

**DECENT WORK IN THE MARITIME INDUSTRY :
FOCUS ON FILIPINO SEAFARERS ON BOARD DOMESTIC VESSELS**

AN EXECUTIVE SUMMARY

A Collaborative Research Undertaking of the
NATIONAL MARITIME POLYTECHNIC
and the PHILIPPINE COAST GUARD
December 2011

1. BACKGROUND

This research was undertaken for the purpose of generating information on the living and working conditions of seafarers working in the domestic shipping sector. A considerable amount is known on the living and working conditions of Filipino seafarers on board oceangoing vessels but to date relatively little research has been done on the seafarers in the domestic shipping. In the light of the MLC 2006, and the Philippines' ratification of the Convention and its likely application in the domestic shipping sector, there is therefore a need to take a look into and understanding of the situation in the domestic shipping.

The study was anchored on the MLC 2006 which lays down the framework for the implementation of decent work in the maritime industry. The research examined the living and working conditions of seafarers that served as input in identifying good practices as well as of the issues and gaps. Thereafter, the study identified strategies or approaches to address the issues and gaps.

Conducted in 2010 and completed in 2011, the research included all those who work (except those on apprenticeship) onboard domestic ships - passenger, cargo and tanker, of 200 gross tons and above engaged in commercial activities and trading coastwise.

2. METHODOLOGY

Sampling Design

- ✦ Stratified proportionate random sampling was employed in selecting the sample respondents for the study. Shipping companies listed in the Domestic Fleet Inventory of the Maritime Industry Authority (MARINA), with vessels having a gross tonnage of 200 and over, were classified into strata according to size (small, medium and large) based on the total gross tonnages of all their respective vessels.
- ✦ For each company, further stratification was done to group the vessels of each stratum by type of vessel (passenger, cargo and tanker).
- ✦ Proportionate random sampling was used in identifying the sample vessels by vessel type and by size of company. The sample size for each vessel type for each stratum (small, average and large) was determined by proportionately getting its percentage from the population.
- ✦ Each sample vessel was considered a cluster and all of its crew were considered as the seafarer-respondents for the study.

Respondents and Data Gathering Instruments

- ✦ There were three groups of respondents - vessel's crew, the vessels, and the representatives of domestic shipping companies operating the respondent vessels. Each of these respondents has its own set of data gathering instrument : questionnaire for vessel's crew (Q1), check sheet for on board data gathering (Q2) for the vessel itself, and interview schedule for representative of the shipping company (Q3).
- ✦ A total of 3,000 questionnaires were retrieved from 218 vessels. In terms of the number of vessels, 206 sample vessels or 89% of the target no. of vessels were surveyed. And a total

of 47 shipping companies representing 41% of the total no. of companies (115) responded to the survey.

Data Gathering Activity

The data gathering component of the research was jointly conducted by the NMP Research Team and the Philippine Coast Guard (PCG) personnel of the different Coast Guard Stations and Detachments from seven (7) Coast Guard Districts, as Data Enumerators. The PCG personnel took responsibility in administering and retrieval of questionnaires. The questionnaires were then validated, edited and retrieved by NMP research team from the respective PCG Stations/Detachments. Despite the best efforts of those involved, validation and retrieval of questionnaires were in most cases difficult since it was dependent on the vessel's time in port especially those in the liner business and the vessels next visit to the port for those in the tramping business.

3. HIGHLIGHTS OF THE STUDY

3.1 Profile of Respondents

Seafarers

- Thirty-one (31) percent belonged to the 20-29 age bracket.
- They are mostly males (95%) and only 2% are female.
- Majority (59%) are married while 37% are single.
- Respondents are from Region 7 or Central Visayas (25%).
- They are graduates of the BSMT (34%), BSMARE (17%) and AMT (11%) courses.
- Majority do not have any professional license. Those with license are holding Operational Level license in the Engineering department (10%) and Deck department (9%). Likewise, a significant number also have Major Patron (MAP) license.
- They (42%) have less than 10 years sea experience.
- Respondents are holding ratings position in the deck (23%) and engine (17%).
- In terms of type of vessel boarded by respondents, 44% of them worked on passenger ships, 42% were on cargo vessels and 14% on tanker ships. In terms of classifying seafarers by their vessels company size, 51% were on board ships operated by small companies, 30% worked on ships owned by medium companies and 19% were employed in ships owned by large companies.

