



TECHNICAL CIRCULAR No. 217 of 04th September 2014

To:	All Surveyors/Auditors
Applicable to flag:	All Flags
Subject:	Seafarers Employment Agreements - Application to Trainees
Reference:	ILO MLC

Seafarers Employment Agreements - Application to Trainees

The UK MCA has issued Merchant Guidance Note to provide guidance on the application of the requirement for a seafarer employment agreement to trainees engaged through an approved training provider on a UK ship.

- The agreement may be between the trainee and the approved training provider rather than the shipowner
- The shipowner's name and address must be shown on the agreement.
- Instead of "wages", information about the training bursary should be included, including amount, method and frequency of payment
- MLC standards in compliance with UK regulations are required for all other provisions such as hours of work, repatriation, social protection (including medical care) provided to the seafarer, information about disciplinary, grievance and complaints procedures.
- Terms for termination of the agreement must be provided, and must be no less favorable to the seafarer than to the training provider

A training agreement may cover both the cadet's shipboard experience and their time at a training establishment. Where a training provider places cadets on a ship, there may be no formal agreement between the cadet and the shipowner. Indeed the cadet may be engaged on several different ships, with different shipowners, during their period of training.

MCA recognizes that, in order to maintain opportunities for cadets or trainees, it is important not to create any unnecessary barriers to shipowners agreeing to provide training berths.

This Guidance Note therefore sets out the conditions under which a training agreement will be accepted as a "substantial equivalent" to a seafarer employment agreement (SEA).

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REFERENCES:

- ILO MLC – UK MCA

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Kindest Regards,

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