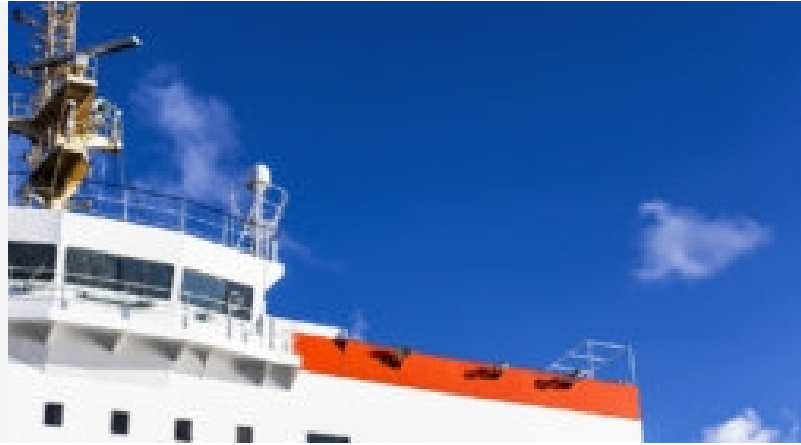


ESG AND COVID-19: HOW EMPLOYERS CAN PROMOTE SEAFARER WELLBEING

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The maritime sector is increasingly turning its attention to environmental, social and corporate governance (“ESG”) issues. While decarbonisation of shipping is at the top of the ESG agenda, there is also increasing awareness about crew welfare, as reflected by market analysis carried out by WFW in relation to shipowners, charterers and financial institutions (see our report, “The Sustainability Imperative – Part 1”). This article considers some of the key challenges facing employers in the context of seafarer welfare and proposes examples of measures which employers can take to help promote seafarer wellbeing.

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REPATRIATION AND CREW CHANGE ISSUES

The Covid-19 pandemic has caused many logistical problems when it comes to the repatriation of crew and, despite shipowners’ best efforts, it has inevitably led to seafarers having to remain on board vessels past the end dates of their Seafarer Employment Agreements. In December 2020, the International Maritime Organization (the “IMO”) estimated that some 400,000 seafarers remained on board commercial vessels unable to be repatriated. Some seafarers have also had to spend time self-isolating, either because they have contracted Covid-19, or been exposed to it.

The valued role of seafarers has been highlighted and recognised in many quarters. The IMO issued a framework of protocols in May 2020 (since updated) which encourages governments and stakeholders to implement measures to ensure safe crew changes. Further, on 1 December 2020 the UN General Assembly adopted a resolution on *International cooperation to address challenges faced by seafarers as a result of the Covid-19 pandemic to support global supply chains*. In addition, hundreds of industry players, including shipowners, have made it clear that they understand the issues facing seafarers, by signing the Neptune Declaration on Seafarer Wellbeing and Crew Change. In line with the IMO framework of protocols, both the UN resolution and the Neptune Declaration notably call for governments to implement special measures in relation to seafarers to aide their travel, such as designating them as key workers. Indeed, government action is vital to facilitate seafarer movement.

MEASURES TO PROMOTE SEAFARER WELLBEING

Research and experience from other industries shows that engagement is key – consulting seafarers to identify any further steps which can be taken to foster positive mental health and wellbeing is a good initial step. As a starting point, HR and crew management teams may want to consider the following:

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- Reviewing whether seafarers have access to appropriate technology to allow them to maintain contact with their support network ashore;
- Promoting social activities and exercise, ensuring compliance with protocols to reduce the spread of Covid-19 and taking into account cultural differences;
- Reviewing how sensitive communications are made to seafarers to minimise stress (for example, the time of day they are made);
- Providing access to counselling;
- Educating at least one person on board in psychological first aid;
- Encouraging seafarers to discuss their experiences of mental health issues at team meetings to reduce stigma; and
- Implementing and monitoring anti-bullying and anti-harassment policies.

In addition, HR and crew management teams may wish to refer to the *Practical guidance for shipping companies on improving mental wellbeing*, produced by the National Maritime Occupational Health and Safety Committee, in collaboration with the UK Chamber of Shipping, Nautilus International and the National Union of Rail, Maritime and Transport Workers (RMT). The guidance, published on 23 March 2021, provides various examples of measures to promote seafarer wellbeing, together with some model resources, such as a template risk assessment.

Many shipowners are also acutely aware that numerous seafarers are currently ashore and do not know when they will be able to resume work. Maintaining communication will be important; for example, circulating crew newsletters or setting up group video calls with the seafarers, as well as providing regular updates by e-mail or post.

BULLYING AND HARASSMENT

To further protect seafarers' mental health, it is advisable for HR and crew management teams to review their bullying and harassment procedures in accordance with guidance published by the International Chamber of Shipping and the International Transport Workers' Federation. HR and crew management teams may want to consider the following:

- Reviewing company policies on disciplinary and grievance procedures;
- Designating an additional contact to deal with grievances to mitigate any staffing shortages; and
- Putting in place awareness programmes on bullying and harassment – such programmes could include giving Covid-secure briefings or putting up posters and a copy of their policy statement on bullying and harassment on staff notice boards.

The IMO has highlighted that mental health issues can result in decreased performance and even serious maritime accidents. This underscores the importance of implementing appropriate measures to promote seafarer wellbeing.

THE FUTURE

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The Covid-19 pandemic has brought crew welfare to the attention of investors as Paul Taylor, Global Head of Shipping and Offshore at Société Générale CIB, notes, *"Banks and lessors are increasingly looking at the social side, particularly crew welfare, which has been very prevalent during the Covid-19 crisis in terms of the inability to change crews – it's been a real humanitarian issue"*, in **"The Sustainability Imperative – Part 1"**. It is likely that protecting seafarer wellbeing will become more of a commercial and legal imperative over the coming years and is something that should be kept under regular review as further industry guidance on this issue emerges.

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