Vessels

- Of the 206 vessels inspected/surveyed, 65% were from small companies, 27% from medium companies, and 8% from large companies.
- Vessels from small companies consisted of 54% (72) cargo, 29% (39) passenger, and 17% (23) tanker.
- Vessels operated by medium companies were composed of 44% (24) cargo, 40% (22) passenger, and 16% (9) tanker.
- Finally, vessels owned/operated by large companies were 47% (8) passenger and 53% (9) cargo ships.

Shipping companies/employers

- Of the 47 shipping companies that responded to the survey, 83% were small companies, 13% were medium companies, and 4% were large companies.

3.2 Working and Living Conditions of Seafarers

3.2.1 Minimum Requirements for Seafarers to Work on a Ship

Minimum Age

- None of seafarer-respondents under 18 years old were employed onboard vessels in the domestic route at the time of the survey.
- Shipping companies have a minimum age requirement at 18 years old for entry into work of seafarers.

Medical Certification

- Almost all seafarer-respondents (97%) were required to submit medical certificate upon employment with present company and 65% of them shouldered the cost of medical examination.
- Furthermore, their medical certificates cited conditions related to their eyesight (73%) and hearing (72%).
- All employers said that they require their seafarers to undergo medical examination.
- Forty-five (45%) of employers said that medical examination expenses of seafarers were personally paid by them.

Training and qualification

- Seafarer-respondents (85%) were required to have a Qualification Document Certificate (QDC) or Certificate of Competency (COC).
- On the other hand, 98% of shipping companies confirmed to have required their seafarers to have a QDC or COC.

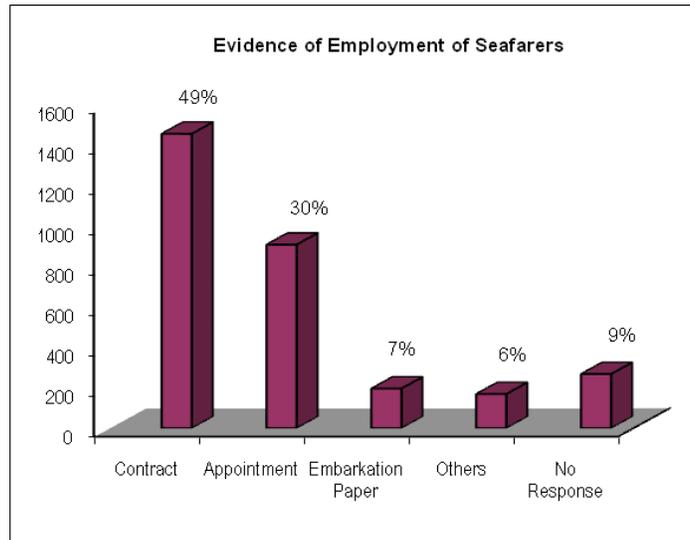
Recruitment and Placement

- Eighty-two (82) percent of seafarers were hired directly in the main office of shipping companies and 77% did not pay for any fee to gain employment.
- Thirteen (13) percent of seafarer-respondents were hired through private recruitment or manning agencies. Particularly, this was confirmed by 28% of seafarer-respondents in passenger vessels operated by large companies, 20% and 25% of seafarer-respondents in tanker ships operated by medium and small companies, respectively.
- On the other hand, 77% of shipping companies, irrespective of size, did not source their seafarers from recruitment and placement agencies. Likewise payment of fees is not a practice among 98% of shipping companies in domestic shipping.

