



MARITIME SAFETY COMMITTEE
81st session
Agenda item 23

MSC 81/23/19
7 February 2006
Original: ENGLISH

WORK PROGRAMME

Review of the Principles for Establishing the Safe Manning Level of Vessels

Submitted by the ICFTU

SUMMARY

Executive summary: This document supports MSC 81/23/3 reaffirming that fatigue and manning are inextricably linked and calling on proper allowance to be made of operational requirements when determining safe manning

Action to be taken: Paragraph 14

Related documents: MSC 81/23/3, MSC 77/6/15, MSC 77/6/7, MSC 77/6, MSC 71/23, resolution A.890(21) as amended by A.955(23), and A.947(23), A.772(18), STW 34/14, ILO Conventions 147 & 180, ISM Code

Introduction

1 The document MSC 81/23/3 submitted by the United Kingdom and others, raises the issue once again of the problems of fatigue and the need for an objective review of the manning requirement of modern vessels.

2 At the seventy-seventh session of the Maritime Safety Committee the recommendations of the Standards of Training and Watchkeeping Sub-Committee's thirty-fourth session contained in their report STW 34/14, paragraph 9.28 "*agreed that a holistic approach should be taken to the review of resolution A.890(21)*".

3 In their report MSC 77/26 the Maritime Safety Committee after consideration of documents MSC 77/6/7 (Philippines) and MSC 77/6/15 (ICFTU) decided it was too difficult to achieve holistic amendments at the seventy-seventh session and chose to take a minimalist approach for security purposes, (paragraph 6.83) so as to provide guidance relating to safe manning principles for ship security purposes before 1 July 2004.

4 The Committee agreed to consider, at a future session, based on experience gained with the revised resolution A.955(23), the need for a holistic review and, if considered necessary, to instruct the STW Sub-Committee accordingly (paragraph 6.85).

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5 In carrying out this review we should give primary consideration to resolution A.947(23) Human Element Vision, Principles and Goals for the Organization, which, requests the Maritime Safety Committee and the Marine Environment Protection Committee to consider proposals for new or revised instruments or procedures relating to safety at sea for life, security and the protection of the marine environment, taking into account the annexed human element vision, principles and goals.

Scope

6 Whilst document MSC 81/23/3 deals with a number of the crucial issues, the ICFTU would envisage a broader approach to a review of resolution A.890(21) that would investigate not only the criteria but also a method of implementation that is transparent, objective and less determined by competitive pressures. Invariably fatigue, excessive irregular work hours and manning are inextricably linked but a review should also reflect the circumstances that affect the seafarer working in a globalized industry with an increasing regulatory burden, a public blame culture and decreasing status. In this review, in addition to the point indicated we should consider:

- A revised transparent process for assessing operational manning;
- The effect of reduced quality social time;
- Multi national crew issues e.g. communication, cultural differences, etc;
- Training standards and workload distribution;
- Long-term health considerations with respect to stress and fatigue;
- Performance of crew with long periods of duty on board;
- Support factors and increased administration and inspection duties; and
- Regulatory burdens and pressures.

7 In general we should be building in some redundancy to capacity of crew when determining manning and remember that seafarers are not one homogenous renewable and expendable resource.

Other considerations

8 The ICFTU considers that there is a need to consider the security, and regulatory related aspects in the context of the current situation prevalent on ships and that there is a need to take into consideration other aspects that have a bearing on existing workloads. It should be recalled that MSC 71 (MSC 71/23, paragraphs 6.16 and 6.17), when forwarding the draft resolution A.890(21) to the Assembly, stated “the Committee’s view was that it would be premature to consider further work on this issue until experience had been gained in the use of the principles of safe manning in the revised resolution.” The STW should, as part of the review of resolution A.890(21) and after five years of experience, also carry out the comprehensive review envisaged by MSC 71 as provided for in operative paragraph 5 of the resolution. It should be noted that there have been a considerable number of changes since this date and important IMO instruments have come into full force.

9 At the time resolution A.890(21) was adopted the 1995 amendments to STCW 78 were not fully in force and now flag States are responsible for compliance with Regulation VIII/1 and must ensure the minimum hours of rest are provided for watch-keepers and records are kept of the hours worked. Also, since 1 July 2002, all vessels over 500 GT must comply with provisions contained in the ISM Code. There has been concern at the workload on ship’s staff involved in implementing the ISM Code and it should now be possible to quantify the extent of these duties

and the time taken in the range of ships inspections by authorities. The other aspects of the ISM Code which must be taken into account are covered in the Codes' Objectives, especially section 1.2.3 which provides that the safety management system should ensure:

- 1) *compliance with mandatory rules and regulations; and*
- 2) *that applicable codes, guidelines and standards recommended by the Organization, Administration, classification societies and maritime industry organizations are taken into account.*

10 This would involve the consideration of issues related to ILO Convention 147 and protocol and in particular ILO Convention 180 (Seafarers, Hours of Work and Manning of Ships). This aspect is supported by Section 2 of resolution A.890(21). The review should look at the generally accepted problem of falsified records of hours of work or interpretations of what constitutes work particularly concerning senior officers.

11 Since the adoption of IMO resolution A.772(18) (Fatigue factors in manning and safety) the Organization has adopted MSC circulars 493, 565, 566 and 621 and, after extensive work at the Maritime Safety Committee, the Organization has published Guidelines on Fatigue. Whilst the recognition and management of fatigue are important considerations, the review must look to identify why fatigue has become endemic in the industry and accidents to seafarers are increasing.

12 MSC 77 considered a document submitted by the Philippines (MSC 77/6/7) which called for the reinstatement of the Radio Officer whose traditional functions should be expanded to include complimenting and covering the duties of the Ship Security Officer, ISM related clerical duties, electronic maintenance and to cover the increasing areas of administrative/record keeping. Subsequently some companies have introduced Administration officers, often using ex Radio Officers in this new role. The STW Sub-Committee is clearly mandated to consider the Philippines document as part of its review of resolution A.890(21) and therefore to consider the increased duties of ships' personnel in all areas, and the effectiveness of these new positions, as part of its assessment of the new security related workload.

13 The ICFTU is firmly of the view that the review of resolution A.890(21) must include an assessment of the effectiveness of the existing provisions, based on the experience that has been gained on their implementation and effect of developments since their adoption. The addition of guidance on manning in resolution A.955(23) for implementation of the ISPS Code means that the workload implications have been flagged up but there seems to have been little reaction or change in manning by the flag States.

Action requested of the Committee

14 The Committee is invited to broaden the scope when considering the new work programme item for a review of resolution A.890(21) to include:

- .1 the issues raised in this document;
- .2 all possible additional duties involved in the implementation of the new security measures, ISM Code and additional inspection regime;
- .3 the need to give greater guidance to comply with the rest requirements contained in STCW 95, ILO 180 and in national law;

- .4 the measures the Organization has developed to address and prevent fatigue;
 - .5 the current increasing workload for seafarers, particularly in the area of additional administration and inspections; and
 - .6 the necessity for a transparent, objective, internationally standard process for determining realistic operational minimum manning.
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