

# CHECKS ON BOARD

Preventive measures to reduce deficiencies



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1/2

## MLC

### MARITIME LABOUR CONVENTION MARITIME LABOUR ACT

#### Assigned to:

Master  C/O  \_\_NWO  other:  
 C/E  \_\_TWO \_\_\_\_\_

#### Remarks / Findings:

Date: Initial: Signature:

It is normal for some technical systems to fail from time to time. Failures are therefore part of managing the bridge. In such a case:

Use the available **ISM tools** of the company!

**Be aware:** an inspection pursues two main objectives:

- 1) The ship was in compliance with MLC standards\*.
- 2) The ship is in compliance with MLC standards\*.

\* Requirements of the Part A of MLC 2006 Convention.

**The inspection thus aims at both: the past & future.**

The purpose is to determine compliance with the requirements but PSCOs may also be entrusted with handling and investigating complaints made by seafarers on ships visiting their ports.

**Maintain compliance. Keep records up to date.**

Further details: see enclosed information sheet.

#### 01. Certification

MLC maritime labour certificate is available, valid, endorsed accordingly, referring to the approved and available DMLC.

#### 02. Public Space – MLC, DMLC, Report

A copy of the Maritime Labour Certificate and of the DMLC (Part I and II) and a copy of the last MLC inspection report is posted on board at a public space.

#### 03. Public Space – Financial Security

Both certificates of financial security (abandonment, accident) are available and copies posted in a public place.

#### 04. Public Space – Complaint Procedure

The complaint procedure and relevant contacts are posted at a public space. Crew in possession of the procedure.

#### 05. Public Space – Watch & Work

Table of shipboard working arrangements posted at a public space.

#### 06. Minimum Age & Young Seafarers

No seafarer under the age of 16y on board. Controlled measures in place for young seafarers between 16y – 18y.

#### 07. SEA – Employment Agreement

All seafarers have a valid SEA. The individual service times on board do not exceed the SEA agreement. Copies of the signed SEA (hardcopy or electronic) are available on board.

#### 08. SEA – Exceptional Extensions

Extensions caused by (corona) pandemic / serious causes: compliant with the specific flag State procedures, recorded as per flag State instructions. Approval by flag available.

#### 09. SEA – CBA Bargaining Agreement

If applicable: collective bargaining agreement (in English) readily available on board to demonstrate compliance.

#### 10. Minimum Safe Manning

Adequately manned in accordance with the Minimum Safe Manning Document. Crew in possession of valid certificates. In parallel: updated IMO crew list on board.

#### 11. Wages

At end of each calendar month: agreed wages are paid, crew received account of payment in writing. Appropriate records of payments available.

#### 12. Hours of Rest & Work

Hours of rest & hours of work comply with MLC, German Maritime Labour Act (MLA) and STCW.

#### 13. Hours of Rest & Work - Records

Appropriate records are available for each seafarer, records include reason for conflicts and deviations from limitations.

### 14. Hours of Work & Rest - Records

The records of hours of work & rest are signed by the master (or representative) and the seafarer at the end of each calendar month. Signed records of the last months available.

### 15. Hours of Work & Rest - Review

Harmonized figures: there are no deviations of hours of work & rest between records and entries in logbooks, work permits or other related documents (records & logs compared).

### 16. Accommodation

Accommodation & recreational facilities are safe and decent and in a clean/hygienic state with operational HVAC (A/C & heating system) and appropriately illuminated with operational emergency lighting.

### 17. Sanitary Facilities

Sanitary facilities/lavatories, especially the public, are in a clean & hygienic condition. Equipment & floor complete and without damages, no broken tiles. Warm and cold drinking water is available at the wash places.

### 18. Records of Internal Inspections

Records of regular monthly inspections of accommodation & recreational areas available.

### 19. Galley & Pantry

Areas & technical/manual cooking equipment, cutting & chopping boards, refrigerators and others: clean & hygienic condition without damages. Floors, ceilings, walls & furniture complete and without damages or broken tiles. No hidden dirt/oily residues at corners nor behind or inside the furniture.

### 20. Mess Rooms

Clean & tidy with safe and clean furniture and equipment. Available refrigerators are in a safe & hygienic condition and do not contain rotten food.

### 21. Garbage at Galley, Pantry, Mess

No hazards like bugs, mould, fungi or sharp objects. Safe storage acc. to MARPOL V and Garbage Management Plan. Hygiene maintained.

### 22. Food Stores (Reefer & Dry)

Stores are in clean & hygienic condition, equipment and floor complete and without damages/broken tiles/boards. No hidden dirt, oily or water residues at corners, behind or inside furniture. Cooled spaces: temperature control available and monitored. No hazards like bugs, mould, fungi.

### 23. Food

No expired/damaged food, no bugs, mould, fungi in/on food.

### 24. Drinking Water

Safe & sufficient drinking water is provided free of charge, the quality is verified annually by micro-biological analysis. Separate and protected drinking water hose available.

