

# UK Branch Conference Report 2022





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# Executive summary

The two years since the last Nautilus UK Branch Conference have been exceptionally turbulent, even by the standards of the shipping industry.

At Nautilus, the past two years were dominated by pandemic-related issues such as the crew change crisis and the lack of berths available to cadets needing to finish their sea time – not to mention the challenges of conducting our usual industrial negotiations under lockdown restrictions. All our departments played a hand in resolving pandemic issues for Union members and Nautilus Welfare beneficiaries, and colleagues worked incredibly hard to achieve good outcomes.

However, just as the pandemic problems had started to ease, Nautilus was hit with one of its worst industrial crises in living memory: the summary sacking of nearly 800 seafarers by P&O Ferries. This was a company with which we had a recognition agreement and a long history of collective bargaining, and as you will see from this report, we had spent two long years trying to resolve problems through negotiation before the management's sudden unlawful actions. We continue to fight for our members at P&O Ferries and all other employers, and are working at government level to ensure nothing like this ever happens again. We must end the practice of fire and rehire.

Talking of governments, we still have the maritime minister merry-go-round I described in our 2020 UK Branch Conference Report, and have been sorry to lose a recent incumbent, Robert Courts, who did some useful work on the Seafarers' Wages Bill while his senior colleagues in the Conservative Party were in disarray. Throughout all the chaos, we have been maintaining and making new contacts in government and the higher echelons of the civil service in the interests of our members.

I would like to end this message by encouraging members to think about getting more involved with the Union. We want people like you to stand for a place on the Nautilus Council. We need more members to become lay representatives in their workplace or support our campaigns by



being a Nautilus Champion, and to contribute to member forums like the Professional & Technical Forum and Equality, Diversity & Inclusion Forum. These days, there are many more ways to take part in Union activities online, so don't be put off if you can't attend in person. Reading this report is a great start – now join in! ❖

A handwritten signature in black ink, which appears to read 'Mark Dickinson'. The signature is fluid and cursive, with a period at the end.

**Mark Dickinson**  
General Secretary  
Nautilus International



# Highlights 2020-2022

## P&O Ferries

The P&O Ferries crisis has dominated the Union's UK branch work in 2022, and although it is not in itself a positive story, it has brought out the best in Nautilus personnel as they fought for members and campaigned to prevent a repetition of events in the future.

The events are now highly familiar to maritime professionals, and to the dismayed British public. On 17 March 2022, P&O Ferries CEO Peter Hebblethwaite gathered together crews on their vessels and told them they were all sacked via video message. A total of 786 seafarers were dismissed without notice or consultation.

Nautilus immediately sprang into action. High-profile campaigns saw the general secretary and other senior personnel appearing in the media to condemn the management of P&O Ferries and raise awareness of the seafarers' plight.

It was also important to engage MPs and government ministers in the fight for members' rights. Mr Hebblethwaite's actions were soon established as having been unlawful, but the weak legal framework and enforcement regime regulating British shipping meant that he felt he could act with impunity. Nautilus is tackling this ongoing issue through its Fair Ferries strategy.

To find out more about the Union's work during the 2022 P&O Ferries crisis and its aftermath, see pages 12-13 in the Campaigns chapter and page 46 in the Legal chapter.

Equally fascinating is the story in the Industrial chapter (pages 26-31) of how Nautilus spent years battling to resolve issues with P&O Ferries through negotiation, only to have all this work callously cast aside by Peter Hebblethwaite in March 2022.

## Covid-19

With official pandemic restrictions long gone in the UK, it is easy to forget how challenging it was for the Union to continue its usual work during lockdowns. Yet the work did continue successfully – as demonstrated, for example, by the extensive list of company negotiations reported in the Industrial chapter (pages 26-41). The Communications team (pages 18-21) was another group of colleagues who managed to maintain a high level of output online during the Covid-19 years, and in January 2022 relaunched the print Nautilus Telegraph in a new, more member-focused, format.

Nautilus personnel also had to help members with the particular problems created by the pandemic, such as the crew change crisis and the unwillingness of sponsoring employers to allow cadets onboard for the sea time element of their training. Some of this work is still ongoing, as can be seen in the Professional and Technical chapter (page 43) and Legal chapter (page 46).

## UK policy and legislative changes

The two years since the last UK Branch Conference Report have seen a high degree of success in the Union's work lobbying the government, MPs and members of the House of Lords to change national policy and legislation for the benefit of seafarers.



Credit: Marina



Credit: Pexels

See the Campaigns chapter (page 13) and Legal chapter (page 48) to learn more about the Seafarers' Wages Bill, which should close loopholes currently denying mariners working in UK waters from wage protections enjoyed by shore staff.

Those chapters also report on the Union's success in getting the Nationality and Borders Bill amended to ensure seafarers would not be prosecuted for rescuing people at sea.

Nautilus welcomed a UK government announcement in August 2022 to increase the UK Support for Maritime Training (SMaRT) funding from 30% of the cost of training an officer to 50%. Read more about this in the Campaigns chapter (page 14) and Professional and Technical chapter (pages 43-44).

Nautilus has been engaging with MPs and UK government on ending the Offshore Windfarm Workers' Concession – a visa arrangement that allows offshore wind companies to recruit from abroad, effectively undercutting wages for British seafarers. Read more about this in the Campaigns chapter (page 16).

## Yacht sector expansion

The main growth area of the Union in the last two years has been in the yacht sector – in which around half of new Nautilus members now work.

A major reason for this growth is the precarious nature of work in the sector, and the Union has won a high reputation for recovering millions of pounds in unpaid wages for yacht crew who have been abandoned by their employers. The invasion of Ukraine by Russia in early 2022 created an increased need for this work by the Union, as some Russian superyacht owners who had previously been reliable employers had government sanctions imposed on them and struggled to pay their employees.

Another Nautilus service which is popular with yacht sector members is the official verification of their sea time – a service delegated to the Union by the UK Maritime & Coastguard Agency (MCA). Following requests from members, Nautilus has developed an MCA-accredited Digital Service Record, which is being previewed at the November 2022 Nautilus UK Branch Conference.

More information on yacht sector developments can be found in the Membership chapter (page 24) and Communications chapter (page 19). ❖

# Governance and representation

## New UK office arrangements

In February 2022, the Council approved a regulation to designate Nautilus House – the Union premises at Mariners’ Park in Wallasey, Merseyside – as the head office of Nautilus International.

This followed the decision to sub-let the lease on the South Woodford office, downsize the London-based team and rent a flexible workspace at ITF House in Borough, south central London. This is part of a drive to reduce costs and is part of the 2030 Vision adopted at the 2019 General Meeting.

Having established effective remote working for staff during the Covid-19 pandemic, the Union is developing a hybrid working policy under which employees split their time between the office and home working. Subject to agreement, this will be introduced in 2023.

## The Council of Nautilus

Nautilus International is a member-led, democratic organisation whose activities are overseen by the Council – elected from the membership, in keeping with UK trade union legislation.

The Council consists of up to 32 elected full members plus the general secretary.

Elections for members of the Council, from 2023, are to be undertaken on a five-yearly basis. All candidates for the Council will now stand at the same elections, instead of the previous system of 50% standing every two years. This is another initiative to reduce costs.

The members of the Council from the UK branch also serve as the members of the UK National Committee, along with the general secretary and appointed senior staff, and the Union’s trustees also attend and speak in an advisory capacity.

## UK National Committee

The UK National Committee has authority, delegated from the Council, to consider UK relevant matters of policy and activity. This includes (but is not limited to)

national social security and taxation arrangements, pensions, domestic collective bargaining agreements, relations with other national trade unions and trade union centres (the UK Trades Union Congress, Scottish TUC and Wales TUC) and contacts with local and central government and their agencies.

The UK National Committee will typically meet twice a year, with provision existing for additional meetings to be called if required.

### The elected UK National Committee membership between 2020 and 2022 consisted of:

<b>Iain MacKenzie</b>	chair
<b>Jessica Tyson</b>	vice chair
<b>John Wainman</b>	deputy vice-chair
<b>Mark Dickinson</b>	general secretary

Samantha Belfitt

James Cameron

Catherine Caseman

Thomas Cardy

Ross Cleland

Malcolm Graves

Stephen Gudgeon

Ulrich Jurgens

William Jackson

Tenyon Latter

Fraser Matthew

George Scarlett

Paul Wilson

Paul Minter *(stood down 2022)*

Ashley Gale *(stood down 2022)*

Graham Fisher *(stood down 2021)*

Michael Lloyd *(stood down 2021)*

Phil Lees *(stood down 2021)*

Russell Downs *(stood down 2021)*

Bari Khan *(stood down 2021)*

Elliot Layfield *(stood down 2021)*



Credit: Annie Greenish

**Staff appointed to support and advise the UK National Committee in the period were:**

<b>Olu Tunde</b>	assistant general secretary
<b>Garry Elliott</b>	head of organising
<b>Micky Smyth</b>	head of industrial
<b>Charles Boyle</b>	director of legal services
<b>David Appleton</b>	head of professional & technical

**Representation at the Trades Union Congress (TUC)**

Nautilus represents members’ interests as an active affiliate of the TUC. The Union takes part in a range of TUC conferences and events, and in 2021 and 2022 Nautilus general secretary Mark Dickinson was re-elected to the TUC General Council and sits on the Executive Committee.

**Trades Union Congress 2021**

The 153rd annual Congress took place online from 12-14 September 2021 and centred around the key theme of unions building dignity at work. Nautilus submitted two motions, focused on Maritime Training Fit for the Future and Build Back Fairer.

Nautilus called for the TUC to support its call for the UK government to provide funding to cover 100% of seafarer training costs, modernisation of the maritime education courses and resourcing for attracting graduates into maritime careers. The Union highlighted the work of the Maritime Skills Commission and government commitments to people in maritime as set out in the governments Maritime 2050 strategy.

Nautilus also requested TUC support for ensuring the government recognised seafarers as key workers in perpetuity as well as demanding a step change in industry that increased accountability, transparency and openness as the sector looks to undertake a transition to greener jobs and operations. Both motions submitted by Nautilus were debated and adopted by Congress, thereby informing TUC policy for the period of 2021 to 2022.

In addition, Nautilus general secretary Mark Dickinson was re-elected to the TUC General Council for his 13th consecutive year.







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Congress sets TUC policy each year, but responsibility between each Congress and for contemporaneous matters is vested in the General Council.

## Trades Union Congress 2022

The 154th annual Congress took place from 18-20 October 2022 – a change of date necessitated by the mourning period for Queen Elizabeth II. Nautilus submitted two motions, concerning the topics of Just Transition and Fair Ferries.

At the TUC, as on many other platforms, Nautilus called for a worker-led transition to a sustainable shipping sector and broader decarbonisation in transport. Workers must not be left behind in the adoption of greener fuels and technology, so industry must focus on job opportunities, upskilling and worker safety.

The motion on Fair Ferries sought to build on the work undertaken in response to the abhorrent actions of P&O Ferries in unilaterally and unlawfully terminating the employment of 786 maritime professionals. Nautilus highlighted the efforts being undertaken in evolving the Seafarer Wages Bill and the Seafarer Protection Framework Agreement.

Nautilus also hosted a TUC fringe event on the subject of fair ferries and employment rights, to continue and boost support for the Union's ongoing Fair Ferries campaign.

Mark Dickinson was again elected as a member of the TUC General Council – his 14th consecutive term – which should help to keep the maritime agenda at the forefront of TUC activity in the coming year. He was also reappointed to the Executive Committee.

## Scottish Trades Union Congress 2021

The 124th STUC Congress was held online from 19-21 April 2021. Nautilus was represented by Micky Smyth, head of industrial, who spoke on a motion calling for a comprehensive industrial strategy for a just transition.

Nautilus also supported the ongoing activities of the trade union movement in recognising key workers in transport, as well as measures to safeguard seafarer travel, which was still being impacted by the ongoing coronavirus pandemic.

*‘Mark Dickinson was again elected as a member of the TUC General Council – his 14th consecutive term – which should help to keep the maritime agenda at the forefront of TUC activity’*

## Scottish Trades Union Congress 2022

The 125th STUC Congress was held in Aberdeen from 25-27 April 2022. Nautilus was represented by Micky Smyth and executive officer Martyn Gray. Delegates from over 50 affiliated unions and trade councils attended over the three days where three ordinary Nautilus motions and one emergency motion were unanimously accepted.

Nautilus's ordinary motions supported efforts to ensure equitable green shipping, a just transition in decarbonisation for maritime workers, and improving fatigue issues facing seafarers.

Nautilus built on the opportunities generated by the UN climate conference COP 26 in Glasgow by submitting motions to the STUC calling for a people-focused just transition in maritime. The motions were enthusiastically received by delegates.

The Union's emergency motion called for continued support in its Fair Ferries campaign following on from the mass sacking of 786 maritime professionals on 17 March 2022 by P&O Ferries. This motion was also strongly supported by delegates.

## Wales Trades Union Congress Cymru 2021

The 2021 Wales TUC Congress brought together elected representatives of Wales's 400,000 trade union members in order to debate the opportunities and challenges which lay ahead and to set the movement's priorities for Wales.

The Congress was held online, with Nautilus being represented by Micky Smyth. An important focus of the debate was how to strengthen public services and kickstart a green and just economic recovery after the huge challenges of the previous year.

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## **Wales Trades Union Congress Cymru 2022**

At the 2022 Wales TUC Congress, Nautilus International received unanimous support from affiliates and trades unions for its motions on green shipping corridors and maritime education.

The usually biennial event, which was held at Venue Cymru in Llandudno from 24-26 May, showcased the increasing trade union influence in Wales, as workers' organisations continue to drive policy and support working people in the country.

Nautilus was represented by Micky Smyth, Martyn Gray and strategic organiser Jennifer McKechnie at the first in-person Congress since the Covid-19 pandemic.

In seeking support for the motion on maritime education, Nautilus explained that the maritime sector makes an enormous economic contribution to the UK but highlighted that Wales receives a shockingly low proportion of these benefits. It was explained that the establishment of a dedicated Welsh maritime training centre would improve growth and support high quality, sustainable maritime employment in Wales.

The motion on green shipping corridors made clear that the ambitions of government and industry regarding decarbonisation must be cemented into certain commitments that lead to high quality employment opportunities in the emerging low-carbon and no-carbon sub-sectors of maritime transport.

## **TUC equalities conferences**

The TUC hosts various equality forums to support the trade union movement in enhancing organising support to deliver equity and justice to working people across the United Kingdom.

Nautilus representation across the periods of 2021 and 2022 included attending virtual and in-person meetings of the TUC Women's Conference, TUC Young Workers' Conference, and TUC LGBT+ Conference.

The Equalities Conferences were all held online in 2021, with the 2022 Women's Conference also being held online owing to public health restrictions.

