



EUROPEAN COMMISSION

PRESS RELEASE

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Labour law: Commission proposes to improve workers' rights for seafarers

A proposal to include seafarers within the scope of five EU labour law Directives has been presented by the European Commission. The proposal would give them the same information and consultation rights in all 28 EU Member States as on-shore workers in cases of collective redundancies and transfers of undertakings. They would also have the right to participate in European Works Councils. The proposal will now go to EU's Council of Ministers and the European Parliament for approval.

"Off-shore and on-shore workers should have equal rights, in particular when it comes to such a fundamental right as information and consultation. This proposal would improve the living and working conditions of seafarers and so help to attract more young people to work in the maritime sector" said László Andor, European Commissioner for Employment, Social Affairs and Inclusion. "It would also create a level playing field in Europe's maritime sector, since all shipping and fisheries companies within the EU would have the same obligations".

Although EU labour law generally applies to all workers in all sectors, until now certain labour Directives allowed Member States to exclude seafarers from their right to information and consultation. This has led to seafarers being treated differently in several EU Member States.

The new proposal would amend five Directives ([Employer Insolvency Directive](#), [European Works Councils Directive](#), [Information and Consultation Directive](#), [Collective Redundancies Directive](#), [Transfer of Undertakings Directive](#)) in order to give seafarers the same rights as their colleagues on-shore. This would enhance their living and working conditions and so increase the attractiveness of working in the maritime sector for young people. This is important as the number of EU seafarers has been steadily decreasing over the last few years and the sector is threatened with labour shortages. A third important benefit of the proposal is that it would ensure fairer competition in the fisheries and shipping sectors within the EU as operators would have the same obligations in all EU Member States.

Background

Around 90% of world trade is carried out by the international shipping industry. Without shipping the import and export of goods on the scale necessary for the modern world would not be possible. There are over 50,000 merchant ships trading internationally, transporting every kind of cargo. About 30% of those merchant ships are registered in an EU Member State. About 345,455 EU seafarers work on ships worldwide and about 157,561 EU fishermen work within the fishing sector.

Five EU Labour Law Directives currently allow Member States to exclude seafarers from their scope (Employer Insolvency Directive, European Works Councils Directive, Information and Consultation Directive, Collective Redundancies Directive, Transfer of Undertakings Directive). Not all Member States make use of this possibility to the same extent.

As part of the Commission's better regulation policy, its '[Fitness Check](#)' report of 26 July 2013 on EU law in the area of workers' involvement examined the Directives related to worker information and consultation at national level (see [IP/13/747](#)). The report pointed out that the exclusion of - among others - seafarers from the scope of application of the Directives was a gap that had to be addressed. The current proposal addresses this issue.

The new proposal would amend the Employer Insolvency Directive, European Works Councils Directive, Information and Consultation Directive, Collective Redundancies Directive, Transfer of Undertakings Directive. In particular, it would give a right to information and consultation to seagoing workers in all EU Member States while taking into account the characteristics of the maritime sector. Seafarers, who were previously excluded, would now be protected in case of insolvency of their employer. In case the insolvent employer was unable to pay their wages, they could apply to the national Insolvency Fund. Seafarers in the merchant navy would have the right to participate in European Works Councils in all EU Member States. Seafarers would get the same rights to information and consultation as workers on shore, also in the case of collective redundancies and transfers of undertakings.

Since the buying and selling of one or more vessels is very common in the maritime sector, some measures would also be introduced to ensure that EU shipping companies were not comparatively disadvantaged in these highly competitive markets. For example, under certain conditions Member States could decide that the waiting period after the notification of planned collective redundancies to the competent public authorities would not apply in case of buying or selling a vessel.

As there are differences between the 28 Member States in terms of the nature of their maritime sector and the extent they made use of the possibility to exclude seafarers, the proposal includes a transition period of 5 years for the Member States. The goal is to offer sufficient time to implement the proposal into the national legislation and practice.

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[News item on DG Employment website](#)

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