3.2.2 Conditions of Employment

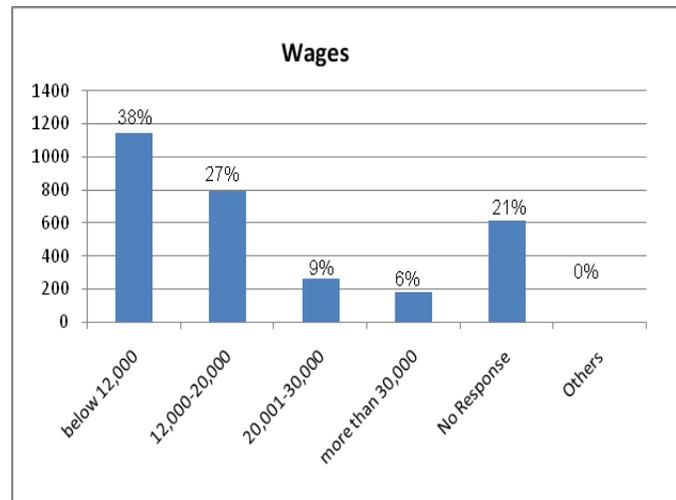
Employment Agreements

- Evidence of employment of seafarers in domestic shipping are in varied forms. Most common is the employment contract.
- Cross tabulation of seafarers by vessel type by company size and forms of employment agreement revealed the following :
 - 96% of seafarer-respondents on board passenger vessels owned by large companies as well as 56% and 52% of respondents in tanker ships from medium and small companies, respectively, have employment contract.
 - 42% and 41% of seafarer-respondents in small companies' passenger and cargo vessels, respectively, have appointment as their evidence of employment with their companies.
- 74% of seafarer-respondents said they were given chance to review and seek advice on the terms and conditions of their employment agreement. This was also confirmed by 66% of employers.
- Majority of employers (55%) have confirmed having employment contract with their seafarers. 45% of companies said otherwise.



Wages

- Thirty-eight (38) percent of seafarers received wage below P12,000.00. They are seafarers in cargo ships (16%) from large companies, passenger (43%) ships from medium companies and passenger (54%) and cargo (55%) ships from small companies
- Highest paid crew were from tanker ships (41%) of medium companies with salaries ranging from P20,000.00 and above. Lowest paid crew were from passenger and cargo vessels operated by small companies as well as passenger ships from medium companies.
- Almost all seafarer-respondents (90%) were paid their salaries twice a month, i.e. every 15th and 30th, in cash and transmitted free of charge through the bank's ATM. This was also confirmed from the responses of employers (94%).

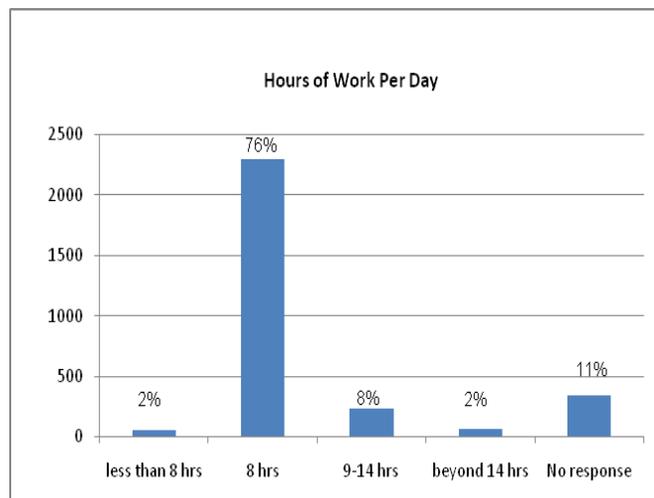


- Eighty-one (81) percent of seafarer-respondents said that wage they receive is the same amount stated in their employment paper. Likewise, similar response was given by 66% of employers.
- Seventy-six (76) percent of seafarer-respondents received a copy of their pay slips on board. 89% of employers confirmed this practice.

Hours of Work and Hours of Rest

Seafarers

- Regular working hours for 76% of seafarers-respondents was 8 hours for 7 days per week. Forty-five percent (45%) did not have overtime on board while those with overtime, work ranged from 2 to 4 hours.
- They have more than 10 hours rest period per day (64%) which is within the MLC requirement on minimum hours of rest.
- Majority of seafarers (52%) were not given a copy of their daily hours of work and rest.
- Those provided with copy of their daily hours of work and rest (42%) were employed in large companies irrespective of vessel type as well as those in tanker ships from both medium and small companies.



Employers

- Employers (62%) keep a record of the schedule of service at sea and in port. They responded that they provide the ship as well as seafarers with copy of such records.

On board observation

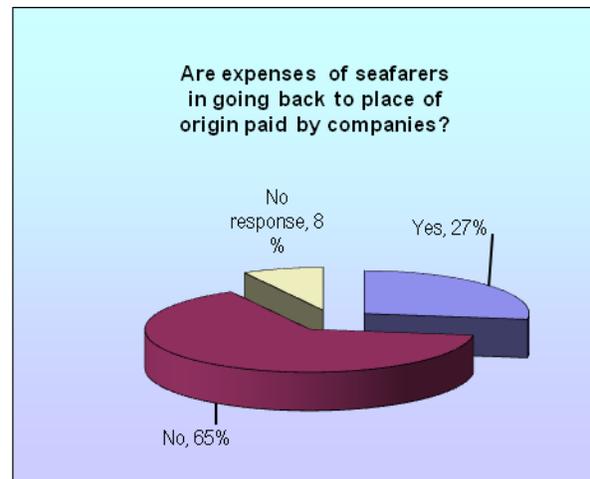
- 29% of vessels inspected maintain overtime records. This practice was observed on vessels from large companies (88%) and tanker ships from medium and small companies, 78% and 65%, respectively.
- 47% of vessels inspected, across all types and company sizes, maintain records of service at sea and in port and the hours of work and rest of the seafarers. All passenger ships and 67% of cargo ships from large companies have these records on board. Passenger (50%) and tanker (89%) ships from medium companies and tankers (65%) from small companies maintain such records.