The TUC Young Workers' Conference in 2022 was held in London on 2-3 April. A Nautilus motion to ensure young workers are at the heart of post Covid 'build back fairer' policies was unanimously passed, having highlighted the lack of wellbeing support during the pandemic and the extended impact on isolated workers such as seafarers.

The TUC LGBT+ Workers' Conference 2022 was held in London on 30 June-1 July 2022, with Nautilus attending and participating in the debates and discussions.

Nautilus continues to attend all relevant equalities conferences and invites member participation through its own Equality, Diversity & Inclusion Forum.

## **Representation at Maritime UK**

Nautilus International is a committed member of the industry body Maritime UK, and works in partnership with the secretariat and other member organisations to ensure the delivery of the government's Maritime 2050 strategy. The Union is represented on the National Council of Maritime UK by general secretary Mark Dickinson.

Nautilus is an active participant on a variety of sub-committees and working groups with particular focus on the 'People' and the priority of Maritime UK, which is: 'to have a talented and diverse workforce in every part of the sector, driving business growth, inspired to join us by a professional careers campaign, and well-trained to use their talents to the full.'

Projects include the development of industry policy through the Policy Working Group and efforts to promote an inclusive maritime workforce through the Maritime UK diversity programme.

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### Representation on the Maritime Skills Commission

Industry body Maritime UK and the UK Department for Transport established the Maritime Skills Commission on 1 July 2020. Nautilus general secretary Mark Dickinson is a key member of the body as one of the commissioners.

The Commission's job is to:

- understand the skills needs of the sector, including the effects of technological change, and to make recommendations for action
- ensure that no part of the sector suffers from serious skills shortages or skills gaps
- ensure that the sector has the apprenticeships and qualifications it needs
- ensure the sector has the training provision it needs, (including the use of technology to engage learners and keep costs down)
- provide employers and individuals with clear information about career paths and re-training options
- ensure that employers have good quality recruits for their vacancies through effective promotion of maritime careers
- increase exports of maritime education and training

The Commission reports jointly to the Maritime UK National Council and to the UK maritime minister.

So far, the Commission has released three annual reports, as well as studies on labour market intelligence, maritime futures, seafarer cadet review, and the future ports workforce.

Future work will include studies of green skills and green jobs as well as workshops on barriers to entering the industry, further labour market intelligence analysis, and work on soft skills and positive workplace behaviour development. ❖



Credit: Denny Corral/Essex



# Campaigns

Nautilus International's campaigning activity is led by the director of communications, campaigns and digital, and by a campaigns organiser who is responsible for driving this essential work forward on a day-to-day basis.

The Union's campaigning activity has been particularly high-profile in 2022 because of the P&O Ferries crisis, so this chapter will start with a look at all the work Nautilus has been doing around this, before exploring strategic campaigning and member engagement.

## P&O Ferries

17 March 2022 was a dark day in the history of the UK maritime industry, as P&O Ferries unlawfully dismissed 786 seafarers without notice or consultation. Since the announcement was made, Nautilus has been engaged in a multi-faceted campaign to hold P&O Ferries accountable and to ensure this can never happen again.

### Social media

Social media was a crucial weapon in spreading the Union's message to keep pressure on both government and P&O Ferries. Nautilus also received widespread public support across social media, and a petition jointly organised with the RMT union received 46,000 signatures.

The most popular social media activity was a tweet from Nautilus general secretary Mark Dickinson showing a picture of Liverpool FC fans in the famous Kop end of the Anfield stadium holding up a giant Nautilus banner that read 'Seafarers are not a bank balance: United we stand'. Nautilus also used the huge social media interest in P&O Ferries as an opportunity to launch a presence on the fastest-growing social media platform, TikTok.

### Rallies

Nautilus, alongside the RMT, the European Transport Workers' Federation and the International Transport Workers' Federation, attended rallies in Dover, London, Liverpool, Hull, Larne, Cairnryan and Glasgow.

Nautilus staff and members also attended the TUC We Demand Better rally in Central London to promote the Fair Ferries message,

and the general secretary addressed crowds of over 30,000 in Parliament Square. Nautilus also worked with ITF colleagues to project a series of messages on the cliffs of Dover and P&O Ferries HQ that included 'Ships of shame' and 'Fair ferries now'.

### Advertising campaign

As P&O Ferries launched a summer sale on fares, Nautilus launched its 'For the sacked' ad campaign. This included full page advertising in the local press: Kent Messenger Series (four editions; Maidstone, Malling, Weald and Medway) with readership of 67,748. East Kent Mercury (circulated to Deal, Sandwich and Dover), readership: 18,691. Nautilus also deployed a combination of search and display ads across Google and social paid ads across Meta (Facebook, Instagram) asking the public to support a Nautilus petition, which achieved over 1,400 signatures. The other outcomes of the ad campaign were as follows:

#### Kent online campaign:

- digital ad displayed 110,249 times (page impressions)
- 64 clicks received, which is a 0.06% click through rate (national average is 0.04%)
- print distribution reached over 86,000+ people across Kent

#### Google Ads campaign:

- adverts displayed 1,326,575 times (impressions)
- 14,750 interactions (engagements & clicks)
- the best audience penetration

#### Facebook Ads campaign:

- adverts displayed 544,844 times (impressions)
- 78,428 users reached
- 19,304 link clicks
- the highest 'sign now' button clicks



# #FAIRFERRIES

## Lobbying

Alongside traditional press and social media, Nautilus engaged in extensive lobbying of MPs from across the House of Commons and Lords, and submitted several briefings on the latest developments regarding P&O Ferries. This led to Nautilus messaging being reiterated several times during parliamentary debates and Prime Minister's Questions. The Nautilus general secretary also gave oral evidence to a joint Business/Transport Select Committee, less than a week after the mass-sacking.

Nautilus successfully utilised the widespread public outrage through traditional media, social media and lobbying of backbench and opposition MPs to pressure government to act. This led to the Secretary of State for Transport announcing a nine-point plan to 'force P&O Ferries to rethink and ensure this can never happen again'.

Since then, Nautilus has been campaigning for a Fair Ferries framework agreement which would see the adoption of minimum standards in pay and conditions reflective of local standards, not international minimums. This campaign has involved continual discussion with the Department for Transport and lobbying of backbench MPs to inform and secure support for the framework agreement.

As part of the campaign, the Union has continued to keep pressure on P&O Ferries and ensure the public does not forget the disgraceful actions of this company. Nautilus also brought a successful Fair ferries motion to TUC Congress, published its Fair Ferries manifesto and held a successful fringe event. In addition, colleagues attended Labour, Conservative and SNP party conferences, bringing the Fair Ferries message and continuing to build political support.

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As the UK government introduces the Seafarers' Wages Bill with the intent of expanding National Minimum Wage coverage to seafarers, Nautilus will be working with MPs from across the Commons to ensure loopholes in the proposed legislation are closed and the bill will deliver on its intent.

## Fairness at Sea

The Union's campaign work all comes under the umbrella of the four-year Nautilus International Fairness at Sea strategic campaign, which was launched in January 2020. It encompasses all aspects of life at sea and ashore and encapsulates core trade union values.

The campaigns strategy was formulated to help the Union achieve key objectives: to build its profile in traditional and new media; and with key stakeholders to retain its place as the lead source of information and informed comment on all matters relating to maritime and shipping professionals.

As the UK government in 2020 declared its intention to 'build back better' post-pandemic, Nautilus launched its Build Back Fairer campaign, incorporating the main Fairness at Sea themes. The **Build Back Fairer report** was launched May 2021 as a detailed blueprint to build a progressive and sustainable future for the maritime industry in the UK in a post-Covid world. This report was endorsed by the UK Department for Transport at the Mersey Maritime Exchange Conference on International Day of the Seafarer 2021, when a video featuring Nautilus members calling for fairness was shown at the event.

In 2021, Nautilus conducted its 10-yearly social conditions survey. This asked Union members questions about the following: conditions onboard; safety onboard; respect for the role of maritime professionals; life onboard; life in the maritime industry; and Covid-19. The results, when compared with 2010, saw many of the same challenges, from unpaid wages to bullying to crew connectivity. The Union is using the results of this survey to continue to

campaign for fairness for maritime professionals.

Under the Fairness at Sea campaigning umbrella, there are five main strands: Fair Treatment, Fair Access, Fair Pay, Fair Society and Fair Workplaces. Below is an update on recent work in these five spheres.

## Fair Treatment – campaigning to end the criminalisation of seafarers

In January 2022, Nautilus was successful in securing an amendment to the UK government's Nationality and Borders Bill to ensure seafarers would be exempt from prosecution for rescuing people at sea. After significant lobbying efforts from Nautilus, the government announced it would also clarify the law to ensure seafarers would not be criminalised. The campaign attracted widespread support, including a retweet from LBC radio presenter James O'Brien praising Nautilus that received 13.8k likes.

This was an important victory for Nautilus and all seafarers, but the campaign to end criminalisation of seafarers will continue.

## Fair Access – ensuring equal opportunities in training and careers

Nautilus welcomed a government announcement in August 2022 to increase the UK Support for Maritime Training (SMarT) funding from 30% of the cost of training an officer to 50%. This represents the government's serious intention to invest in the future of maritime professionals in the UK, as outlined in the Maritime 2050 strategy. However, it is still below the recommendation of the UK Maritime Skills Commission of 100% government funding.

In 2022, Nautilus submitted both written and oral evidence to the Transport Select Committee's review of Maritime 2050. This laid out clearly how 100% government SMarT funding is needed to ensure the government's ambition to make a career at sea more appealing (as









set out in Maritime 2050) can become a reality. Knocking down barriers to access is key, and this is particularly relevant post-P&O Ferries. In the words of former maritime minister Nusrat Ghani: 'We have an ambitious plan which is now in serious peril, as this decision by P&O Ferries has the devastating potential to turn our talented young people off a career at sea.'

Nautilus continues to campaign for 100% government SMaT funding and for greater employment opportunities to help ensure all young people, irrespective of background, can undertake a cadetship if they wish to.

### **Fair Pay – campaigning for an end to low pay, exploitation and abandonment**

Nautilus has been engaging with MPs and UK government on the Offshore Windfarm Workers' Concession – a

visa arrangement that allows offshore wind companies to recruit from abroad, effectively undercutting wages for British seafarers. In July 2022, the government announced that the visa concession would cease in October this year, although at the time of writing an extension had been made. However, the pledge to discontinue the Concession is encouraging, indicating that the government has listened to Nautilus and is committed to promoting local jobs. This represents a major success for the Union's campaigning for an end to low pay and supporting local seafaring jobs.

### **Fair society – campaigning to put maritime professionals at the heart of progress**

The UK government has committed the maritime industry to net zero by 2050, an ambition Nautilus fully supports. The Union believes in a 'just and human transition' that ensures the move away

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from fossil fuels to new technologies is one that puts workers first.

In its evidence to the Transport Select Committee's review of the government's Maritime 2050 pledges, Nautilus reiterated the need for seafarers to be given access to re-skilling and re-training to ensure there is no loss of skilled and dedicated maritime professionals. This requires government to incentivise industry to ensure no seafarer is left behind.

In September 2021, Nautilus attended the COP26 climate conference in Glasgow, with Nautilus Champion Allan Dickson advocating on behalf of members. Prior to the conference, Nautilus Council member Fraser Matthew spoke at the launch of the ITF sustainability roundtable, voicing the concerns of seafarers in the transition to a sustainable shipping future. In October 2022 Nautilus brought a successful motion to TUC Congress calling for a just transition for maritime professionals.

The maritime industry continues to be 'out of sight and out of mind' despite the UK's claim to be a proud maritime nation. Nautilus is committed to tackling the issue of sea-blindness. In 2021 and again in 2022 the Union surveyed 2,000 members of the British public to test their knowledge on all things maritime.

The results, as expected, showed significant misconceptions about the maritime industry. For example, a third of the population do not know where their nearest port is, only 0.1% of people knew that over 90% of goods entering the UK do so by sea and most people believe a shark attack is more likely than a pirate attack.

As part of its efforts to tackle sea-blindness and using the results of the survey as a framework, Nautilus launched its 'Off course' podcast during Maritime UK Week in October 2022. This seeks to tell the real-life stories of those at sea to explore contemporary issues in the maritime industry in an engaging and personal way.

## Fair workplaces – working to ensure safe and secure workplaces for all

During the height of the Covid-19 pandemic, national governments refused to allow crew members off their ships to travel home, and many Nautilus members reported high levels of fatigue and stress.

The Union successfully campaigned for seafarers to be recognised as 'key workers' nationally and globally to help gain travel permission for them to go home and for others to relieve them. Nautilus Champions helped with this effort, raising awareness of the crew change crisis across social media and domestic and international news media. The Nautilus campaign fed into the work of the International Labour Organization and European Transport Workers' Federation, reminding national governments of their obligations under the Maritime Labour Convention.

Nautilus will continue to work with partners to raise awareness of the support available to seafarers suffering from poor mental health as an ever-present feature of life onboard. ❖



# Communications

NNautilus International's Communications department is tasked with raising the Union's profile and promoting its work to the public; engaging members with that work and informing them about developments that affect them; and supporting the campaign function to help Nautilus achieve its strategic goals.

## P&O Ferries

Nautilus responded rapidly to an evolving situation in March 2022, when P&O Ferries unlawfully sacked 786 UK seafarers. The Union believed that the company had been planning this for some time and would look to complete the sackings swiftly, effectively bribe and gag the seafarers, and bury the news.

Strong public support would be essential to the fightback. Nautilus was keen to raise public awareness of the unacceptable and unlawful behaviour of P&O Ferries and generate support from the public and other parties who would be helpful to the cause, such as MPs and journalists. The whole Communications team – with the valued input of other Nautilus colleagues – worked hard on this effort, which is described in detail in the Campaigns chapter above.

## Nautilus Telegraph

All Nautilus members are entitled to receive a copy of the Telegraph. More than 25,000 copies are printed and distributed across 90 different countries, and the magazine is enjoyed by as many as 110,000 readers per issue thanks to its widespread presence in shipboard mess rooms, seafarer centres, nautical colleges and shipping company offices. The journal has also helped to spread the word about seafaring to influential figures outside the industry such as MPs and government ministers.

Nautilus has increased its presence online and via social media in recent years, but the print edition of the Telegraph continues to be a popular member benefit. In 2021, Nautilus therefore carried out an extensive programme to 'future-proof' the Telegraph, retaining the best aspects of the publication while ensuring that it fits within the Union's wider communications strategy.

This culminated in the launch of a new Telegraph in January 2022 which now comes out once every two months. This longer 84-page

magazine is in an easier-to-navigate format that is bigger and bolder than ever. It remains a 'one union' journal but with renewed editorial focus and more stories from across the three national branches (UK, Netherlands and Switzerland).

