works against you if you strike. Local ITF Inspectors or union representatives will explain this to you.

In many other countries you have the legal right to strike, if your ship is in port and not at sea. Again, ask the advice of the local ITF representative.

Unpaid wages – have you been abandoned?

Failure by the shipowner to pay your contractual wages for a period of at least two months is one of the three criteria of abandonment under the Maritime Labour Convention. Read more at www.itfseafarers.org/en/issues/abandoned-seafarers.

If you think you have been abandoned, you should urgently seek assistance by:

- contacting an ITF inspector or an ITF affiliated seafarers' union, using the ITF Seafarers app or the Look Up section of the ITF Seafarers website - www.itfseafarers.org/en/look-up; or
- emailing ITF Seafarers Support at abandonment@itf.org.uk.



SEAFARERS – MAKE THE ITF YOUR DAILY PORT OF CALL FOR INFORMATION AND ADVICE.

USE THE FREE ITF SEAFARERS APP (AVAILABLE FOR BOTH ANDROID AND IOS DEVICES FROM YOUR APP STORE) OR VISIT THE WEBSITE DEDICATED TO YOU WWW.ITFSEAFARERS.ORG

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