



SUB-COMMITTEE ON STANDARDS OF
TRAINING AND WATCHKEEPING
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**REVIEW OF THE PRINCIPLES FOR ESTABLISHING
THE SAFE MANNING LEVELS OF SHIPS**

Submitted by ICFTU

SUMMARY

Executive summary: Whilst resolution A.890(21) was only adopted in 1999 it is clearly not being effectively implemented. The issue of manning and fatigue are inextricably linked, however, to successfully review the resolution and its implementation a holistic approach to the problem must be taken. This paper invites the Sub-Committee to consider all the relevant factors including consequences to the seafarer and to the maritime industry as a whole.

Action to be taken: Paragraph 18

Related documents: MSC 81/23/3; MSC 81/23/19; MSC 77/6/15; MSC 77/6/7; MSC 77/6; MSC 71/23, resolutions A.890(21), A.955(23), A.947(23) and A.772(18); STW 34/14; ILO Conventions 147 and 180 and ISM Code

General

1 The Maritime Safety Committee at its eighty-first session instructed the Sub-Committee on Standards of Training and Watch-keeping to review resolution A.890(21) (as amended by A.955(23) on Principles of Minimum Safe Manning. The ICFTU has studied the paper MSC 81/23/3 submitted by the United Kingdom and others and agrees there is an indisputable link between ships' manning and the problems of fatigue.

2 Whilst this resolution was only adopted in 1999 it is clear that the problems associated with manning and fatigue have not improved and are indeed compounded by an ever-increasing legislative workload.

3 The ICFTU agrees that many factors must be considered in any review of safe manning and a holistic approach should be taken. However, after revisiting the review of resolution A.481(XII) clearly the majority of factors have been fully considered and the issue to be addressed is primarily one of implementation.

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4 The statement of the UK Report of Lord Donaldson's Inquiry on the industry in 1998 is equally relevant today:

'A more fundamental problem is that the international standards of manning may be too low in some cases: in particular some aspects of the manning standards are open to national interpretation leading to variations on actual levels. Consistency is extremely important. There are strong commercial pressures on manning levels: too small a crew is not only dangerous, but also represents unfair competition. If consistency is not achieved, the concept of safe manning will inevitably be weakened.'

Further,

'a review of manning standards and re consideration of the extent to which they should remain open to interpretation by the Flag State. It is important that this is carried out quickly and effectively, and that sensible standards are set and adhered to'

5 The ICFTU considers the guidance within A.890(21) is relatively thorough with only a few amendments warranted. Much of the emphasis should be in the enforcement of its implementation and in the transparency of the process contained in the annex. As stated in Lord Donaldson's report, too much is open to interpretation by the Flag State and is subject to competitive pressure. The need for a level playing field is paramount as is a more tangible link to a mandatory instrument such as the ISM Code.

6 Much of the problem emanates from unsatisfactory enforcement of the hours of rest provisions and the flawed recording of actual hours of work. Clearly it is time to introduce more realistic maximums for hours of work as contained in ILO Convention 180 with the associated mandatory record of hours and this is best addressed in the review of the STCW Convention.

7 As stated in our paper at MSC 81, the ICFTU would envisage a broad 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 affected by competitive pressures. Invariably fatigue, excessive irregular work hours and the manning are inextricably linked but a review should also reflect the circumstances that affect the seafarer working in a globalised 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:

- .1 a revised transparent process for assessing operational manning;
- .2 the effect of reduced quality social time;
- .3 multi national crew issues e.g. communication, cultural aspects;
- .4 training standards and workload distribution;
- .5 long-term health considerations for seafarers;
- .6 performance of crew with long cycles onboard;
- .7 support factors and increased administration and inspection duties;
- .8 regulatory burdens and pressures;
- .9 the distribution and levels of skills compared to workload; and
- .10 with quick turn rounds, the absence of recovery time in the work cycle.

8 In general we should be building in some redundancy into crew capacity when determining manning levels to allow for changeovers and remember that seafarers are not one homogenous renewable and expendable resource.

9 In the body of the text of A.890(21), we suggest the following amendments,

- .1 the terms ‘vessels of limited size’ or ‘limited propulsion power’ be defined in annex 2 paragraphs 3.4.2 and 3.4.3;
- .2 modify the resolution point 4, to facilitate a minimum safe manning document being challenged by port state control where the hours of work are excessive;
- .3 the roles of the cook and catering department be included in considerations within annex 1; and
- .4 administration, inspection and survey duties should be included in annex 2.

10 In the annex 3 to A.890(21) there should be substantially more detail, which should include a comprehensive questionnaire, giving greater transparency in the Minimum Safe Manning Document as to how the manning level was arrived at, with a clear methodology and identifying a level of redundancy and recovery time for crew.

11 The annex 3 of A.890(21) should be integrated into the requirements of the ISM Code and audited as part of the safety certificate by the ISM recognized organization.

Other considerations

12 As previously stated in an ICFTU paper MSC 81/23/19 there is also a need to consider, amongst other things, the security, and regulatory related aspects in the context of the current situation prevalent on ships 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) to the Assembly, stated “*the Committee 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 A.890(21), after seven years of experience, also in carrying out the comprehensive review envisaged by MSC 71 and as provided for in operative paragraph 5 of the resolution, note that there have been a considerable number of changes since this date and important IMO Instruments have come into full force.

13 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 that the minimum hours of rest are provided for watch-keepers and that watch schedules are posted. Also, since 1 July 2002, all vessels over 500 GT must comply with provisions contained in the ISM Code. There has been concern over the workload on ships’ 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 carried out by authorities. The other aspects of the ISM Code which must be taken into account are covered in the Code’s 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.*

14 This would involve the consideration of issues related to ILO Convention 147 and in particular ILO Convention 180 (Seafarers' Hours of work and the 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.

15 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 why accidents to seafarers are increasing.

16 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 could be expanded to include complementing and covering the duties of the Ship Security Officer, ISM related clerical duties, electronic maintenance and to cover the increasing area of administration/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 A.890(21). It should also address 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.

17 The ICFTU is firmly of the view that the review of A.890(21) must include an assessment of the effectiveness of the existing provisions, in light of developments since their adoption and following the experience gained on their implementation. The addition of guidance on manning in 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 Sub-Committee

18 The Sub-Committee is invited to consider the issues raised in this paper when reviewing resolution A.890(21) and take the appropriate action.