Nautilus's maritime news content has now largely moved online, allowing the Telegraph to focus on more comprehensive feature content, alongside articles looking at Union campaigns, safety, and professional development – reflecting Nautilus International's position as a professional association as well as a trade union. A new advice and assistance section informs members of the work the Union does for them, shows them how to get help and keeps them up to date on developments in national and international maritime law.

The Telegraph's role in fostering a sense of community is also enhanced, with a reboot of popular regular sections such as Letters and events, Ships of the past, Back in time and Book reviews. A new dedicated Community section covers maritime charities, culture, remembrance, families and volunteering.

The relaunched Telegraph has garnered positive feedback both from members and the wider maritime community, and has been shortlisted for multiple industry awards.

## Online content

Research by the Union showed that that members increasingly want a multi-channel mix of communication, allowing them to read and absorb information when and where suits them best.

Nautilus has continued to update its communications output to achieve this, via print, targeted emails, social media updates and online news. There is a continuing commitment to the 'digital first' strategy, with all content initially appearing online as a priority, and this appears to be having a positive effect. For example, the website [www.nautilusint.org](http://www.nautilusint.org) continues to perform well, with 177,306 page views on Nautilus news stories in the first six months of 2022, while email newsletters have consistently high open rates of 40%-55%.

During the past two years, the Communications department has continued to issue the Union's weekly email newsletter to members, the



eTelegraph. The department has also launched content-specific emails to members working in the superyacht sector, and more recently a legal newsletter going out to all members.

The Union's social media channels have proved essential for campaigning and raising awareness. Nautilus has started to analyse the audiences attracted by each channel and tailor its posts accordingly. For example, content on Instagram is now more focused on the yacht sector and cadets, whereas Facebook communications are aimed at the Union's more traditional membership, LinkedIn to the wider maritime industry, and TikTok at younger members of the general public.

The Nautilus website has also been reassessed during this period. The Communications department worked to remove outdated and unnecessary content from the Union's English-language site. In addition, new sections of the site allow members and the public to engage more closely with popular community material such as Ships of the past, Letters and Book reviews.

The first of several new online information hubs was also launched in the last two years. The yacht hub ([www.nautilusint.org/yachts](http://www.nautilusint.org/yachts)) is a good jumping-off point for potential new

members in the yacht sector, while also providing existing members with the relevant information they need and directing them to access Union support when they need it.

## Member engagement

Two member-focused schemes aimed at supporting the Union's Fairness at Sea objectives are run by the Communications department: Nautilus Champions and the Sea to City mentoring scheme. These schemes engage members in campaign work and support their career progression.

The Communications department highlights the contributions of members to the industry and their engagement with the Union through the Meet members section on the Nautilus website and in the print Telegraph. Members' success is also celebrated by the team, for example through reporting on the awarding of the UK Merchant Navy Medal for Meritorious Service.

### Nautilus Champions

In 2020, Nautilus launched the Nautilus Champions volunteer programme to encourage members to engage directly in the Union's campaigning, communications and development work.







# /...Communications

The Champions act as spokespeople for the Union and help to provide a resource for case studies and seafarer opinion. There are 43 Champions registered, covering a range of ages, ranks and ship types. Members have supported the Union with media outreach during the crew change crisis, in its 'just transition' work, and when the containership Ever Given became stuck in the Suez Canal. They have taken part in live events including webinars and social media debates, as well as Nautilus podcasts.

## Sea to City

In 2020, Nautilus and the industry body Maritime London launched a new initiative, Sea to City, to encourage seafarers who are looking to move ashore to consider moving to 'City' jobs in maritime professional services. The project involves pairing up seafarers for mentoring with ex-seafarers working in maritime services and highlighting the kinds of jobs available to maritime professionals with seafaring experience.

Since the launch of the initiative, seven people hoping to make the transition have been matched with a mentor to help them on their journey. During London International Shipping Week 2021, Nautilus and Maritime London hosted a successful Sea to City symposium.

In 2022, Nautilus and Maritime London launched a new webinar series called Sea to City: Making the Move, with the first episode featuring Richard Miekle, a former master turned consultant.

Nautilus is now working to expand the programme into northwest England, partnering with Mersey Maritime in Liverpool.

## Talent and training

In 2021 the Nautilus elected to bring its media monitoring service in-house and was therefore able to create a new internship position through the saving made to the Union.

The internship is offered on a one-year basis to help kick-start a career in journalism, trade union work and communications.

The first intern successfully completed her term in 2022. After assisting experienced colleagues on social media, content writing and key projects including the launch of the Ships of the past hub, she secured good employment to continue her career. The programme has continued with the employment of a second intern for 2022-2023. ❖

# Organising

The Organising department works with members to improve terms and conditions of employment and extend the Union's influence in the workplace. The Industrial and Membership teams within the department engage, empower, and support members individually and collectively, while maintaining effective membership services to maximise recruitment and retention.

## 2030 Vision – future growth

Organising has been focusing on key work streams inspired by the Nautilus Strategic Plan and the 2030 Vision. The department has been analysing the risks and challenges presented by the maritime industry and the demographics of the workforce, and identifying opportunities for recruitment in new sectors such as superyachts, offshore renewables, fisheries and shore-based maritime services.

Another objective has been to deliver cost effective ways of servicing members – looking at embracing new technology and working flexibly within the overall policies and strategies of the Union. Nautilus must remain agile and responsive to the organisation's needs and those of its members, examining all aspects of its activities and seeking to justify, refresh, improve and expand the services provided.

*‘Nautilus has secured funding from the TUC for its new cadet digital communications, encouraging recruitment and retention’*

The vision also includes working with strategic partners and seeking collaboration to improve efficiency and cost-effective organising activity. This activity includes supporting the Nautilus Welfare Fund's Caseworker Service and seeking to formalise and expand this support to working age members alongside the services offered for retired mariners.

Organising is collaborating with other clusters and departments with the aim of expanding the Nautilus 24/7 worldwide out-of-hours support service. In general, service levels for members should be enhanced, and further efforts will be made to work with external providers to develop innovative services and benefits addressing the needs of maritime and shipping professionals.

## Lay representatives

A key aim of Organising is to further progress the lay representative network and re-introduce training so liaison officers and Partnership at Work delegates can

better recruit, support and represent members in their workplaces. Organising has commenced the full training of lay representatives on a basic one-day course in their workplace that will cover recruitment, disciplines, grievances and collective bargaining. This will be followed up by online modules facilitated by the TUC for advanced training of experienced lay representatives.

## Building membership density

Within Organising, the Industrial team initiated mapping exercises across all sectors and within all recognised companies to build membership density and organise workplace campaigns to increase Union membership and involvement where Nautilus has collective bargaining agreements (CBAs).

New CBAs and recognition agreements have been signed in the offshore renewable sector to extend organisational influence on behalf of members. In the cruise sector, the Union's existing strength has recently been enhanced through a CBA signed with Virgin Voyages.

## Maintaining and restarting services affected by Covid-19

Throughout the Covid-19 pandemic, Nautilus has kept up its industrial services, including: maintaining the pay claim process with recognised employers; advising members of upcoming anniversary dates; seeking and understanding members' aspirations; advising on key economic data; making timely substantive submissions to employers; and involving members in pay talks including via the Partnership at Work arrangements in place with various companies employing members.

Post-lockdown, the Membership team restarted nautical college visits to re-energise recruitment of officer trainees at the point of entry into the shipping industry and seek to ensure that no cadet has missed an opportunity to join the Union.

## Digital developments

Nautilus has secured funding from the TUC for its new cadet digital communications, encouraging more membership take-up among UK cadets and migration to full working membership at the end of training.

Another major project – supporting the Union's key objective of expansion into the superyacht sector – is the development of a digital service record platform to speed up administration for members and reduce costs. There is more information on this in the Membership chapter below. ❖







# Membership

The Nautilus membership function comes under the remit of the Organising department and is charged with recruitment and retention of maritime professionals into Union membership.

In 2021, there was an overall decrease in members in full benefit, which has continued in 2022.

Month	Total in benefit	Full members
January 2021	20,605	15,662
January 2022	19,605	14,888
September 2022	19,583	15,055

## Superyacht sector growth

The main growth area of the Union has been the superyacht sector. In 2021, 47% of all new members (737 of 1,547) who joined Nautilus were from this sector. This trend has continued in 2022, with 56% of all new joiners (793 of 1,411) being from the superyacht sector.

One reason for the for the growth is the increasing reputation of the Union in recovering unpaid wages on behalf of members. Working closely together, the Membership and Legal teams have recovered £1.6 million in unpaid monies for yacht members in the last two years. In 2022, to date, Nautilus has recovered £1.2 million on behalf of these members.

During 2022, the Membership team has received more requests for support than usual from members in the yacht sector, particularly from those members working on Russian-owned yachts, as several owners have been affected by sanctions relating to the War in Ukraine.

## Specific recruitment and retention initiatives

In 2018, Nautilus was approved by the UK Maritime & Coastguard Agency (MCA) to verify sea time on its behalf for members in the yacht sector. Since then, this service has been a major recruitment tool for the Union.

Earlier this year, following requests from members, and in line with the Union's Strategic Plan and 2030 Vision, work began to develop an MCA-accredited Digital Service Record platform (DSR). This has been developed in close collaboration with the web developer MTM, and with input from the MCA.

The Nautilus DSR will be far superior to any other product available to seafarers in the superyacht sector. It will also give the Union a platform that could be used for other initiatives in the future.

In the offshore windfarm sector, Nautilus continues to work closely with the Workboat Association and attended the Associations Annual General Meeting in November. The Union also recently signed another collective bargaining agreement in the sector – with Marine Manning (Guernsey) Limited, for members serving on the Louis Dreyfus vessel Wind of Hope.

## Cadets and colleges

The Covid-19 pandemic had a significant impact on the recruitment of cadets into Nautilus membership. This was because the Union could not conduct its usual college visits due to restrictions in place at the time, and some cadets were studying from home. However, several 'virtual' college visits were undertaken using Microsoft Teams, which resulted in 254 cadets being recruited into Nautilus membership in the financial year 2020/21. This equates to 45% of the cadets who were recruited into the industry for the same period (source: UK Department for Transport seafarer statistics), a lower proportion than the Union would usually expect. This was despite the first six months of membership being covered by the Union.

By July 2022, the proportion of UK Merchant Navy cadets who are members of Nautilus had risen to 53%, and efforts are underway to further increase this figure. Visits to all UK nautical colleges are planned, with the aim not only of recruiting Phase 1 cadets, but also reaching those who were missed during the height of the pandemic.



### Cadets – individual casework

The most common enquiries received from cadet members are:

- sea time backlog due to pandemic
- sponsors not providing sea time citing 'risk' in trading areas
- lack of shore leave
- bullying and harassment
- non-payment of bursary / allowances and
- other grievances / disciplinary matters

### Nautilus Pensions Association (NPA)

The NPA continues to receive pension enquiries from members on a regular basis – relating either to company pension schemes or the MNOFP and Ensign Retirement Plan (ERP) industry-wide schemes (to which Nautilus nominates trustees). A retirement planning webinar for members will also be scheduled soon, with the assistance of an independent financial advisor. ❖

# Industrial

The Nautilus Organising department is responsible for the Union's industrial work, negotiating pay and conditions for members. In this chapter, a round-up of this industrial work over the last two years is provided, categorised by sector and company.

## P&O Ferries

As the March 2022 P&O Ferries mass-sackings have presented Nautilus with its biggest challenge of the last two years, some context will be given here about the background to the company's actions and the extensive efforts the Union made to reach settlements under its collective bargaining agreement before this was unlawfully cast aside by CEO Peter Hebblethwaite.

### Vessels withdrawn and redundancies threatened in 2020

In 2020 a financial presentation was provided to Nautilus and other trade unions to give an insight into the current trading and financial position and the challenging environment in which the company was continuing to operate. At this meeting, the acting CEO David Stretch advised that the company was keen to find a better way of working together.

However, challenges continued as pay talks were suspended. Nautilus emphasised that many loyal employees at P&O Ferries had lost faith in management, and the previous good professional working relationship had been dealt a severe blow by the actions of the company in making 16 members compulsorily redundant.

Nautilus informed members on 1 October 2020 that it was the company's decision to permanently cease operations between Hull and Zeebrugge; it was also the company's intention to sell both the European Seaway and Pride of Burgundy on the Dover/Calais route. Notification was given to begin consultation regarding the company's desire to make 16 officers redundant on the North Sea and 12 officers on the Short Sea (Dover/Calais).

Nautilus made clear its position to mitigate numbers for compulsory redundancies by using the Mobility Clause and by filling vacancies on the Irish Sea and Short Sea sectors. Nautilus also highlighted the fact that the Mobility Clause had been used when the company disposed of the European Endeavour, which allowed for jobs to be safeguarded.

Nautilus provided numerous counterproposals to the company when redundancies were threatened, with one example requesting the company explore the possibility of a freight-only operation on the Hull/Zeebrugge route. However, the company stated that the freight was not there, as shown by a trial at the start of the Covid outbreak.

Nautilus made clear that there was insufficient crewing on the vessels, with no flexibility whatsoever; there was a shortfall in crewing with regards to cover for leave, sickness, STCW training etc. A lack of progression opportunities was contributing to retention problems.

It was apparent to Nautilus that certain roles were not redundant, as officers were required to look after the vessels which were still to be disposed of by the company. Nautilus again questioned how the company could make these loyal, hardworking employees redundant when their roles still existed and were going to be carried out by agency staff.

Nautilus again reiterated a statement made during a consultation meeting that these employees should be kept in employment until such time as those roles were no longer required, to ensure the vessels were maintained in lay-up.

Members were notified on 2 December 2020 that officers at risk of redundancy would be issued with a settlement agreement spanning from 1 January 2021 to 31 March 2021, with payments calculated as at 31 March 2021. Should the vessels be disposed of before 31 March 2021, individuals would be given seven days' advance notice of the end of employment.

This allowed for those at risk to be employed on a permanent basis, possibly to at least 31 March 2021, and whilst it was some improvement and continuation of employment as the company attempted to dispose of its assets, it remained unacceptable to Nautilus International that permanently-engaged maritime professionals were losing jobs when the company required professional seafarers to continue to maintain its idle tonnage.

Members were informed on 23 December 2020 that whilst the company had operated a top-up to 100% of salary for employees impacted by furlough since the commencement of the Coronavirus Job Retention Scheme in March 2020, the company could not continue to afford to furlough staff on 100% of salary beyond 31 December 2020.





Credit: Dariusz Czerwinski

## Christmas Day conflict 2020

The company took a decision to sail the Dover vessels on Christmas Day and evening (something which is never usually done) to assist the transportation of drivers who were unable to travel to and from the Dover-Calais route. This was due to the decision of the French government to cease the movement of freight due to the outbreak of a new Covid-19 variant in the UK.