Entitlement to Leave

- Almost all seafarers (95%) were allowed shore leave while vessel is in port. This was also confirmed by 98% of employers from across all company sizes.
- Sixty-six (66) percent of seafarer-respondents were provided with annual leave and 76% of them receive pay for such leave. Annual leave given to seafarers were varied : 15 days (37%), 30 days (23%) and 7 days (14%).
- Provision of annual leave was also confirmed by 87% of employers and 73% provide their seafarers with paid annual leave.

Repatriation

- Seafarers (65%) were not paid for expenses incurred in going back to their places of origin. This was likewise confirmed by 74% of employers.
- For those who were paid (27%), expenses shouldered by company included : transportation (84%), accommodation (59%), and food (61%). 69% were not required to pay in advance for such costs.
- In order to avail of the disembarkation entitlement, a seafarer must have been working with the company for approximately 12 months according to 30% of seafarer-respondents across vessel types and company sizes. But those in small companies' passenger (40%) and cargo 34%) ships as well as 17% of those in passenger ships from medium companies were not aware of the required employment duration for the availment of the disembarkation entitlement.



Seafarers compensation for ships' loss or foundering

Seafarers

- 49% of seafarer-respondents said they will be compensated in case of injury on board. Amount of compensation varies depending on the type of injury, the coverage of insurance, and number of years of employment with the company, according to 11% of seafarer-respondents.
- 20% confirmed that they will be compensated in case of unemployment due to ship's loss or foundering. Amount of compensation likewise varies depending on number of years in service and the insurance coverage, said 9% of seafarer-respondents.

Employers

- Most employers (81%) said they provide compensation in case of injury, unemployment due to ship's loss or foundering.

Career and Skill Development and Opportunities for Seafarers' Employment

Seafarers

- Almost all seafarers (93%) were required to undergo training.
- Trainings attended included : basic safety (95%), deck watchkeeping (46%), collision avoidance (36%), and radar observers' course/SSROC (22%).
- Most (87%) of the seafarers-respondents across all vessel types and company sizes personally paid for their training fees.

Employers

- Majority of employers (55%) do not provide educational materials or equipment for seafarers on board their ships.

3.2.3 Accommodation, Recreational Facilities, Food and Catering

Seafarers

- Seafarer-respondents felt that lighting and ventilation in their sleeping rooms were adequate.
- Seafarer-respondents also felt that their messrooms were adequately lighted.
- Seafarer-respondents have access to recreational facilities such as : television set (87%), karaoke set (38%) and computers and gym (17%). Use of these facilities was at no cost to seafarers.
- Seafarer-respondents have access to the following communication facilities on board free of charge : radio (71%), and mobile phones (42%).
- Sixty-five (65) percent of seafarer-respondents were not allowed to be accompanied by their spouse on certain voyages however, they can have visitors on board while the ship is in port.
- Almost all seafarers (92%) were satisfied with the adequacy of food and water served on board. These were provided for by the company free of charge.
- 77% seafarer-respondents did not have any food restrictions relative to their religion. Of the 18% with food restrictions said these were taken into account in the food preparations.

Employers

- 49% of employers said their catering staff have undergone training such as culinary (27%), foodhandling-related (20%), and those required by the Bureau of Quarantine (20%).
- Employers required inspections on board with respect to food and drinking water (83%), all spaces and storage and handling of food and water equipment used (85%), and galley and other equipment for preparation and service of meals (77%).

On board Inspection

- 42% of vessels have separate sleeping rooms for men and women. Particularly, such provision was found in passenger ships from both large (100%) and medium (91%) companies.
- Room-sharing was common. Most of the vessels inspected have 2 (21%) and 4 (20%) crew in a room.
- However, there were vessels that provide each crew with a room : cargo ships from large companies (56%) and passenger ships owned by medium companies (50%).
- Facilities found in sleeping rooms were : lockers (89%), drawers (82%), table or desk (70%), and seating accommodation (55%).
- Messroom facilities are as follows: refrigerator (73%), locker for mess utensils (72%), facilities for hot beverages (56%), cool water facilities (57%), and locker for mess utensils (72%).
- 41% of vessels have separate sanitary facilities for men and women, particularly, 100% of passenger ships from large companies and passenger ships from medium (77%) and small (67%) companies. Sanitary facilities provided to crew were as follows : toilet (94%), wash basin (86%), shower (67%), and hot and cold running water (30%).
- 57% of vessels inspected have laundry area for its crew. Mostly found in tanker (100%) and passenger (83%) ships across all company sizes and majority (58%) of cargo ships from medium companies. Laundry facilities include : washing machines (32%), drying machines 26%, irons 26%, ironing boards 23%. All passenger ships from large

companies have access to all laundry facilities. Likewise, tanker ships from across company sizes were also provided with almost all of the facilities.

