



## MLN 2.3

Revision No 3

DEPARTMENT OF ECONOMIC DEVELOPMENT

### **MLC Title 2.3 Hours of work and hours of rest**

This MLN provides guidance on compliance with Isle of Man (IOM) regulations which give effect to MLC 2006 Title 2.3. Implementation of these guidelines will be taken as evidence of compliance with the Isle of Man regulations.

The guidelines do not preclude the shipowner from demonstrating an equivalent or higher standard as an "alternative method" of evidence of compliance.

Documents referred to in this notice:

Maritime Labour Convention 2006

Most regulations and notices are available on the Isle of Man Government website: [www.iomshipregistry.com](http://www.iomshipregistry.com) or by contacting [marine.survey@gov.im](mailto:marine.survey@gov.im)

### **Hours of work and hours of rest**

#### **1. General requirements**

MLC 2006 requires that each Member State shall fix either a maximum number of hours of work, or minimum number of hours of rest, for a given period of time for all seafarers. In keeping with this requirement, the Isle of Man Ship Registry has elected to continue with its current requirements and has established a minimum hours of rest standard with which shipowner must comply.

"Hours of rest" means time outside hours of work and does not include short breaks.

The minimum requirement for hours of rest provided should be:

- .1 10 hours in any 24-hour period, which may be divided into no more than 2 periods, one of which shall be at least 6 hours in length, and no more than 14 hours between any consecutive periods; and
- .2 77 hours in any 7 day period.

Isle of Man registered ships are required to follow these requirements and the exceptions to the hours of rest introduced in the 2010 STCW Manila amendments are not recognised by the Isle of Man Ship Registry.

## 2. **Drills and periods on call**

It is appreciated that some seafarers will be off duty when musters, fire-fighting and lifeboat drills are conducted but these should be arranged in a manner that minimises the disturbance of rest periods and does not induce fatigue.

When a seafarer is on call, such as when a machinery space is unattended, the seafarer must have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.

## 3. **Table of shipboard working arrangements**

A table (or tables for different departments) of shipboard working arrangements shall be provided to each ship, tabulating the anticipated daily working periods scheduled for all seafarers. This is to ensure that expected routine working arrangements are made available for the awareness of the crew. Due to the nature of service at sea some deviation from the schedule is to be expected, and such deviations will not necessarily indicate non-compliance with the minimum rest periods required.

The table shall be prepared by the shipowner and be specific to each vessel. A standard format has been established by the Isle of Man Ship Registry based on ILO Guidelines, and is provided under Annex I, Model format of Table of Shipboard Working Arrangements.

Shipowners are free to develop their own company forms provided that at least the following information is included:

- .1 entries for each position / rank of seafarer;
- .2 schedules of service at sea and in port; and
- .3 statement of the minimum hours of rest required.

In order to ensure awareness by all seafarers of the shipboard working arrangements, the table, which should be in English, shall be posted in a place or places easily accessible to the seafarers working onboard. The table must also be available for inspection by Isle of Man Ship Registry inspectors and port state control officers. The posting can be on a computer network that is available to all seafarers onboard if the ease of accessibility can be demonstrated to inspectors.

## 4. **Recording hours of rest**

A record must be kept of the seafarers daily hours of rest, the principal purpose for the record being to allow monitoring and provide documentary evidence of compliance with the minimum hours of rest requirements, and to record any deviations from the requirements.

The Isle of Man Ship Registry has developed a standard format for the record of daily hours of rest, based on ILO Guidelines, and is provided under Annex II, Record of Hours of Rest. As with the table of shipboard working arrangements, shipowners are free to develop their own company forms provided that such records maintain the required information.

Any breaches or deviations of the hours of rest must be shown and also any compensatory rest periods given in lieu or in advance of any unavoidable minor deviations.

The records of daily hours of rest shall be maintained in English to comply with having them available for inspection by Isle of Man Ship Registry inspectors and port state control officers. Each seafarer shall receive a copy of the records, generally monthly, pertaining to him or her, which shall be endorsed by the Master, or a person authorised by the Master, and by the seafarer.

The records should be kept onboard for 3 years to ensure that there are full records available between MLC inspection dates.

## **5. Electronic recording and storage**

We are aware that increasingly ships are keeping records in an electronic format and this is a natural development. Shipowners may develop, or purchase, electronic systems that record the hours of rest for seafarers on their vessels and these systems should be as follows:

1. the format must be based on the ILO guidelines;
2. the electronic records must be accessible to all seafarer and are secure from unauthorized alterations after entering;
3. there must be a means for the records to be endorsed by the seafarer and the Master;
4. there must be a means for the seafarer to receive a copy of their hour of rest records;
5. the system must be available for inspection by Isle of Man Ship Registry inspectors and port state control officers.

## **6. Exceptions to minimum hours of rest allowed under MLC.**

The Isle of Man Ship Registry may permit exceptions to the minimum hours of rest required by the regulations that have been either;

1. produced as part of a collective agreement.
2. applied for by the shipowner with evidence that the exception being applied for has been agreed by the seafarers and/or the seafarers representatives.

The exceptions must, as far as possible, follow the requirements relating to the minimum hours of rest in the regulations, but may take account of;

3. more frequent or longer leave periods;
4. the granting of compensatory leave for watchkeeping seafarers, or seafarers working on board ships on short voyages.

**MODEL FORMAT FOR TABLE OF SHIPBOARD WORKING ARRANGEMENTS**

Name of Ship: \_\_\_\_\_ IMO number: \_\_\_\_\_

Details of any equivalent arrangements set out in a collective agreement for the ship:

\_\_\_\_\_

A copy of any equivalent arrangements set out in a collective agreement in place on this ship can be found at:

\_\_\_\_\_

Position / Rank	Scheduled daily work hours at sea		Scheduled daily work hours in port		Total hours of work at sea	Total hours of work at port
	Watchkeeping ( from - to )	Non -Watchkeeping duties ( from - to )	Watchkeeping ( from - to )	Non - Watchkeeping duties ( from - to )		

Signature of Master \_\_\_\_\_ Date \_\_\_\_\_

**SUMMARY OF HOURS OF REST REQUIREMENTS**

In accordance with MLC 2006 the minimum hours of rest for all seafarers are:

- 10 hours in any 24 hour period; and
- 77 hours in any 7 day period.

Hours of rest may be divided into no more than 2 periods one of which shall be at least 6 hours in length. The interval between consecutive periods of rest shall not exceed 14 hours.

Nothing in this table or in regulations impairs the right of the master to require a seafarer to perform any hours of work necessary in an emergency etc. As soon as practicable after the normal situation has been restored the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with a compensatory period of rest.