### 25. Medical Care

Hospital/treatment room/medical chest: maintained in appropriate condition and ready to use. Expiration dates of medicines are controlled. German Maritime Medical Handbook is on board. Records of 12M shore-based checks available. Master & Officer in charge, holding a valid certification (e.g. medical refresher course with 5Y interval).

### 26. Medical Care - Communication

Communication equipment in hospital/treatment room is operational. Direct contact to radio medical advice can be established.

### 27. Medical Fitness

All seafarers on board have a valid medical certificate that does not exceed 2 years (1y for young seafarer).

### 28. Risk Assessment (RA)

RAs available & include occupational health & safety, particularly hazards when handling or operating work equipment, tools, machinery, hazardous substances, noise. Records are available and demonstrate that system is in place, in use and updated as necessary.

### 29. Organizational Measures

Organizational measures, e.g. work permit system, established. Records are available demonstrating measures and system are in place and in use.

### 30. Safety Representative / Committee

Ships with five or more crew: A safety representative is appointed and regular safety committee meetings are held. Records available for both.

### 31. PPE

Appropriate safe personal protective equipment is provided for and used by the crew. PPE maintained as required by the manufacturer and of appropriate condition.

### 32. Electrical Hazards

Fixed and portable electrical machineries and installations are regularly inspected, isolated and safe. Isolating rubber mats are placed in front of switchboards.

### 33. Ropes & Wires

They are in appropriately safe condition. Suitable records of regular inspections/turning/exchanges are available.

### 34. Engine Room Condition

The E/R is in a clean & tidy condition, appropriately illuminated and poses no risk of slipping, tripping, fire or hazardous substances.

### 35. Workshops

Clean & tidy, appropriately illuminated and pose no risk of slipping, tripping, fire, hazardous substances. Tools are in a safe condition, maintained & fully operational.

### 36. Cross Check Master's File

- Maritime Labour Certificate
- DMLC I & DMLC II
- SEA & CBA & model agreement of the SEA
- Certificate of insurance or financial security for repatriation of seafarers & for shipowners' liability
- Medical certificates (all seafarers)
- Certificate Medical Officer
- Certificates Lifting Devices (ILO C-134, C-32)
- Cargo Gear Record Book (ILO C-32, C-152)



### Information to prepare for inspections

## MLC

### Working & Living

#### Objectives

Generally, the inspection pursues two main objectives:

- 1) The ship was in compliance, and
- 2) the ship is in compliance

with the requirements of Part A (Standards) of the MLC 2006 Convention.

#### The inspection thus aims at both the past and the future.

The purpose of the inspection is to determine compliance with the requirements but PSCOs may also be entrusted with handling complaints made by seafarers on ships visiting their ports. Therefore, Inspectors examine existing documents and records suitable to demonstrate compliance, particularly such as

- SEA
- Records on hours of work & rest Hours
- Records on inspections
- Public posting incl. last inspection, DMLC II, complaint procedure
- Logs of drills & trainings

and carry out crew interviews to get an impression of the living and working conditions and to check the implementation of the requirements. Together with the general impression and results of interviews, a picture emerges.

#### Unintentional Negligence

Some of the regularly detected deficiencies are caused in everyday life by small administrative negligence, e.g. a record for which a signature was missing. Administrative documents have to be reviewed regularly and carefully.

**Try to avoid even the smallest deviations. If an inspector notices one, correct it immediately on site!**

The recording of a defect may be prevented if this type of deficiency is rectified immediately.

#### Sum-up

**Keep paperwork up to date and orderly**  
**Maintain compliance**  
**Be prepared**

#### Need advice?

##### BG Verkehr - Ship Safety Division

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#### Check on board: Notes on selected references