- The following recreational facilities were found : television set (90%), karaoke set (43%), computer (27%), library (21%), hobby and games room (18%) and gym (9%). .
- The following communication facilities were found : both mobile and radio/VHF (42%), mobile phones only (42%), telephone (43%), VHF only (22%) and internet/email (19%).

3.2.4 Health Protection, Medical Care, Welfare and Social Security Protection

Medical care on board ship and ashore

Seafarers

- 62% of seafarers surveyed reported that they have a health personnel or crew on board. Medical care is provided either by Second Officers, Medical Doctors/Physicians or Chief Officers depending on type of vessel, free of charge to seafarers (74%).
- 81% seafarer-respondents were allowed to visit a medical doctor or a dentist while vessel is in port. However, 48% said they personally paid for their medical care and health protection services in port while 46% of crew of vessels from large companies, cargo ships owned by medium companies, and tanker ships from both medium and small companies were provided with free medical care and health protection services in port.

Employers

- 40% of employers confirmed to have medical officers on board. For companies that did not have medical officers, medical care is provided by Chief Officers or Second Officers.
- 81% of employers said that ship personnel tasked to give medical care on board were trained and certified for such tasks. According to employers, ship personnel have undergone training on MEFA (47%), EFA (18%), and other trainings (29%) such as life support and paramedics, ship health officer training course and seminar conducted by the Bureau of Quarantine.
- 85% of employers confirmed that seafarers are given the right to visit a medical doctor or dentist while ship is in port.

On board Observation

- Medical chest was commonly found in 48% of vessels inspected.

Shipowners' liability

- 87% of employers said they shoulder costs of seafarers arising from injury and sickness during their employment with companies. Expenses covered are mostly for medical treatment (77%) and medicines (72%).
- 74% of shipping companies reported they provide financial security to ensure compensation in case of seafarer's death and payment of wages in case of occupational injury and illness.
- In the event of death of seafarers, 85% of employers make provision to cover burial expenses.

Health and safety protection and accident prevention

Seafarers

- 78% of seafarers were informed about the hazards onboard through notices posted on bulletin boards (63%), training videos (31%), and brochures (24%). On the other hand, 85% of employers confirmed that they bring to seafarers' awareness occupational hazards.
- 84% of seafarer-respondents cited that training and instruction on occupational safety were conducted on board. A similar response was given by 79% of employers.

Employers

- Majority of shipping companies (51%) did not have health promotion and education programmes on board.
- 87% of employers said that occupational accidents, injuries and diseases are adequately reported.

On board observation

- 65% of vessels surveyed have personal protective equipment available on board.
- 47% of vessels have hearing protection equipment available on the following ships : passenger from large companies (62%); passenger (64%) and tanker (89%) from medium companies; and tanker from small companies (91%).
- 53% of vessels inspected did not have protective equipment against vibration. On the other hand, 31% of vessels with such equipment were : tanker ships from medium (67%) and small (57%) companies, and passenger ships from large companies (88%).

Welfare and Social Security Protection

- Majority of seafarers (54%) were allowed to go ashore to access shorebased welfare facilities. This was also confirmed by employers (98%).
- Most seafarers surveyed were members of the Social Security System (95%) and PhilHealth (87%). Majority (53%) have sickness benefit from employers.
- All employers required their seafarers to be members of the SSS. Other social security benefits provided to seafarers were :PhilHealth (55%), Pag-ibig (47%), and sickness (24%).

3.3 Good and Useful Practices**3.3.1 Minimum Requirements for Seafarers to Work on a Ship**Medical certificate

- Requiring seafarers to undergo medical examination prior to work on ship ensures that seafarers are medically fit to perform their duties at sea. It is to be noted that there were employers who paid for the medical examination expenses of their seafarers.

Training and qualification

- The need for seafarers to be certified and competent in positions/ranks held on board was demonstrated in the study. Issuance of such documents are already in place in domestic shipping.