Nautilus learned that shoreside P&O employees had been offered enhanced payments to come to work on Christmas Day, and the company's main competitor DFDS had also made a one-off £1,000 payment to both shoreside workers and seafarers. So the Union wrote to the company asking what payment it were proposing to make to its maritime professionals for sailing the vessels.

The response received was that there was no reason to make any extra payments, as seafarers are paid to work on Christmas Day. The company also added that it appreciated the support and professionalism of officers and all other staff to repatriate those stranded, and sent a thank you email to all seafarers on 24 December 2020 when it was confirmed they would sail.

The company then stated that this was due to differing terms and conditions across different groups of employees, with seafaring benefits not experienced shoreside. Nautilus responded to this by stating that whilst it is correct that officers are paid

to work on Christmas Day, they do so to ensure that the vessels are safe whilst they are alongside and it is custom practice that the vessels do not sail and that families are invited onboard to enjoy Christmas Day. This day was also viewed as a 'rest day', given the fact that the vessels sail 364 days a year, as members did not receive a payment for being relieved late on changeover days for the first two hours.

Nautilus agreed with management that it was unsafe at that time to invite families onboard due to the pandemic. However, the vessels did sail for the first time in living memory and therefore, Nautilus was astounded that the company did not wish to make a payment in recognition as a gesture of thanks for those who sailed the vessels.

## Collective bargaining agreement undermined in 2021

It was now apparent that a small number of officers had accepted large so-called 'redundancy' settlements and then unashamedly returned to do the same jobs as agency staff, contrary to the collective bargaining agreement between the company and the Union.

In January 2021, the CEO wrote to Nautilus stating that the company would be keeping Nautilus apprised of developments and changes as and when they occurred, and talked about developing a positive agenda with Nautilus based on mutual respect, openness and realism. A suggestion was made of scheduling a strategic meeting in early March 2021.

## /...Industrial

The head of industrial wrote to the CEO thanking him for his correspondence but also highlighting the fact that Nautilus held a Recognition and Procedural Agreement which enabled both parties to facilitate good industrial relations.

A meeting took place between Nautilus International and Peter Hebblethwaite (who at the time was managing director, ROPAX) and newly-appointed Stephen Nee (head of IR/ER) on 19 April 2021 to discuss the new service that Irish Ferries was proposing on the Short Sea route. Mr Hebblethwaite stated at this meeting that this service presented a severe and exponential risk to the company, and unless P&O Ferries responded, it would be an even bigger risk to the business than the pandemic. It was stated at the meeting that Irish Ferries had bought two ships that would be deployed in July 2021 and would have three ships by October 2021.

Mr Hebblethwaite stated that he had to protect the business and was therefore bringing back the fifth ship (Pride of Burgundy) and would be filling this with agency crew, as the company did not have any employees to do this. The move came as no surprise to Nautilus, but it was made clear to the company that the Union would not agree to any more than one week on/one week off rotation, as Nautilus was not just here to protect jobs but also to protect members' terms and conditions.

A Joint Consultative Committee meeting arranged for 28 April 2021 was cancelled as the company was not able to provide any certainty on business performance until later in the year.

Discussions continued on the reintroduction of the Pride of Burgundy on the Dover-Calais route. The company had requested that Nautilus International agree to the reintroduction of the vessel on the basis that it would be crewed entirely with agency staff, and for them to work a two week on/two week off roster.

Nautilus advised the company that the salary scales were too low, and that the Union would not compromise on safety. It was the Union's proposal that all officers would need to be on the current salary scales and that the terms and conditions were always adhered to including the working roster of one week on/one week off.

The company proposed that PEC holders worked one week on/one week off and the other officers worked two weeks on/two weeks off. Again, Nautilus stated that this was not acceptable, especially after the company's rejection of cost-effective options put forward in 2020 to maintain flexibility, which

would have largely prevented P&O Ferries' crewing predicament where the company cut too deep and made members compulsorily redundant.

Nautilus also questioned the validity of the company's legal advice asserting that the Pride of Burgundy operating on the Dover-Calais route fell outside of the Union's collective bargaining agreement.

Again, Nautilus highlighted that on one hand the company was seeking to work in partnership and expecting Nautilus to defend its position on the Short Sea route with Irish Ferries and then on the other hand, it wished to undermine members' terms and conditions.

The Nautilus director of legal services wrote to Peter Hebblethwaite in May 2021 stating that Nautilus was in no doubt that the collective bargaining agreement applied to the Pride of Burgundy and that the standard roster pattern for the Short Sea sector was seven days on/seven days off. However, the company intended that the new agency staff would work longer tours of duty; this was a clear breach of the agreement and posed a threat to onboard safety.

The company's legal advisors responded with a thinly-laid defence that did nothing to alleviate the Union's concerns about fatigue and the undermining of established agreements that reinforced the safety of service through the one of the world's busiest shipping lanes. Members would be consulted and invited to state their support for defending the terms and conditions of employment and their safety at work.

Nautilus International participated in a meeting with the RMT union and other industry stakeholders on the Short Sea route with Dover MP Natalie Elphicke on 25 May 2021. Concerns were raised by both Nautilus and the RMT in relation to the planned commencement of Irish Ferries operating on the Dover-Calais route. Concerns were focused on the safety of operations.

### **Dispute avoidance meeting June 2021**

On 21 June 2021 a dispute avoidance meeting was held with Tor Farquhar (people director) and Stephen Nee (head of IR/ER) in Dover to resolve matters amicably.

Whilst the meeting was frank and courteous, Nautilus reaffirmed the view that working 12 hours a day on a five round trip schedule for more than seven days was too intense. The company representatives provided a financial update and reiterated their view that their proposal was safe. The company also stated that there would be permanent officers on the



vessel adhering to the CBA working alongside the agency staff. Nautilus had shared information with the company on the commissioned fatigue study carried out by Cardiff University.

The company responded with its position on the crewing levels for a two round trip, and in the event that it increased the number of daily trips (if necessary up to five) it would then determine the appropriate crewing levels to ensure adequate rest was taken. Whilst Nautilus was dissatisfied with the company's position, in order to try and resolve the impasse the Union proposed that the company maintained the established crewing levels across its fleet. In the event of more than three round trips per day, an uplift of one deck and technical officer on the Pride of Burgundy would be required when operating with crew members on tours of duty longer than a week on/week off. This would be to address the concerns regarding the impact of fatigue working over seven days to 10 days.

Following Nautilus's proposal, the company responded stating it believed its crewing levels were safe and would run the Pride of Burgundy using the European Seaway crewing model whilst it tested the market and operated two round trips daily.

Nautilus again highlighted to the company that it was continuing to circumvent the collective bargaining agreement and ignoring the established evidence of the safety of the working pattern of seven days on/ seven days off on the Dover/Calais route, and Nautilus would be entering into a trade dispute.

## July 2021 ballot on industrial action

In July 2021, Nautilus wrote to the director of P&O Crewing Services (Jersey) Ltd advising that Nautilus would be balloting members on the Short Sea route between the ports of Dover and Calais.

Members on the Short Sea route were balloted on whether they would be willing to support Industrial action short of a strike which would consist of an overtime ban, call out ban and work to rule. The vote was extremely close, with 34 voters not wishing to take action short of a strike, and 30 wishing to take action short of a strike. However, as with all ballots, the turnout must be at least 50% for any ballot to be considered valid.

Nautilus wrote to the company reaffirming its position that the Union wished to work in partnership with P&O Ferries and re-engage and rebuild constructive working partnerships where possible. The company advised that it wished to discuss pay, and a meeting was arranged for 13 October 2021.

## New pay proposals October 2021

The meeting was attended by the head of industrial, executive officer and liaison officers on behalf of Nautilus, along with company representatives. A full and frank discussion took place along with a financial presentation. The company advised that it was looking to construct a pay agreement around the following:

- **2020** – pay freeze
- **2021** – construct some form of pay agreement using 1 January 2021 as an anniversary (the company provided the rate of inflation for October 2020 where CPI was 0.7% and RPI 1.3%)
- **2022** – not using CPI or RPI as a baseline but looking at affordability

The company was reminded that it was Nautilus policy to use RPI and that October's RPI figure, as published in November, was used for negotiations. Nautilus thanked the company for the opportunity to discuss pay, pointing out that the Union was still in dispute with the company but wished to resolve the matter going forward. The company stated that it would be unlikely to generate a profit in the early months of 2022 due to seasonality, and suggested looking at conditionality of improving the performance to generate money to be invested in the pay deal. Nautilus responded that this was unacceptable; it had been discussed previously and was a non-starter.

## Dispute resolution proposal

The company was written to on 3 November 2021 by the Nautilus head of industrial with a dispute resolution proposal. This was to set up a working party with three Nautilus members from each department on the Short Sea to discuss hours of work and rest, to make best endeavours to agree safe and appropriate crewing levels in all departments per watch on each vessel, to discuss watch patterns and work rosters and to discuss sailing schedules and crewing models. It was also put forward by Nautilus to agree on an external third party to conduct a fatigue management study, such as the one that was undertaken by Cardiff University several years ago.

The company responded with an agreement in principle for a working party but said it would need to discuss the exact scope. It suggested a timetable of discussions to begin in 2022 and said it would likely field a senior team empowered to take decisions from operations, crewing, human resources and health & safety.

## Revised pay offers in late 2021

Following the pay discussions meeting, the company made an offer of a two year deal of 1% (backdated to 1 January) for 2021, and for 2022 (not able to link to RPI but based on affordability) a 1% increase with effect from 1 January 2022, with £250 if Q1 operating profit target was met and a further £250 if Q3 operating profit target was met.

Nautilus expressed extreme disappointment with this offer, as officers had worked tremendously hard over the two-year period and P&O Ferries' competitors had paid their employees 3% for 2021 and 2% for 2022. Nautilus stressed that if the company wanted to attract and retain talent, then the offer/package would need to be right. Nautilus gauged the view of members and told the company that the offer would be rejected.

Following this, a revised full and final offer was received from the company:

- an increase of 1.3% on base pay with effect from 1 January 2021
- an increase of 3% on base pay with effect from 1 January 2022
- a £250 lump sum if the company achieved or bettered its operating target for Q1 2022
- a £250 lump sum to be made if the company achieved or bettered its operating target for Q3 2022
- a £300 lump sum to be paid on or about 1 January 2022 in return for an early agreement without disruption of this pay offer

Following this offer, Nautilus wrote to the company on 9 December 2021, confirming members had accepted the offer but with a caveat in place that should any other negotiation group receive an increased offer above that agreed by Nautilus, then this would also be applied to Nautilus members who fell under the collective bargaining agreement.

## December 2021 deterioration

On 23 December 2021, Nautilus learned that P&O Ferries was proposing to cut onboard services officers' hours and salaries by 30% using emergency measures under the P&O Job Retention Scheme. Nautilus requested a financial update as a matter of urgency to confirm that the company had no other option but to reintroduce the Job Retention Scheme. Concerns were expressed among members about the

company's transparency in its dealings with Nautilus, as it appeared that the RMT union had been consulted while Nautilus had not.

A hastily agreed meeting took place on 30 December 2021 with management, in which the company stated that it had taken its sudden actions due to most of Europe shutting down and particularly the decision of the French government to shut its borders to tourist traffic – all of which had led to vessels being laid up at night.

Nautilus reiterated that the company was not being open and frank and transparent, as the company had again not discussed or consulted properly, and this was not in the spirit of partnership. Nautilus was not in agreement with the company's proposal and put forward further proposals to allow OBS officers to undertake courses within this period to bring their certification up to date and stop them being removed from the ship in the summer months. Nautilus also asked the company to explore whether there were vacancies shoreside or in the fleet so the company could look at transferring workers around the fleet temporarily rather than cutting hours or making redundancies. Nautilus also stated that no rating or agency worker should be utilised to cover any officer and the company should explore vacancies and cover for sickness.

Nautilus agreed to the company's proposal that it could ask workers to volunteer for the Job Retention Scheme but did not agree to any changes in terms and conditions.

Nautilus again met on 4 January 2022 with company representatives and stated that whilst Nautilus agreed to JRS being voluntary, the Union did not agree to any changes in members' terms and conditions. The company had, as requested, looked at some ways to mitigate the company's JRS and had six positions available in the business; and therefore, these positions had been mitigated with only four OBS officers going on JRS for a short period of time. Whilst Nautilus thanked the company for these mitigating measures, members could not afford a 30% drop in salaries.

## Final pay agreement 10 February 2022

The company wrote to Nautilus on 10 February 2022 confirming the revised agreement on pay and further uplift following agreement with other unions, which would be in the payroll at the end of February 2022, as follows:

- a lump sum payment of £300 to reflect the 2020 pay review if service qualifies



- an increase of 1.3% on base pay with effect from 1 January 2021 if service qualifies
- an increase of 3% on base pay with effect from 1 January 2022
- a £250 lump sum payment if achieved or bettered operating profit target for Q1 2022
- a further £250 lump sum payment if achieved or bettered operating profit target for Q3 2022
- a £300 lump sum to be paid on or about 15 February 2022 in return for reaching early agreement on pay and benefits
- P&O Ferries to support any application by any of the unions to the Rail Delivery Group in support of wider and extended provision of rail passes to employees
- the company and each of the UK unions to jointly campaign in 2022 to encourage members of the stakeholder pension plan and non-members of any pension plan to upgrade their membership
- a commitment by the company to provide a 3x salary death-in-service benefit for all permanent employees, where existing plans do not already make such a provision

### **Peter Hebblethwaite promoted to CEO**

On 22 February 2022, it was confirmed to members in an internal announcement that Peter Hebblethwaite had been appointed as CEO of P&O Ferries.

Nautilus was also informed that Andy Good would become the P&O HR director, and a meeting was set up to meet with him via Teams on 07 March 2022. At this meeting Mr Good introduced himself and advised of his new role in P&O Ferries. The Nautilus head of industrial advised him that the Union wished to work in partnership with the company, but that, over the last 18 months, things had deteriorated. Nautilus had written to the management requesting a working party to be set up to discuss the two on/two off rotations and crewing, particularly on the Short Sea route, and Mr Good agreed that things definitely needed to get back on track.

Nautilus confirmed that dates had been put forward for a Joint Consultative Committee meeting for 13 April 2022 and was awaiting confirmation of this. These meetings had always worked well, and Mr Good assured Nautilus that the company wished to work in partnership and cooperation going forward.

On 17 March 2022 it was then announced that the ships were to stop sailing; all employees were summarily dismissed with immediate effect, entirely circumventing the long-established collective bargaining agreement.