01. Certification	MLA / MLC
02. Public Space	MLA §§130,132, MLC A5.1.3.12
03. Public Space	MLA §§ 76a,106a, MLC A2.5.2, A4.2.1
04. Complaint Proc.	MLA §127, MLC A5.1.5.4,
05. Watch&Work	MLA §50, MLC A2.3.10, STCW A-VIII/1
06. Young Seafarer	MLA §§10,53,54,117, MLC A1.1, A3.2.8
07. SEA	MLA §§28,29, MLC A2.1.1
08. SEA Extension	deutsche-flagge.de
09. SEA CBA	MLA §29, MLC A2.1.2
10. Safe Manning	MLA §§21, 22, MLC A2.7.1
11. Payments	MLA §§37(1), 40(1), MLC Reg. 2.2.1, A2.2.2
12. Hours of W&R	MLA §§45-§49, MLC A2.3.5, A2.3.6, A2.3.13, STCW VIII/1
13. Hours: Records	MLA §50, SeeArbZNV, MLC A2.3.12
14. Records Signed	MLA §50, MLC A2.3.12, SeeArbZNV
15. Hours: Review	Compliance management, MLA §48(1)
16. Accommodation	MLA §93, SeeUnterKV, MLC Reg. 3.1.1, A3.1.1, A3.1.7, A3.1.8
17. Sanitary Facility	MLA §114, SeeUnterKV, MLC A3.1.11
18. Record Inspect.	MLA §93, MLC A3.1.18
19. Galley & Pantry	MLA §97, MLC A3.2.2
20. Mess Room	MLA §97, MLC A3.2.2
21. Garbage	MLA §97, MLC A3.2.2, MP V
22. Food Stores	MLA §97, MLC A3.2.1, A3.2.2
23. Food	MLA §97, MLC A3.2.1, A3.2.2
24. Drinking Water	MLA §97, SeeUnterKV, MLC Reg 3.2.1, A3.2.1, A3.2.2
25. Medical Care	MLA §107, 109, MLC Reg 3.1.1, A4.1.4
26. Medical Comm.	SeeUnterKV
27. Medical Fitness	MLA §§11,12, MLC A1.2
28. Risk Assessm.	MLA §§114,117, ArbSchG §§5,6, MLC A4.3.1
29. Measures	MLA §114, MLC A4.3.1
30. Safety Rep/Com.	MLA §§115,116, MLC A4.3.1
31. PPE	MLA §114, PSA-BV, MLC A4.3.1
32. Electrical	MLA §§114, MLC A4.3.1
33. Ropes & Wires	MLA §§114, MLC A4.3.1
34. Engine Room	MLA §§114, MLC A4.3.1
35. Workshops	MLA §§114, MLC A4.3.1
36. Crosscheck	./.

**Common deficiencies noted****Seafarers' employment agreement (SEA) & Wages**

- SEA expired and seafarer not signed off in time / SEA expired and extended but the extension does not meet the conditions of the flag State / copy of SEA & referenced bargaining agreement not on board
- Wages not paid in time at the end of the month. Account of payment incomplete or not available

**Hours of Work & Rest**

- Non-compliance with maximum hours of work, minimum hours of rest or periods of rest. Permitted conflict with hours of rest or work but no records were made which demonstrate the cause for conflict and the compensatory measures
- Sheets not signed

**Occupational health and safety**

- Unsafe electrical installations, floor in front of switch boards are not insulated against electric shock
- Cleanliness of engine room (poor condition, slippery surface, incomplete floor plates, missing guards/rails, tools damaged / incomplete, unsafe illumination, fire hazards, uncontrolled stored hazardous substances)
- Ropes & wires – particularly moorings: poor condition. No regular inspections done, no records available
- PPE not provided / not maintained with poor condition

**Accommodation**

- Unhygienic condition, not maintained or have damaged facilities / equipment
- Heating or air conditioning system not fully operational or not maintained with a poor hygienic standard

**Various**

- Not posted at a public space: MLC certificate, last MLC inspection report, DMLC I, DMLC II, complaint procedure, financial security, abandonment, table of shipboard working arrangement

**Crew**

- Ship not manned in accordance with the MSM Minimum Safe Manning, Seafarer's qualifications not in accordance with the MSM
- Personal certificates, e.g. cert. of competency or medical fitness, not available or expired

**Food & Galley**

- Stores & areas of preparation not clean, unhygienic or damaged. Hazardous food storage, poor temperature control for refrigerated food. Food expired
- Drinking water test not conducted / expired

**Common grounds for PSC detention**

- Seafarers' employment agreement (SEA)
- Extended contract and sea service beyond SEA
- Cleanliness of engine room
- Wages
- Sanitary facilities
- Work & rest hours
- Young seafarers / uncontrolled conditions

**Further information that may be of interest*****ILO, Guidelines for port State control officers carrying out inspections under the Maritime Labour Convention, 2006, as amended*****General**

*A PSCO should gain an impression of whether the ship is well maintained and operated and may observe situations or practices that suggest that the working and living conditions on the ship may be inconsistent with the requirements of the MLC, 2006.*

*Primary purpose is to review the MLC certificate and DMLC and related documentation and records.*

*A more detailed inspection may be carried out as consequence of documentary inconsistencies or non-compliances, in case of a complaint by a seafarer filed on-scene or prior inspection or if the PSCO has clear grounds to believe that aspects of the living and working conditions on a ship are not in compliance with the MLC, 2006.*

**Examples that may warrant a detention**

- *Presence of any seafarer on board under the age of 16*
- *Health hazards to young seafarers with age 16y-18y*
- *Fundamental rights of the seafarer violated*
- *Insufficient manning*
- *Not in possession of valid seafarers SEA*
- *Not in possession of valid seafarers certificates*
- *Repeatedly working beyond max. hours of work*
- *Repeatedly having less than min. hours of rest*
- *Unhygienic or damaged accommodation / cabins*
- *Unhygienic or damaged sanitary facilities*
- *Unhygienic or damaged food and mess areas*
- *Quality or quantity of food and water not suitable*
- *Medical equipment, medicines, guide not suitable*
- *Non-payment of wages (repeated, significant period)*
- *Inadequate wage account*
- *Significant work place hazard to seafarer*
- *Other condition or instance because of the seriousness*