3.3.2 Conditions of Employment

Employment agreement

- While contractualization is common in domestic shipping, notable also are those with appointment which is an indication that seafarers are afforded with permanent status of employment with their current companies.

No. of hours work and hours of rest

- Observance of an 8-hour regular work per day and a rest period of more than 10 hours per day are indications of providing seafarers the much needed rest to counter fatigue and ensure the safe ship operations.

Entitlement to leave

- Granting of shore leave is a good practice in the domestic shipping industry. Security issues are not much of a problem in ports within the country.
- The provision of annual leave by employers to their crew is in place for domestic shipping as this is mandated by a national regulation.

Career and Skill Development and Opportunities for seafarers' Employment

- Seafarers have undergone training before assumption of work on board ship. Undergoing training is a prerequisite for a seafarer to have a job of decent quality. At the same time it also provides seafarers with greater employment opportunities.

3.3.3 Accommodation, Recreational Facilities, Food and Catering

Accommodation

- Provision of separate sleeping rooms for crew in cargo ships from large companies and passenger vessels owned by medium companies.

Food

- Crew onboard are provided with adequate food and water free of charge.
- Inspections were carried out on board with respect to food and drinking water, spaces and equipment used for storage and handling of food and water, galley and food preparation areas ensures that seafarers are provided with food and water under hygienic conditions.

3.3.4 Health Protection, Medical Care, Welfare & Social Security Protection

Health protection

- Seafarers were made aware of occupational hazards on board through the implementation and promotion of occupational safety and health which was also given importance by employers to be given to its crew.
- Passenger vessels from large companies and tanker ships from medium and small companies are equipped with the necessary personal protective equipment for their crew.

Welfare and social security protection

- Most seafarers were already members of the SSS and Philhealth as these are already mandated by laws.

3.4 Gaps and Issues

3.4.1 Minimum Requirements for Seafarers to Work on a Ship

Training and Qualification

- There were seafarers who did not have a Qualification Document Certificate for reason that it is not required of their position on board such as those in the catering or stewarding department. However, it should be taken into consideration that all seafarers irrespective of the job they do on board should be certified as duly qualified and competent. This requirement is set out under MARINA Memo Circular No. 164 of 2001 re : Rules Governing the Adoption and Implementation of a Qualification Document Certification System in the Domestic Trade.

Recruitment and Placement

- There were seafarers who were charged of fees to gain employment in the company. Although the recruitment and placement of local workers which include seafarers is already regulated as embodied in the DOLE guidelines but would need revision to consider the MLC 2006 requirement that seafarers shall not be charged with fees.

3.4.2 Conditions of Employment

Employment Agreements

- There is no standard employment agreement in the domestic shipping. The use of different employment agreements may not benefit seafarers in terms of provision of employment and social protection coverage. For overseas employment, the POEA has issued in 2003 the Rules and Regulations Governing the Recruitment of Seafarers which sets out in Rule 1 the Standard Employment Contract. On the contrary, the domestic shipping industry do not have such similar regulation.

Wages

- Salaries of seafarers are not standardized. According to the National Wages and Productivity Commission, there is no law requiring the standardization of salaries of seafarers. Management prerogative includes the right to determine the wages/salaries of workers provided that it is not below the minimum.

Hours of work and hours of rest

- Recording of overtime and hours of work is not practiced in domestic shipping. Record of maximum and minimum hours of work is imperative if seafarers are to be given monetary value for the excess hours worked. Seafarers are at the losing end with this practice onboard. Likewise, they do not get a copy of their hours of work.

The Labor Code of the Philippines Art. 82-93 provides for the rules for determining hours of work and rest periods. Particularly, the regulation has also been articulated in the POEA Standard Employment Contract under Section 10 on Hours of Work for seafarers

working in oceangoing vessels. No similar regulation specifically applies to the local shipping industry.

Entitlement to leave

- While seafarers are provided with annual leave but some are not receiving the monetary value for such leave. The MLC 2006 as well as the Phil. Labor Code specifically provide the entitlement to be with pay.

Repatriation

- Paying for expenses of seafarers in going back to their point of hire is not a common practice in domestic shipping. The lack of provisions in the employment agreement of seafarers pertaining to this entitlement places the seafarer in unclear situation as to its entitlement.
- The required employment period to entitle a seafarer of the repatriation expenses is not standardized/uniform as well as the expenses covered. Moreover, seafarers are not made aware of this entitlement.