## **Other companies in the ferry sector**

More information on many of these negotiations can be found at [www.nautilusint.org/news](http://www.nautilusint.org/news)

### **Caledonian MacBrayne**

2020 and 2021 were part of a two-year deal which saw pay increases of 1.0% in Year 1 (2020) and 4.8% pay increase for Year 2 (2021). A bonus of 1.5% for Year 2 was also agreed. For the 2022-2023 pay review, members have been advised to look at other items and not just pay.

### **Condor Ferries**

Nautilus gained recognition with Condor Marine Crewing Services Ltd to cover three of its vessels that predominantly operate from UK ports, and a collective bargaining agreement was signed in December 2020. After a liaison officer committee was appointed, pay negotiations continued throughout 2021 and an offer was finally made in March 2022 of a 5.4% increase from 1 April 2022. This offer was initially rejected by members as they had not received a pay rise for three years and felt that the offer should have been backdated to 1 April 2021, but it was reluctantly accepted on 5 May 2022.

### **DFDS**

Pay was increased by 3% with effect from 1 January 2021. This was at the high end of settlements achieved and was accepted on members' behalf due to the unprecedented times caused by the Covid pandemic. Members also accepted an increase in pay of 4% effective from 1 January 2022 and offers such as an extra day's pay to mark the Queen's Platinum Jubilee in June 2022.

### **Irish Ferries**

Discussions took place in May 2021 between lead ferry operators, Nautilus International and RMT with Dover MP Natalie Elphicke, following the announcement that Irish Ferries would begin operating on the Dover-Calais route. Concerns were raised regarding the safety of its operations.

# /...Industrial

## Isle of Man Steam Packet Company

Following negotiations about onboard living arrangements throughout 2020 and 2021, the latest newbuild meeting took place on 07 September 2022, concerning progress of the Manxman construction project. For the 2022 pay review, members accepted a one year pay deal of 4% plus £150 per employee for the Platinum Jubilee.

## Orkney Ferries

At the time of writing, members' aspirations had been received and a formal claim had been presented for the 2022 pay review. A response was awaited. Members had previously accepted a two-year deal in November 2020 of 2% backdated from 1 April 2020 with the further assurance of 2% from 1 April 2021.

## Red Funnel

Members received a 4.5% uplift in salaries from 1 January 2022. The company also agreed to review alignment of pay for certain roles and look at pension schemes and wellbeing initiatives.

Other issues discussed were the setting up of working parties with regards to engineering officers' and deck officers' reviews, and apprenticeships for young maritime professionals. Several ship visits have taken place this year.

## Seatruck Ferries

Members received a 1.5% increase from 1 January 2021, with a 3% pay increase, plus increase of the travel cap to £100 for 1 January 2022.

## Serco Northlink Ferries

An improved offer of a 3% increase plus a one-off payment of £500 was agreed for the 1 October 2021 pay review, following the rejection by members of a 2% increase. Members also received a £100 'thank you' payment on behalf of Serco, the operator, in recognition of all Covid-19 efforts. It was received by all employees who have been employed by Serco Ferries (Guernsey) Crewing Ltd continuously since 1 June 2020.

## Stena Line PTE Ltd

Members overwhelmingly accepted the company's multi-year offer for the 2021, 2022 and 2023 pay review:

- 1.5% effective 1 Jan 2021
- 2% effective 1 Jan 2022
- 2% effective 1 Jan 2023

However, due to the increase in inflation in 2022, pay discussions were opened again, and a revised supplementary uplift of 2% backdated to 1 January 2022 was overwhelmingly accepted. The company also advised Nautilus International of its commitment to enter into further discussions with trade unions circa August 2022, when the government's new employment requirements and protocols for the UK ferry sector were available.

Further to this, the company recognised the UK's additional public holiday on 3 June 2022 for the Queen's Platinum Jubilee and agreed to pay an additional day's pay to officers in their June 2022 salary.

Joint consultative committee meetings have also taken place between company management, liaison officers and the head of industrial on issues such as company sick pay, company policies and ETO/ESO rates of pay.

## Uber by Thames Clippers

An initial meeting took place on 14 July 2022 via Teams, to discuss the pay claim due on 1 January 2023 and the following:

- a significant improvement in pay in recognition of the continued loyalty of members which needs to also reflect the current cost of living crisis and the living wage
- review of current pension arrangements and future provision
- workloads
- long service awards

Negotiations on the above continue, but due to the current cost of living and energy crisis, the company agreed to make a pre-tax payment of £125 to each employee in bands 9 and 8 each month between August and December 2022.

## Western Ferries

Nautilus met with the company on 3 February 2021, whereby the company made an offer of 1.2% with effect from 1 April 2021. This offer was put out for consultation to members and was accepted.

Following aspirations received from members for the 2022 pay review, a meeting was arranged at the company offices to discuss pay on 2 February 2022. As always, this meeting was amicable and positive. The





# /...Industrial

pandemic had clearly impacted the profitability of the business, but the company was hopeful of recovery with the lifting of further restrictions.

The meeting resulted in a written offer of a 5.5% uplift in salaries with effect from 1 April 2022. This offer was one of the highest received in the industry and was quickly accepted by members.

## **Wightlink**

With effect from 1 January 2020, members accepted a front loaded 1% above RPI pay award spread over five years, with the next review being 1 January 2025.

## **Cruise sector**

More information on many of these negotiations can be found at [www.nautilusint.org/news](http://www.nautilusint.org/news)

## **Abacus Crewing (Windstar Cruises)**

Abacus Crewing Services is the employer covering the collective bargaining for six Windstar vessels. Windstar Cruises operates a fleet of small cruise vessels. Pay negotiations are due 1 January 2023 and Nautilus is asking members for their aspirations at the time of writing. An offer of 3% was accepted by Nautilus members in April 2022 backdated to January 2022.

## **Carnival UK – Fleet Maritime Services – P&O Cruises vessels**

Carnival UK consists of officers working onboard P&O Cruises and Cunard. Officers are employed by Fleet Management Services. Nautilus has an active Partnership at Work Committee set up with CUK which meets quarterly.

A revised final offer of a one year deal was accepted by members in May 2022, incorporating a 3% pay increase (backdated to 1 January 2022 for all CBA ranks) plus an additional 2% one off payment for those CBA ranks that were not members of the Fleet Incentive Plan. The next pay review is due on 1 January 2023 and members' aspirations are being sought.

## **Holland America Group – Princess Cruises and P&O Australia**

Fleet Maritime Services (Bermuda) Limited covers the CBA for officers domiciled in the United Kingdom serving onboard the Princess Cruises and P&O Australia fleet. Princess Cruises and P&O Australia are part of the Holland America Group, which consists of

Princess, Holland America Line, Seabourne and P&O Australia.

Following an operational pause during the pandemic, all vessels are now in service. Members have highlighted issues regarding a shortage of crew and sailing under complement, which adds to their workload. This issue is prevailing across the Holland America Group. To address the crewing issues, the company is offering an extended tour bonus and an early return bonus.

In November 2021, the company proposed an extension to the CBA for one year due to uncertainty as it moved to recommence operations, which was agreed. The company also proposed for the 2022 pay review a 3% increase from 1 January 2022, along with an increase to the minimum and maximum of the wage scales with 2%. The company will keep monitoring the possibility of bringing back spousal travel.

## **Marine Manning – Holland America Line Cruise Vessels**

Marine Management Services (Guernsey) employs officers working onboard Holland and America Line vessels.

Nautilus UK submitted a joint pay claim with Nautilus NL for the 1 January 2023 pay review and discussions commenced on 8 September 2022. The Union proposed a substantial pay increase considering inflation and the cost-of-living crisis. In addition to pay, Nautilus proposed amendments to the wage index for each rank to ensure that each officer achieves the maximum salary for the role within a set period, and that this route is clear and transparent.

Negotiations are ongoing, and include the introduction of a new competency framework, the establishment of a Dutch works council, easing of strict Covid protocols onboard, sailing assessment bonuses, safety officer gradings and the package available for any redundancies.

## **Saffron – Saga Cruises**

Saffron is the employer for officers working onboard the Saga vessels Spirit of Adventure and Spirit of Discovery.

Following discussions with the company in February 2022, the company made an offer of a 2.5% increase in salary from 1 February 2022, which was accepted by members. The company also announced a move to permanent contracts for numerous roles.

The next pay review is due on 1 February 2023 and Nautilus is currently seeking a liaison officer nomination for the vacancy that exists. This remains a target company for the coming year where Nautilus will be looking to encourage engagement and further recruitment for officers covered under the CBA.

## Virgin Voyages

Virgin Voyages operates luxury adult only cruises. The CBA covers officers employed onboard vessels Valiant Lady and Scarlett Lady. The first CBA was signed on 1 December 2022 and is due for renewal on 1 January 2023.

## Viking Maritime Group – Scenic Cruises

Scenic Cruises operates luxury river and ocean cruises. Nautilus signed the first CBA with Viking Maritime Group for Scenic Cruises in 2020. The latest CBA was signed in August 2022 and will be valid until 6 September 2024.

The agreement currently covers two vessels, the Scenic Eclipse and the Emerald Azzurra; two further vessels are expected to commence service in 2023.

## Offshore sector and various

More information on many of these negotiations can be found at [www.nautilusint.org/news](http://www.nautilusint.org/news)

## AW Crewing (Cefas Endeavour)

RV Cefas Endeavour is an ocean-going fisheries research vessel based in the port of Lowestoft and owned by the Centre for Environment, Fisheries and Aquaculture Science (Cefas).

The 2022/23 pay negotiations were concluded in July by the Unite union, which accepted the improved offer of 3.6% backdated to 1 April 2022.

AW Crewing has approached Nautilus with a proposal for a single recognition agreement to cover members on the Cefas Endeavour. In 2020 a joint recognition agreement between Nautilus, Unite and AW Crewing was drafted but not finalised, and AW Crewing has since decided that Nautilus is its preferred Union for recognition.

## Associated British Ports (ABP Humber)

Associated British Ports Holding Ltd owns and operates 21 ports in the United Kingdom. Nautilus represents members based in the Humber Pilot Division in conjunction with Unite.

After an initial offer of 4.5% was rejected by members and the company refused to improve on the offer, pay negotiations were finally concluded at the end of August after the Disputes Resolution Process was triggered. A meeting was held on 15 August 2022 with ACAS acting as intermediary. A pay offer of 8% backdated to 1 April 2022 and an increased workload bonus equivalent to approximately £2,000 per annum was accepted by both memberships, thereby avoiding industrial action.

## Bibby Maritime

In 2021, members employed on the accommodation units accepted a 2% increase in salaries, due to the market conditions as a result of the Covid-19 pandemic.

Later in the year, the company announced redundancies as a result of two vessels – Bibby Bergen and Bibby Challenge – going in to lay up because of the market conditions.

Initially eight positions were at risk: four masters and four electricians. However, the company was able to redeploy six of the eight people at risk of redundancy, meaning only two members (both masters) were made redundant.

In 2022, members voted to accept a 3% increase in salaries for one year.

## Boskalis (Marine/Westminster)

In 2021, Boskalis Marine members accepted a 3.2% increase from 1 April 2021, with Boskalis Westminster accepting a 2.5% increase from 1 June 2021.

Boskalis Westminster 2022 pay review was due on 1 June 2022 and Boskalis Marine 2022 pay review was due on 1 April 2022. A meeting to commence both annual reviews for 2022 was held in September 2022 at the company office in Fareham.

## Boskalis Subsea (ex-Rever)

Nautilus was informed of the acquisition of Rever by Boskalis in January 2021, and a statement was issued by the company confirming that no changes would be made to contractual terms at the time of announcement.

The Union is still in the process of establishing productive working relations with the company, and progress is being made over pay and conditions for dive techs and marine crew.

# /...Industrial

## Carisbrooke Shipping

Carisbrooke Shipping owns/operates a fleet of over 34 modern dry cargo and multi-purpose vessels from offices in Cowes (UK) and Rotterdam (Netherlands).

As of 18 December 2020, the following offer was accepted on behalf of members:

- year 1 2021 = 1% uplift in pay
- year 2 2022 = 2% uplift in pay

The offer was accepted on members' behalf as a result of low/no turnout during the consultation. Recently, Carisbrooke has been contacted about a change of organiser at Nautilus and an introduction meeting has been held between members of the Industrial team and Carisbrooke representatives.

## CEMEX UK Marine

CEMEX's UK marine business supplies marine aggregates to the British and European construction industry. As a result of the retirement of the vessel Welsh Piper, a proportion of the crew have been transferred under TUPE arrangements to Tarmac, which will fulfil the contracts CEMEX has in the Bristol Channel using the vessel City of Cardiff. Nautilus was engaged in full consultation with CEMEX and Tarmac during the TUPE process with various meetings held over the course of the consultation period, pressing Tarmac to avoid redundancies where possible, and if any are required, to make these voluntary rather than compulsory.

Members accepted a 1.2% increase for the 1 April 2021 pay review, and in April 2022, a pay deal of 4.5% was accepted by members. Negotiations on pension improvements are ongoing.

## Crown Crewing (Whitship)

Crown Crewing provides crew placement, sourcing and the management of crew for the fuel transportation company John H Whitaker (Tankers) Ltd.

Members accepted a 3% increase for the 1 August 2021 pay review, along with a 3% increase in PEC payment and Whitehaven masters' salary to be increased at the same rate as the Southampton masters' salary.

A pay meeting was held in July 2022 and an offer of 5% increase effective from 1 August 2022 was rejected by 90% of those who took part in the consultation. Negotiations continue. There are also discussions on extending recognition to cover members on the Mersey Endurance.

## Deeside Crewing (Vroon)

In October 2021, the company agreed to restore the Festive Bonus for 2021, and those onboard on 25 December, 26 December 2021 and 1 January 2022 were remunerated with an extra £75 for each day.

The 1 May 2022 pay review was reluctantly accepted by members for an increase of 2% pay and change to off signing days worth 1.8% for all ranks except masters and chief engineers.

## Foreland Shipping

In 2021, Nautilus negotiated a multi-year pay deal to run from 2021 to 2024 inclusive. The deal was linked to the published EARN1: AWE (KAC3) escalator figure, with a minimum floor of 1%. This resulted in members receiving a 1.6% pay increase in January 2021 versus RPI in December 2020 of 1.2%. The company also agreed to:

- continue to cover the cost for members' on-going STCW five-year refresher training
- increase sickness provision in line with MLC of 112 days/16 weeks maximum for both sickness during a leave period and as a result of an accident/illness onboard
- introduce a long tour bonus for every day over a tour of duty of 105 days' duration

In 2022, the confirmed EARN1: AWE (KAC3) escalator figure was 5.9%, which was paid to members in January, versus December 2021 RPI of 7.5%.

## GMSG

Global Marine Group is a British-headquartered specialist provider of installation, maintenance and repairs of submarine communications cable for the telecommunications, oil and gas and deep sea research industries. To this end, it operates its own fleet of vessels, ROVs and specialised subsea trenching and burial equipment.