Seafarers' compensation for the ship's loss or foundering

- Seafarers are not aware of their entitlement to compensation for any of following reasons: 1) it has not happened to anyone yet, 2) they are not informed by the company or 3) there is no document showing that they are entitled to such compensation.
- Likewise, amount of compensation varies. No uniform or standard amount of compensation is set for the domestic shipping.

Career and Skill Development and Opportunities for Seafarers' Employment

- Promotion of opportunities for further training and education of seafarers is not practiced in domestic shipping. Educational materials are not provided on ships.

3.4.3 Accommodation, Recreational Facilities, Food and Catering

- Ships in domestic trade lack recreational, communication, sanitary, and laundry facilities for their seafarers/crew.
- Catering staff onboard ships have not undergone food-related training. This highlights the absence of standards for the training and certification of ships' cooks.

3.4.4 Health Protection, Medical Care, Welfare and Social Security Protection

- Seafarers do not have access to medical care and protection on board since not all vessels have health personnel or crew on board as well as the non-availability of medical facilities.
- Safety and health at sea is an issue for seafarers as shipping is relatively considered as a hazardous activity. The absence of occupational safety and health promotion as well as the lack of personal protective equipment on board places the health and well-being of seafarers at risk.
- While membership in the country's social security is required (Section 9-Coverage of RA 8282), there were still crew in the domestic trade that were not covered with social security protection. This highlights the responsibility of employers to enrol their employees in the SSS.

- Domestic shipping falls short in the provision of other social security benefits to seafarers.

4. CONCLUSIONS

Examination of the working and living conditions of seafarers generated information that provided understanding of the working and living conditions of seafarers on board ships in the domestic trade.

The personal characteristics of the workforce in domestic shipping is composed of young seafarers aging between 20 to 29 years old, predominantly male and a few female mostly aboard passenger ships across all company sizes. Majority are married working across all vessel types while single seafarers are found in passenger ships. Seafarers surveyed are from Region 7 or Central Visayas. A good percentage also is coming from the National Capital Region.

As to professional background of the workforce, the study revealed that they were graduates of BSMT, BSMARE and AMT. Graduates of hotel and restaurant management have also found employment in domestic ships. While they are graduates of maritime-related courses, majority do not have any license. But those with license are in the Operational Level in the engine and deck. Some are holders of Major Patron license.

In terms of work experience, seafarers have been at sea for less than 10 years. Considering that most of them are unlicensed, it follows that they are still holding ratings' positions on board. Most of those surveyed are onboard passenger ships and on ships operated by small companies.

In terms of shipping companies, most of them are small-sized companies and the least are large-sized companies.

In terms of vessels inspected, majority are operated by small companies and the least from large companies.

Examination of the working and living conditions of seafarers in domestic shipping revealed that most of the requirements for seafarers to work in a ship, such as medical certificate, training and qualification, and recruitment and placement are matters of legislation and that compliance may be influenced by the vessel type and company size. Requirements on age, medical certificate, training and qualification, and recruitment and placement are already mandated by laws and regulations. Although in terms of age, no fixed minimum age is set specifically for seafarers in domestic shipping. However, MARINA regulation on the issuance of a Seafarers Identification and Record Book (SIRB) requires applicants to be at least 18 years old. This could serve as basis in fixing the age requirement at 18 years old. On recruitment and placement, although it is already regulated should be specific for seafarers not to be charged with fees to be consistent with the MLC 2006 requirements.

Conditions of Employment covered in the study are matters that define the essential aspects of employment of seafarers. It was demonstrated in the study that these conditions vary

depending on vessel type and company size. Afforded with better conditions of employment are mostly those employed in vessels operated by large and medium companies as well as tanker ships. They are receiving higher wages compared to those in small companies, they have annual leave, some employers shoulder expenses of disembarkation and they will be compensated in case of ship's loss. Once a standard employment agreement is fixed for domestic shipping, repatriation and compensation for ship's loss or foundering, among others, could form part of the terms and conditions stipulated therein.

On examination of the living conditions of seafarers in terms of their *Accommodation, Recreation, and Food and Catering*, the study showed that living conditions provided by large and medium companies are at par compared to those provided by small companies. Again, provision of a decent living conditions is greatly influenced by the economic level status of employers, as indicated by the company size.

An area of concern in the domestic shipping is on the provision of health, medical care, welfare and social security protection to the seafarers. In some aspects, provision of such protection to seafarers is dependent on the size of company and vessel type. However, it is also imperative to have regulations protecting the seafarers from occupational health, safety and accident hazards. Seafarers lack social security protection benefits from their employers.

Good Practices

Based on examination of the working and living conditions of seafarers, the study was able to identify certain good practices that exist in domestic shipping, to include the following:

- Requirement for medical certification of seafarers
- Some employers paid for the medical expenses of their crew.
- Domestic shipping gave due importance on the safe operation of ships by putting onboard certified and competent crew by requiring them to possess a COC or QDC
- The presence of employment agreements in domestic shipping
- Observance of an 8-hour regular work per day and a rest period of more than 10 hours per day is common in domestic shipping.
- Entitlements to shore leave and annual leave are practiced in domestic shipping.
- Undergoing training prior to work on board.
- Seafarers in cargo ships from large companies and passenger vessels owned by medium companies have separate sleeping rooms.
- Provision with adequate food and water free of charge.
- Provision of personal protective equipment to all crew.in passenger ships from large companies.
- Grant of shore leave to seafarers.
- Membership in SSS and PhilHealth.

Gaps/Issues

Deficiencies that have surfaced in the examination of the working and living conditions of seafarers included the following :

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- No fixed minimum age for seafarers to work on a ship.
 - There were crew who did not have a Qualification Document Certificate or COC
 - Recruitment and placement of seafarers in domestic shipping is not regulated and thus, present opportunities for abuse such as charging of fees to gain employment in the company
 - Wages are not standardized.
 - Recording of overtime and hours of work and rest is not practiced in domestic shipping.
 - Some are not receiving the monetary value for their annual leave.
 - There is no standard/uniform required period of employment to avail of this entitlement.
 - Paying of expenses of seafarers in returning to their place of origin is not commonly practiced in domestic shipping.
 - No standard/uniform requirement on the period of employment that entitles a seafarer to avail of the repatriation expenses.
 - Lack of awareness of seafarers as to their entitlements to compensation in case of ship's loss or foundering.
 - Amount of compensation in case of ship's loss or foundering varies.
 - Educational materials are not provided on ships.
 - Ships in domestic shipping lack recreational, communication, sanitary, and laundry facilities.
 - Catering staff have not undergone food-related trainings.
 - Seafarers lack access to medical care and protection on board.
 - Absence of health and education programs as well as the lack of personal protective equipment places the health and safety of seafarers at risk.
 - Some crew not covered yet with an SSS.
 - Lack of other social security benefits to seafarers.

5. RECOMMENDATIONS

The following recommendations are proposed to address the identified issues.

- A regulation should be in place fixing the minimum age of seafarers at 18 years old considering that it is also the age required for applicants in the issuance of the SIRB, a document required prior to work on a ship.
- Improve enforcement and monitoring of existing rules and regulations for domestic shipping. The degree of effectiveness of enforcement and monitoring is necessary if seafarers are to be provided with quality maritime employment. This will eliminate employment onboard ships of persons not properly certificated as well as ensure compliance with other existing policies and standards.
- A revision on the Rules and Regulations Governing the PRPA for Local Employment should be undertaken to reflect a provision specifically for seafarers such as the no charging of placement fees and taking into account other considerations unique to the employment of seafarers.

- Establish a uniform/standard employment agreement for the domestic shipping clearly defining the entitlements of the seafarer such as compensation in case of injury, death and unemployment due to ship's loss or foundering, paid annual leave, repatriation, among others. Likewise, a counterpart of the POEA, an agency with regulatory functions over seafarers in domestic ships should regulate and handle employment agreement of seafarers in domestic ships. This would ensure compliance of shipping companies in providing the entitlements of seafarers as well as monitoring of seafarers in domestic ships.
- A policy should be in place standardizing the wages of seafarers considering the unique nature of their work. Wages should be of sufficient level to enable the seafarer to live in good conditions and to support his family at home.
- Requirement on the availability of health personnel or trained crew on board should not only be specific for passenger vessels but to other types as well. This would entail revision in the PMMRR which stipulates such requirement on vessels.
- Documents relating to the employment of seafarers such as employment agreement, pay slip, record of sea service and hours of work, rest and overtime should be properly recorded, kept, and copies thereof provided to seafarers.
- Training for catering staff should include not only basic safety training but also on food and food-handling trainings. This would entail revision in the PMMRR, MC 148, which stipulates the training and qualification requirements for stewards and food handlers.
- A policy should be put in place for the promotion of safety and prevention of occupational and other diseases on board ships.
- Provision of other social security benefits to seafarers such as sickness and family benefits.
- Policy framework similar to overseas shipping should also be replicated in the domestic shipping.

Future Research

- The results of the study could serve as a spring board for a more in-depth research focusing in one aspect of the seafarers' working and living conditions such as conditions on employment.
- Research on the manning levels in domestic ships.