Negotiations for the next pay review are underway. Previously a two year pay deal was agreed between members, Nautilus and the company as follows: officers would receive a 3% increase in their base salary effective 1 July 2022 to 1 July 2023 with a further 2% increase starting 1 January 2023.

## Gulf/Tidewater

An increase of 2.75% on base pay and an increment pay award of one year (worth roughly 1% to those



eligible), was agreed in January 2022. A further review in July resulted in a further increase of 4.75% on base pay being offered, which was subsequently rejected by members.

Members are currently being consulted on an enhanced full and final offer, worth 11% for some.

## Hanson Ship Management

Hanson Marine operates out of Southampton, Hampshire, as part of Hanson Aggregates UK. The company owns a purpose-built fleet of five aggregate dredgers.

A 3% uplift was accepted for the January 2021 pay review, with a further 2% for all officers. This brought some of the ranks on par with competitors and continued an attempt to close the gap for others.

During the 2022 pay negotiations the vast majority of those who participated voted to accept a 5% pay increase from 1 January 2022. Discussions are ongoing about other issues raised by members such as Christmas leave and entertainment packages onboard vessels.

## Havila Marine

An increase of 3.8% for 1 August 2021 was accepted by members, with an extra 2% in addition to the 3.8% for all ratings including motormen and cooks. A payment of a pilot exemption certificate bonus equivalent to that of Norwegian masters was also given. Negotiations for the 2022 pay review are ongoing.

## Heyn Engineering (RV Corystes)

RV Corystes is an ocean-going research vessel operating around Northern Ireland operated by the Agri-Food & Biosciences Institute equipped with specialist fishing gear and acoustic techniques for surveys of fish stocks.

A 0.8% uplift was agreed for the 1 April 2021 pay review. Pay negotiations for 2022 resulted in members accepting an improved offer of 4.75% (originally 3%). Heyn has contacted Nautilus for advice about pensions, as the company's pension provider can no longer provide products for Irish nationals due to Brexit.

## Intrada Ships Management

Intrada Ships Management Ltd looks after technical, commercial and administrative management of the vessels operated by Scotline.

An improved offer of 2% was accepted by members for the 1 April 2021 pay review. In 2022, the majority of those who participated in the consultation concerning the revised pay offer of a 5% increase backdated to 1 April 2022 voted to accept the offer. As part of the 2022 pay negotiations members also had questions regarding bonus payments and '30 day pay'.

## James Fisher

James Fisher Everard has been chartering tankers for over 50 years. The company handles James Fisher's European trading routes carrying petrol, diesel, kerosene and biofuels.

James Fisher is currently going through financial uncertainty and is switching its fleet to chemical tankers with an aim to increase revenue.

The company confirmed in July 2021 that it was unable to offer a pay rise for 2020, which also included pilotage and changes to leave ratio. The management did commit to continue supporting and funding study leave as well as continuing to maintain the cadet pool. It also advised that it would be offering chemical tanker training to continue its sustainability plan and commitment to the new builds.

For 2022, a complex pay offer was recently put to members, but this has been rejected. Negotiations continue.

## LCT (Newhaven)

The Port of Newhaven provides regular passenger crossings to France, 365 days a year. LCT has been operating as a port agent here on behalf of Transmanche/DFDS Ferries since 2007.

As well as providing check-in and marshalling services to Transmanche/DFDS Ferries, LCT also provides stevedoring, security and all unaccompanied trailer services for the port of Newhaven.

LCT has undergone a period of uncertainty regarding whether DFDS is going to keep the route (contract terminates December 2022) and if it does, whether it will renew the contract with LCT. If DFDS does not keep the route or renew the LCT contract, LCT Port Services would have to close, resulting in TUPE and/or redundancies unless it wins a tender with the new operator.

Because of this uncertainty, pay negotiations have been affected and are still ongoing. Challenges also remain over the issue of finding an alternative to split shifts for the winter timetable, as requested by the check-in staff.

# /...Industrial

## **Lionheart Shipping (former Maersk Tankers)**

In September 2021, meetings were held to discuss the proposed changes from Maersk Tankers A/S to Synergy Denmark A/S and the employment transfers occurring as a consequence. The company expressed a wish to work with Nautilus and other recognised trade unions (such as the Singapore Maritime Officers Union) to ensure all maritime professionals felt reassured that the terms of their employment would not suffer a detriment through the transfer.

For the 2022 pay review, members rejected an improved pay offer of 1.5%, so Nautilus sought further improvements. Disappointingly, further enhancements were not possible, and most members subsequently voted to accept the 1.5% full and final pay offer from 1 January 2022.

## **Maersk Supply Service**

A formal offer for 2021/22 made on behalf of MSS Singapore Pte Ltd to MSS officers sailing on IOM vessels was agreed. This was for an increase of 5% effective from 1 June 2021, which encompassed the review periods from 1 June 2020 to 31 May 2022.

In the 2022/23 negotiations, a 2.1% pay offer was rejected by members in July 2022, and Nautilus has since been seeking an improved offer.

## **Maersk Line**

In March 2021, the company proposed a pay freeze for the 1 April 2020 pay review and a 2% uplift in basic salaries for senior officers with a 1% uplift for junior officers for 1 April 2021. The two offers were not conditional upon each other.

Members rejected the pay freeze for 1 April 2020 but accepted the uplift with respect to the 1 April 2021 pay review. Following further discussions with the company to seek an improvement to the 2020 pay period, the company confirmed it was unable to make any changes to the pay freeze but did encourage junior officers to engage in discussions with crew planners and the Marine People Europe team about college periods and distance learning opportunities to upskill themselves to management grade certificates of competency.

In 2022, following initial rejection, a majority of the UK officers who participated in the consultation concerning the 2.5% across-the-board pay increase backdated to 1 April 2022 voted to accept what was the company's full and final offer.

## **Marine Scotland Compliance**

Marine Scotland Compliance is a subdivision of the Marine Scotland Directorate responsible for enforcement relating to the integrated management of Scotland's seas, working closely with delivery partners Scottish Natural Heritage and the Scottish Environment Protection Agency.

After consultation with Nautilus members, the company's 2021/22 offer was reluctantly accepted due to there being no outright preference to accept or reject the offer. The offer was rejected by members of the Unite union, but the pay increase was still applied by MSC to Unite members' pay. Unite believes this is an unlawful inducement and has threatened MSC with legal action.

Unite members have taken part in strike action regarding the 2021/22 pay award, but MSC has made it clear that there will be no improved offer. Focus has now turned to the 2022/23 pay award, and Nautilus organisers have attended several meetings with Scottish government representatives, Nautilus liaison officers and Unite in Glasgow. Negotiations this time are more encouraging and a package agreeable to both Nautilus and Unite could be in the offing.

## **Northern Lighthouse Board**

Northern Lighthouse Board is a company that looks after the lighthouses and sea lights and sea marks across the coast and offshore of Scotland.

For the 2021 pay review, members accepted a pay pause for those employees earning more than £24,000. Those employees earning less than £24,000 received a £250 increase. A performance bonus was also given of £1,117 and progression arrangements in relation to the pay related training matrix continued to operate.

Pay negotiations are subject to UK government pay policy, which initially allowed awards of up to 2%. For 2022, the company believes it may now be able to increase this to up to 3%, but this needs government approval so Nautilus is awaiting further correspondence.

## **North Star (all including BPOS)**

Following initial rejection, a 3.5% pay offer was subsequently reluctantly accepted by a majority of members for the 1 June 2022 pay review. Nautilus attended a meeting at North Star's Aberdeen office on 18 August 2022, where constructive talks were held about future prospects.

## OS Energy UK Ltd (Prince Madog)

Prince Madog is a research vessel commissioned by Bangor University and managed and operated by OS Energy. It enables UK marine scientists to study the biology, chemistry, geology and physics of our seas and is also used as a teaching platform.

A 1.4% increase was accepted for the 1 April 2021 pay review on behalf of members, but in 2022 the pay offer of 3.5% was rejected by members. Pay negotiations have now stalled because members have reported that OS Energy has not been following due process when it comes to disciplinary procedures. Nautilus is hoping these issues can be resolved and pay negotiations finalised.

## OSM (BP Offshore)

Following rejection of an initial pay freeze proposal, a meeting was held via Teams on 23 June 2022 to discuss the following:

- inflation
- lack of a pay rise in recent years
- BP profits
- not relevant to compare with rest of OSM fleet
- continued loyalty and sacrifices (especially throughout the pandemic)
- Sky package

Members are being consulted over the company's response to these issues and Nautilus is seeking clarity over the 1.5% pay rise on offer from January 2023.

## Ocean Supply

Redundancies that had been threatened at this company sadly went ahead, involving 42 OSGL positions. Nautilus International fully engaged and supported members throughout the process, and has also dealt with various queries involving long service awards, redundancy payments and temporary work prospects.

## PG Tankers

Pritchard-Gordon Tankers is a family run company specialising in ocean transportation of crude oil, refined petroleum products, chemicals and biofuels.

Members accepted a 2.5% increase for the 1 January 2022 pay review. Members also received an extra 5GB of data, which became effective from 1 March 2022. Pay negotiations for 2023 have begun and aspirations will be requested from members shortly.

## Peel Ports

Following meetings held in August 2021, a 2% increase was agreed for the 1 June 2021 pay review. Another issue discussed at these meetings was watch routines. Nautilus had strenuously resisted efforts to change a day/day-night/night pattern, primarily based on health and safety concerns surrounding evidence from the Health & Safety Executive. Also discussed was a proposal to revert to alternating between desks, excessive work volumes/pressure and training issues, and a draft Group VTSO job description was received.

Members have recently been consulted about the company's dual role VTS proposals, and, following assurances over reasonable adjustments for individuals, the proposal was to go ahead from 19 September 2022, with a review to be arranged thereafter to assess the impact.

Following rejection of a 7% pay offer for 1 June 2022 pay review, further talks failed to elicit an improved offer, and this full and final offer has also been rejected. Industrial action is currently being considered, an option which Unite members at the Port of Liverpool have already decided to proceed with.

## Port of London Authority

For the 1 January 2021 pay review, members accepted a consolidated rise of 1.1% made up of 0.7% pensionable pay and 0.4% non-pensionable. The company also recognised the unprecedented challenges placed on everyone in the organisation in 2021 and the board made a one off thank you payment of £1,000 per employee just before the Christmas period.

In 2022 members accepted a full and final offer for the 1 January pay review of a pay rise of 5%. Members also accepted some improved terms and conditions relating to pensions and bonuses.

## Pacific Nuclear Transport Ltd

Following rejection of earlier offers, members are currently being consulted on an improved full and final offer following joint disputes procedure meetings involving the RMT union. Both Nautilus



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and the RMT have agreed not to publicly disclose the offer due to specific sensitivities.

## QGTCMI

In 2021, QGTCMI advised that, as a result of the Covid-19 pandemic, and the financial impact it has had on the company, there would be no pay increase.

In 2022, the company imposed a 1% increase in salary, although there was no desire from members to ballot for industrial action. In the coming months, Nautilus is planning to meet the new managing director of the company, to discuss the Fleet Officer Handbook concept being introduced in QGTCMI.

## Royal Fleet Auxiliary

A joint meeting involving the RMT union took place in September 2022 to discuss the pay offer of 2.95% plus 0.05% to uplift the following specific allowances:

- RFA Shipboard Accommodation Allowance
- Sea Safety Emergency Party
- Command and Responsibility Allowance
- Sponsored Reserve
- Extended Tour Allowance

The RFA anticipates taking on two new ships over the next six to nine months and has confirmed that it remains tied to the government policy public sector pay restraint. Members of both unions have expressed significant disapproval of the above offer, and next steps are being considered.

A new seconded liaison officer, Sean Turner, has been elected and appointed by the general secretary to replace Marc Williams.

## Shell

In 2021, Shell advised that, as a result of the Covid-19 pandemic and the financial impact of this on the company, there would be no pay increase.

In 2022, the company imposed a 1% increase in salary. There was no desire from members to ballot for industrial action, but Nautilus, together with the other signatory unions of the Fleet Officer Handbook, did not agree to a further extension of the temporary terms and conditions that the company requested.

In August 2022, after posting profits of \$11.5bn (£9.5bn) in Q2, Shell announced an 8% unconsolidated bonus for most of its staff, and Nautilus ensured that this would be paid to seafarers.

In October 2022, Nautilus, together with the other signatory unions of the Fleet Officer Handbook plus the ITF and IMEC, met with Shell to negotiate the terms and conditions in the Handbook, together with the ITF/IBF Agreement. These will then be in place for a further three years.

## Solent Towage

Workplace health concerns have been the main issue at Solent Towage, with the MCA being called in to investigate high carbon monoxide (CO) levels.

The MCA report concluded that the CO readings identified did not originate from the tugs themselves; therefore, the origin remains unclear. The report also referenced the concerns as raised/perceived by crew members, which mainly surround chemicals being vented by Exxon and others.

Nautilus has gone back to the Health & Safety Executive, whose occupational health specialists had initially concluded that CO emissions from the tugs were the most likely cause, and the HSE accepts that it now needs to consider whether there is any reason to change that opinion.

On 16 August 2022 there was another incident – this time an inert gas discharge from a VLCC on Fawley berth 5 – causing some seafarers to seek medical attention. The company is investigating this latest incident and has promised to report back.

HSE has advised that it will wait for the report into the latest incident and take a view thereafter.

## Solstad

Nautilus has been supporting a member since 2021 regarding serious allegations of bullying and harassment. The matter has been progressed and the Union is now awaiting a settlement agreement from the company which will be forwarded to lawyers for sign-off.

## Subsea 7 (Acergy)

A revised offer was accepted for the 2021 pay review:

- **year 1** (1 July 2021 to 31 December 2021)  
1.5% increase on base salary for six months

- **year 2** (1 January 2022 to 31 December 2022) base award of 2.5% plus average CPI (CPI averaged from October 2020 to September 2021). Year 2 is capped at a total maximum award of 4 %

Improvements to terms and conditions such as pension contributions and Christmas working bonuses were also agreed. Negotiations are now underway for the next pay review.

## Tarmac Marine

Nautilus International has written to Tarmac Marine seeking voluntary recognition, as the majority of the company's staff are Nautilus members. The Union is currently awaiting a reply from Tarmac so collective bargaining agreement negotiations can begin.

## Technip

In April 2022, due to a lack of appetite among members for engagement over improvements, Nautilus reluctantly accepted the offer of a 3.7% increase on salaries, backdated to 1 January 2022.

Nautilus agreed to the amendments made to the company's Drug and Alcohol Policy in June 2021, which introduced a zero limit on alcohol and drugs (except for disclosed medication) from the time employees have left their home address to their assignment.

Nautilus will be seeking members' aspirations in advance of the next annual pay and conditions review due 1 January 2023.

## Trinity House

In recognition of the challenges of 2020/21, a 0.5% non-consolidated and non-pensionable one-off payment was agreed by members for 1 August 2020, based on the members' salary levels as follows:

- less than £35,000 – 2.5%
- £35,000 to £50,000 – 2%
- £50,000 and above – 1%

The UK government has also agreed an element of performance related pay.

## UECC

United European Car Carriers (UECC) provides short sea ro-ro car and truck

transportation. UECC has struggled financially since 2008 and was looking to return to profitability when the pandemic struck. The company is also facing another period of uncertainty due to Russia's action in Ukraine and the increased cost of oil. After no pay increase in 2021 Nautilus received an offer of 2% increase in pay for 2022, which was reluctantly accepted.

## UKRI (NOCS/BAS)

A formal offer for the 2021 pay review due 1 July 2021 was received and accepted in March 2022 consisting of:

- a consolidated pay increase of 2.2% applied across all individual salaries. This applies to all eligible employed staff regardless of terms and conditions (TUPE legacy and NOC CLG)
- the consolidated increase backdated to 1 July 2021
- an increase of 2.2% applied to the band minimums and maximums against both legacy pay scales and NOC CLG mariner pay scales
- a 2.2% flat increase against applicable recognised allowances
- an intent by the NOC to pay the 2021 pay award in January 2022 pay run

A joint meeting with the RMT took place with NOC in August 2022 to commence the 2022 pay and conditions review. Both unions requested a firm pay offer at the earliest opportunity, rather than a repeat of last year, when members were exasperated by the lengthy negotiations.

## WD Resources

In 2021, members employed on the Bibby Wavemaster vessels voted to accept a 2% increase in salaries for one year. In 2022, members voted to accept a 3% increase in salaries for one year.

The company has recently signed a five-year charter with Total for the Bibby Wavemaster 1 vessel. The Bibby Wavemaster Horizon is currently on a 10-year charter with Siemens. ❖





# Professional and technical

The Professional and technical department represents members' interests on a range of issues with governmental and non-governmental bodies including the UK Department for Transport (DfT), the Maritime & Coastguard Agency (MCA), the Health and Safety Executive, and the lighthouse authorities of the UK and Ireland. This work includes sitting on committees and working groups and responding to official consultations.

Additionally, the department has an important role in shaping UK cadets' education and training, working with the Merchant Navy Training Board (MNTB) and the MCA's Cadet Training & Modernisation Programme.

## Covid-19

In the period covered by this report, a significant proportion of the department's time has been dedicated to responding to the challenges of the Covid-19 pandemic. Throughout the crisis, Nautilus has liaised closely with the DfT, the MCA, the MNTB and other organisations to ensure that pandemic-related issues affecting UK branch members were addressed as soon as they came to light.

In the early part of the pandemic, this involved the implementation of contingency measures to ensure that seafarers' certificates remained valid for sea service and that cadet training was able to continue. Measures taken included temporary exemptions from completing refresher and other courses, extensions to medical certificates and allowing oral exams to be conducted online.

In the latter part of the pandemic, a major problem encountered by UK-based seafarers was the constantly changing restrictions related to travel, testing and self-isolation which differed among the devolved national governments within the UK and were inconsistently interpreted and enforced by border officials.

Additionally, difficulties were experienced by seafarers in receiving their Covid-19 vaccinations according to the recommended timescales, and in some instances, obtaining proof of their vaccination once they had received it. Nautilus worked closely with industry stakeholders throughout to ensure that the case was consistently made for exempting seafarers from travel restrictions, and that when problems did arise, they were promptly raised at the highest level.

Whilst most restrictions have now been lifted, the department continues to address legacy issues caused by the pandemic. As restrictions eased in many countries, Nautilus received numerous complaints from members who continued to be denied shore leave either by their company or by port authorities. After consistent pressure from Nautilus, the MCA agreed to issue guidance clarifying the circumstances under which it would be acceptable to restrict shore leave.

In order to allow cadet training to continue while travel restrictions were in place, the phasing of programmes was altered, and sea phases delayed. Most companies have plans in place to allow cadets to catch up on their missing sea time, and the department is working with the MNTB and MCA to apply pressure on those whose progress has been insufficient.

## Modernisation of cadet training

In June 2021, the Maritime Skills Commission (see pages 10-11) released the findings of its review into the UK cadet training system. The recommendations contained in the report are wide ranging, and if implemented successfully would amount to a root and branch reform of the UK system aimed at closing the growing gap between the international shipping sector's skills requirements for new officers and the education and training received.

In order to implement the recommendations, the MCA has launched the Cadet Training and Modernisation (CT&M) programme. Nautilus is taking an active part in this ambitious two-year programme to ensure that as far as possible the recommendations of the MSC report are implemented as intended.

Nautilus is a member of the high-level oversight committee known as the Programme Board, which oversees the detailed outputs as well as several working groups where detailed work is carried out. Having spent the early months putting in place the required procedures and infrastructure, the groups are now working hard to deliver their outputs, which include a complete review of the syllabus for the various cadet pathways, development of structured career pathways and a detailed review of the current funding system.

## /...Professional and technical

This review of the funding system has resulted in the government announcing that it will increase its contribution to 50% of eligible training costs up from 30% and offer support to companies who provide newly qualified officers with employment once they have completed their training. Nautilus is confident that this increased contribution will result in more UK cadets being recruited in the future, and it is an important step along the way to achieving 100% government funding as recommended by the MSC report.

### MNTB

The department makes a substantial contribution to the work of the Merchant Navy Training Board, which includes holding the chair of the Skills Committee (formerly Technical Committee) and attending the MNTB Main Board, Course Approvals Committee, Futures Working Group and various other working groups.

The MSC Cadet Report made several recommendations alluding to the need to reform the MNTB. As a result, Nautilus has taken part in discussions to agree a new MNTB constitution which allows for greater shipowner representation whilst maintaining the voting power of the unions. Nautilus has also instigated a review of the role of the Skills Committee, which has been renamed to better reflect its purpose considering the MSC report recommendations.

Developments around the CT&M programme have reignited discussions around the future role of the MNTB, with the MCA taking a more active role in the development and administration of UK cadet programmes. Nautilus is closely involved in these discussions and has provided input into a further review which is due to report shortly.

Meanwhile, the regular work of the MNTB has continued and Nautilus has taken part in several initiatives including a thorough review and updating of the UK's Human Element Leadership and Management training provision and development of a trial simulator training programme.

### MCA

The department continues to enjoy a good working relationship with the staff at the MCA and can utilise this relationship to resolve issues that members may be experiencing with certification or other matters.



Credit: Maritime Community

Following feedback from members having trouble with the MCA's dyslexia policy, the department made a request that the policy be reviewed. This resulted in a new, fit-for-purpose policy being published, which considers recognised best practice for candidates with dyslexia and other neuro-diversities.

Nautilus is regularly consulted on proposed legislation and has provided detailed input in several important changes including the detailed review of the STCW regulations and the revised SMaT funding regime.

### Maritime safety

Nautilus co-chairs the National Maritime Occupational Health and Safety Committee (NMOHSC) where issues affecting the safety of seafarers are discussed. The NMOHSC has produced several guidance documents to assist shipping companies in determining their health and safety policies, including the recently released **Practical Guidance for Shipping Companies on Improving Mental Wellbeing**.

Additionally, Nautilus is a member of the Code of Safe Working Practices working group which carries out regular updates and revisions of the code and is a key participant in the Confidential Hazardous Incident Reporting Programme (CHIRP), where the Union sits on the Maritime Board.

## Maritime security

Nautilus attends meetings of the National Maritime Security Committee at the DfT, where a range of government departments and agencies join the security services to address issues affecting UK and Red Ensign ships. Nautilus also holds the alternate chair of the Warlike Operations Area Committee (WOAC), the related industry body where issues affecting the security of British Shipping are discussed.

There are currently three permanent agreements covering the Gulf of Guinea, the Gulf of Aden and the Indian Ocean. Immediately following the news of Russia's invasion of Ukraine, an emergency meeting of the WOAC was called and an agreement was reached to declare a warlike area in the Black Sea. This agreement gives seafarers serving on vessels whose owners are members of the UK Chamber of Shipping the right to refuse to join a ship or leave at the preceding port if the vessel is entering into the area or receive double pay if they do remain onboard.

## Dreadnought Medical Service

The Dreadnought Medical Service was effectively closed for much of the Covid-19 pandemic as NHS England became responsible for determining the priority of patients under emergency legislation. The service is now open for referrals again, but due to the current backlogs in the NHS, waiting times are still unacceptably long.

Having taken over the chair of the Dreadnought Standing Joint Policy Committee earlier this year, Nautilus is working with interested stakeholders to secure guarantees regarding priority treatment of seafarers by the Guy's and St Thomas' NHS Foundation Trust.

## Nautilus educational awards

The Nautilus UK branch offers two awards to support trainees and celebrate educational achievement.

### JW Slater Fund scholarships

The JW Slater Fund is a Nautilus scholarship scheme to help those who already work at sea to study for their first certificate of competency. Named after

a former general secretary of the Union, the fund typically supports UK ratings, electro-technical officers and superyacht crew with the costs of progressing their careers through study. It is managed on behalf of Nautilus by the Marine Society.

Despite the numerous issues caused by the Covid-19 pandemic, including colleges having to be closed for long periods, 53 Slater scholars achieved their certificates of competency in 2021 compared with 43 in 2020.

With recent uncertainty regarding funding removed, the fund can make up to 60 awards per year, with 310 scholars benefiting from the programme at the time of writing.

### Bevis Minter Award

The Bevis Minter Award was launched in 1996 in memory of a chair of the Union's Council who died whilst in office. Mr Minter was a passionate advocate of safeguarding and developing British maritime skills and talent, and he firmly believed that commitment and determination are as important as aptitude and ability in building a firm foundation for seafaring and maritime skills.

Therefore, the recipients of the award are those who have shown exceptional commitment and determination to their maritime studies, and in many cases have overcome extraordinary challenges in continuing and completing their education.

Up to 2021, eligible recipients were rotated across the five major maritime colleges in the UK and Ireland: Warsash Maritime School, Fleetwood Nautical Campus, South Shields Marine School, City of Glasgow College and National Maritime College of Ireland (Coláiste Náisiúnta Mara na hÉireann).

In 2020, Jake Napoli of City of Glasgow College was the recipient; in 2021, Charlie Schofield of Warsash Maritime School was recognised.

In 2022, following a decision of the Nautilus Council, the Bevis Minter Award was given national prominence through partnership with industry body Maritime UK. The award, sponsored by Nautilus International, is now open to nominations from any maritime educational establishment in the UK or Republic of Ireland, for a cadet or recently-qualified officer considered worthy. Nominees are now being judged by an industry panel and celebrated at the annual Maritime UK Awards. The winner of the 2022 Bevis Minter Award is Terrence Jones of Fleetwood Nautical Campus. ❖



# Legal

This chapter highlights some of the work carried out by the Legal department over the last two years.

## P&O Ferries

Following P&O Ferries' dismissal of 786 seafarers on 17 March 2022 (220 of whom were Nautilus members), the Legal department provided advice and assistance to the members, supported the Industrial team in the Organising department, took part in internal strategy discussions and contributed to the Union's responses.

P&O Ferries failed to carry out its collective consultation obligations with Nautilus, which are set out in section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992. Nor was any individual consultation carried out, rendering these dismissals unfair. Furthermore, the company wrongly stated that the dismissals were by way of redundancies, which was clearly not the case, as the ferries continued to carry out the same services.

Not only were the dismissals procedurally unfair, but they were substantively unfair. Even after this drastic action, the members should have been transferred under the TUPE Regulations on the exact same terms and conditions to the incoming crew manager, Malta-based International Ferry Management. Some were offered, and accepted, jobs with IFM on inferior terms and conditions.

P&O Ferries offered the dismissed seafarers enhanced redundancy packages, and compensation for their failure to consult the unions, subject to them signing a settlement agreement which barred them from commencing claims at the employment tribunal.

The actions taken by the Legal department include:

- immediately considering whether injunctive action would be successful, concluding it was extremely unlikely
- joining all internal strategic meetings and providing advice and updates on legal issues
- drafting FAQs for members advising on legal options
- arranging for external lawyers to be ready to advise and assist members
- discussing potential actions with external lawyers such as a protective award claim for failure to collectively consult, and potential action under GDPR / Data Protection Act 2018

- speaking to media (TV, radio and newspapers)
- assisting with complaints action through the International Labour Organization, considering such moves as: (i) inviting the director general of the ILO to make an urgent intervention in writing to the UK government concerning P&O Ferries' contempt for fundamental collective employment law obligations, and (ii) filing a complaint to the Committee of Experts on Freedom of Association

## Response to the pandemic

The Legal department responded to many problems caused by the Covid-19 lockdowns, such as stranded seafarers, repatriation and transit issues, welfare matters and annual leave, ensuring that any extensions of seafarers' employment agreements were kept to a minimum and only permitted in genuine force majeure circumstances. Nautilus was closely involved in meetings which drafted and reviewed policy on these issues; for example, the regularly updated **MIN 632 Amendment 2 Covid-19 – Extension of Seafarer Employment Agreements**.

## Maritime Labour Convention, 2006 and MCA Tripartite Working Group

In May 2022 Nautilus attended the fourth meeting of the Special Tripartite Committee to amend the MLC. The following amendments were agreed and will come into force in December 2024:

- seafarers are now entitled to appropriately-sized personal protective equipment (PPE)
- seafarers must receive good-quality drinking water, free of charge
- seafarers must have access to nutritious, well-balanced meals
- seafarers must be provided with appropriate social connectivity by shipowners, including internet access, and any charges for this are to be reasonable. Port states and shipowners are encouraged to should provide internet access in port
- seafarers must have access to information on their rights relating to the obligation of recruitment and placement services to provide



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by @nautilusint @nautilus Danny Cornelissen



seafarers with details of their system of protection, which is to compensate them for monetary losses suffered as a result of the shipowner failing to meet its obligations to them

- states must further facilitate the prompt repatriation of abandoned seafarers
- states must provide medical care for seafarers in need of immediate assistance and facilitate the repatriation of the remains of seafarers who have died onboard
- all deaths of seafarers are to be recorded and reported annually to the ILO, which will publish the relevant data

## UK National Minimum Wage

Work has continued on the National Minimum Wage (NMW) which, since the 2020 amendments, now applies to seafarers working in UK waters and the UK sector of the continental shelf. The government guidance on amendments was published on 23 February 2022 in the document **Minimum wage: seafarers and other people working at sea**.

The rate of the NMW increased significantly on 1 April 2022, as set out below:

	2022	2021	Increase
Age 23 and above	£9.50	£8.91	6.6%
Age 21-22	£9.18	£8.36	9.8%
Age 18-20	£6.83	£6.56	4.1%
Age 16-17	£4.81	£4.62	4.1%
Apprentice	£4.81	£4.30	11.9%
Accommodation offset	£8.70	£8.36	4.1%

Following the government's reaction to the P&O Ferries dismissals, and the announcement of its nine-point plan to protect seafarers, subsequent developments have included the publication of the Seafarers' Wages Bill, which seeks to extend a 'national minimum wage equivalence' (broadly equivalent to the UK NMW) to seafarers on vessels carrying passengers or goods between the UK and other countries, and who are likely to enter the UK port on 120 occasions in a year.

Proposals also include the creation of minimum wage corridors between the UK and neighbouring countries such as France, Denmark, the Netherlands, Ireland and Germany. Furthermore, the department is assisting with the development and drafting of the Seafarer Protection Framework Agreement, which will establish

a forum made up of government, union and shipowner representatives to monitor the continuous improvement of working and living conditions for seafarers in the ferry sector, and support compliance with the Seafarers' Wages Bill.

## Consultation/lobbying work

The department submits responses to government consultations on proposed changes to the law, and lobbies for improvements in legislation to benefit members. Some examples are set out below.

### UK government's review of UNCLOS

The UK's International Relations and Defence Committee (House of Lords) issued a call for evidence in its inquiry into the United Nations Convention on the Law of the Sea 1982 (UNCLOS), and whether it is fit for the 21st century. The inquiry will examine the enforcement of UNCLOS, its dispute resolution mechanisms, and the extent to which it has proved able to adapt to new and emerging challenges, including climate change, autonomous maritime systems, and issues of human rights and human security at sea.

The Union's response highlighted the benefits of UNCLOS, which include: wide level of ratification; framework for the legal order of the seas and oceans; almost universal rules on important matters setting the limits of the territorial sea; freedom of the high seas; right of navigation; right of 'innocent passage' and 'transit passage'; duties to render assistance at sea and to cooperate in the repression of piracy.

However, Nautilus highlighted deep concerns in regard to the absence of a definition of what constitutes a 'genuine link' with the flag state (giving rise to flags of convenience), and the consequent weakness of the flag state to effectively exercise jurisdiction and control in administrative, technical and social matters over ships flying its flag, as required under the convention (Articles 91 and 94 being especially pertinent in this regard).

A lengthy report on the results of the inquiry has recently been published, with some conclusions being:

- the evidence suggests that if UNCLOS is not supplemented or developed, it will no longer be fit for purpose in the 21st century
- the extensive use of flags of convenience has led to a 'jurisdictional vacuum' on the high seas. The report calls on the government to commit to tackling this problem, which has significant implications for maritime security and the protection of human rights at sea



- new issues have intensified since UNCLOS was drafted and its provisions are no longer adequate to address them; these include human rights at sea, labour protections, maritime security
- the UK government should work with likeminded partners to advance new international agreements to address human rights abuses at sea, beyond labour protection and encompass matters such as physical and sexual crimes committed at sea and mass migration by sea; it should investigate mechanisms including port state controls, sanctions and mechanisms by which individual victims can bring human rights abusers to justice
- action should be taken by the UK to sign the UN Convention on Conditions for Registration of Ships 1986; this convention strengthens the requirement for ships to have a genuine link with a flag state and help to mitigate the maritime security and human rights concerns relating to flags of convenience; the government should also tighten the UK's own conditions of ship registry to act as an example internationally

## MCA maritime civil sanctions proposals

The MCA carried out a consultation on potential proposals to seek wider statutory powers to impose civil sanctions. It consulted on the introduction of three options as follows: (1) punish breaches of primary and secondary legislation by way of civil sanctions, by monetary penalties ranging from £250 to £50,000; (2) extend the application of existing civil sanction powers (i.e. detention, improvement and prohibition notices); (3) do nothing.

The Nautilus response to option 1 was to reject this outright, noting that the enabling legislation would not replace the criminal sanctions regime (under which the courts can impose fines and imprisonment), but run parallel to it. Nautilus may be able to support option 2, but that is subject to seeing the proposals in the more detailed consultation to follow.

## Nationality and Borders Bill

Nautilus successfully lobbied the UK government to ensure that the proposed section 38 of the Bill was amended. If passed in its original form, it would have amended the Immigration Act 1971 and potentially criminalised those who carried out their international duty to rescue those in distress at sea and brought them to the UK as a place of safety, if those rescued were illegal immigrants. Nautilus is satisfied that the

modifications resulting from the Union's campaign will mean that seafarers will now not be criminalised in such a context.

## Certification officer's powers

Much recent work has concerned the new powers of the UK certification officer arising out of the Trade Union Act 2016, many of which came into force in April 2022.

These include: the introduction of financial penalties of up to £20,000 for the most serious breaches by unions of statutory duties (but not breaches of union rules); wide investigatory powers: a very controversial levy to be imposed on unions (capped at no more than 2.5% of their annual income) to fund the certification officer's operating costs (with some exclusions, such as those arising out of the use of external inspectors and external lawyers).

## Electronic balloting

Nautilus continues to lobby for the introduction of e-balloting in statutory elections, for which the implementing power is also contained in the Trade Union Act 2016.

This was discussed in the House of Lords in March 2022, where it was stated that, following the review carried out by Sir Ken Knight, which had cautioned against cyber-attacks and recommended an initial trial, there would be further consultation, and the government would be considering the review's recommendations before issuing a response.

The Labour Party has publicly committed to introducing regulations to allow trade unions to conduct statutory ballots online.

## Legal case work

As well as representing members' interests with the maritime authorities, the Legal department offers direct support to members through case work.

## Nautilus 24/7

The Nautilus 24/7 helpline (run by the multilingual staff of ISWAN, the International Seafarers' Welfare Advice Network) is proving to be an invaluable service to members, facilitating a round-the clock 365 advice and referral service. The department leads on this for Nautilus and, following the successful set-up and launch, continues to liaise with and meet with ISWAN to monitor delivery levels, iron out any problems and to discuss potential improvements.

## /...Legal

It became particularly busy during the lockdown periods and, even although calls have reduced since then, it still receives enquiries at a higher rate than pre-pandemic levels. In this two-year period Nautilus 24/7 handled a total of 1,303 cases, assisting 1,384 seafarers. There were also 1,441 successive calls following on from initial contact being made.

The subject matter of the queries is very diverse, with many relating to: unpaid wages; repatriation; unfair dismissal; abuse/bullying; finance/debt; membership subscription enquiries; general enquiries and requests for information. The most common method of contact into the helpline during this period was via email, taking 1,344 queries compared to Live Chat (57 queries).

### Personal injury cases

Nautilus continues to support members' personal injury claims. In the last two years, £479,024.95 in compensation has been recovered. The types of accidents giving rise to injuries are varied, and include: slips, trips and falls; faulty equipment; asbestos-related claims giving rise to mesothelioma; noise-related hearing damage; mental health problems such as stress, anxiety and depression.

### Employment cases

The Union also supports members' employment rights claims. In the last two years £1,218,924.42 in compensation has been recovered. The types of claims include:

- unfair dismissal
- unpaid wages, annual leave and other benefits
- settlement agreements
- seafarers employment agreement issues
- bullying and harassment
- discrimination
- repatriation issues
- matters arising out of the coronavirus pandemic

### Maritime incidents

Nautilus continues its fight against the criminalisation of seafarers, a theme that runs through many of its responses to consultations on changes to legislation, lobbying against the creation of new criminal offences

in maritime legislation. Furthermore, when members find themselves being investigated or prosecuted following a maritime incident, the Union provides them with advice, assistance, representation, and ensures the observance of the IMO/ILO Guidelines on the Fair Treatment of Seafarers in the Event of a Maritime Accident.

Some examples of incidents in which the Legal department has been assisting members are set out below:

- collision resulting in two fatalities
- vessel in process of docking, resulting in one fatality
- passenger injured during boarding when vessel blown off moorings by wash of another departing vessel
- alleged anchoring in prohibited area
- grounding of passenger ferry
- alleged pollution from a cruise ship in the Great Barrier Reef
- threat of having CoC/PEC removed following (i) a port state control inspection disclosing many alleged deficiencies; (ii) a collision

### Providing training

The director provides training on legal matters to Nautilus staff and wider industry, as follows:

- to Nautilus organisers and other staff on MLC and GDPR
- to ISWAN on MLC issues
- to the UK Workboat Association on the NMW, to aid compliance and benefit seafarers
- through the ILO's International Training Centre, to lawyers and judges in an MLC case law symposium

### Data Protection – GDPR

The director of legal is the UK data protection officer for the Union and leads on compliance with the General Data Protection Regulation and the Data Protection Act 2018. The aim is to ensure that the Union remains compliant with the legislation and keeps members' data safe and secure. To keep abreast of live issues, the director of legal attends the DPO Forums, at which a range of trade union DPOs discuss data protection issues. ❖





# Welfare

Nautilus Welfare – also known as the Nautilus Welfare Fund – is a registered charity (no. 218742) administered by the Nautilus International Union, to provide welfare services to necessitous seafarers who have worked in the UK Merchant Navy and their dependants.

The focal point of the charity's work is at the Mariners' Park estate in Wallasey. Situated on the banks of the River Mersey and overlooking the iconic Liverpool waterfront, it is here where Nautilus Welfare provides accommodation and care services.

On the 16-acre site there are 125 homes, including 40 apartments in the Trinity House Hub incorporating the Seafarers' UK wing, Nautilus Welfare's 'extra care housing' scheme. Here all residents can use the extensive communal facilities, including a cafe, gym, games room, laundry, hair salon and comfortable lounge. Also on site is a 36-bedroom residential nursing home – the Mariners' Park Care Home – providing both respite and long-term care, including dementia care.

To support those who live in the Park's independent housing, Nautilus Welfare operates its own domiciliary care service. The services provided at Mariners' Park, along with the outreach caseworker service and the grant service for essential expenses, mean that the charity consistently supports some 700 to 800 retired mariners and their dependants.

## Covid-19 pandemic

Social isolation has been a challenge during the pandemic for residents and staff at Mariners' Park, but the situation is thankfully now reverting to normal in line with government guidance.

Throughout this period, the dedication and resolve of the frontline staff has been humbling, consistently going the extra mile to deliver the highest level of care in the most challenging of circumstances. The teams were very thankful to the Merchant Navy Welfare Board and Trinity House for the Certification of Appreciation Award received in 2022, along with the vouchers provided to both teams and individuals.

This year (2022), the staff and residents were keen to hold some outdoor events to bring the community together, and two successful events resulted: first an outdoor celebration of the Queen's Platinum Jubilee, followed by an outdoor summer fair in August.

Staff absences, testing and tracking during the height of the pandemic were very difficult to manage, but this has settled down and staff no longer need to do lateral flow tests.

## Nautilus Welfare objectives

Nautilus Welfare has five main objectives, and the last two years have seen strong progress in meeting these, as seen below.

### Provide good modern accommodation

An exciting new housing development is progressing to satisfy the ever-growing demand for the type of supported living accommodation provided at Mariners' Park.

At the time of writing, the waiting list for accommodation consists of 89 former seafarers, and this grows at twice the rate that the need can be satisfied – in other words, for every applicant successfully placed at Mariners' Park, another two eligible seafarers join the waiting list.

The new development, the latest in a long list of developments aimed at keeping Nautilus at the forefront of delivering the welfare needs of seafarers and their dependants, will satisfy the growing demand whilst also contributing to the charity's long-term sustainability. A planning application has been submitted to Wirral Borough Council for 27 two-bedroomed apartments and a flexible work space for the Union.

Landscape architects have designed the development with plenty of green space to increase biodiversity and retain the park ethos. The cost estimate for this development is £9.7m and will be split 75%/25% between the charity and the Union. Both intend to fund this development partly from withdrawal of assets but also through borrowing and grants.

Following the sale of Gibson House in 2019, work has been progressing on the development there, with the refurbishment of Gibson House itself near completion. Work is yet to start on the new apartment buildings planned for the rest of the Gibson House site, and Nautilus has nomination rights for the new 26-apartment scheme which will be built as part of this development. This will extend the accommodation options available to ex-seafarers and their dependants.

# NAUTILUS HOUSE





# /...Welfare

Other recent work completed includes:

- the care home having one of its lounges/ dining areas converted into four extra bedrooms, bringing the accommodation up from 32 beds to 36 beds
- essential maintenance work on three of the balconies at Trinity House Hub
- redecoration of the Trinity House Hub Café and entrance areas
- redecoration of the care home corridors and main dining/communal area, with new flooring installed
- installation of handrails in the dementia garden area for falls prevention
- installation of fire suppression systems into the two kitchen areas

## Provide quality care services

Nautilus Welfare has been able to offer 12 hours of physiotherapy services each week to the residents of Mariners' Park, with the physiotherapists completing residents' moving and handling assessments and care plans to improve health, safety and pain management. Their early intervention and diagnosis can help improve the outcomes of musculoskeletal problems, reducing the risk of falls and increasing independence. Nautilus Welfare is grateful for the support of The Seafarers' Charity to make this possible.

Thanks also to the support of the Seafarers' Hospital Society and Trinity House, Nautilus Welfare has also been able to extend the Admiral Nurse service, a specialist nurse who supports residents and their family carers to cope with the challenges of living with dementia.

The domiciliary care service achieved a 'Good' rating in the most recent Care Quality Commission inspection carried out in 2019.

Funding from The Seafarers' Charity has enabled the continuation of the men's activity coordinator post on the staff, which is part of a wide range of activities and social events provided for all residents at Mariners' Park.

Listening and responding to residents' feedback is important to ensure services remain relevant. In addition to the residents' annual questionnaire,

regular feedback meetings with residents have now been established and a residents' subcommittee has been formed.

Staffing levels in the Mariners' Park Care Home have been increased to reflect the increasing dependency of residents. A recruitment day took place during the summer of 2022 which was successful in filling most posts available.

## Ensure an effective advice, information and grant service

In 2020 and 2021, 119 mariners and their dependants received grants to meet essential expenses, including household repairs, replacement white goods and support with debts.

During this period, over 1,000 mariners and their dependants were assisted by the Nautilus Caseworker service, which has six staff based in Hull, Glasgow, Cardiff, Tyne and Wear, Merseyside and Portsmouth/Southampton.

Visiting mariners in their own homes, the caseworkers ensure clients can access the state welfare benefits they are entitled to, as well as health, housing and social care support. In 2020 and 2021 the caseworkers generated £1,554,313 in benefits and grants.

## Ensure the charity is financially viable

Securing grant funding for service development is an important part of Nautilus Welfare's work. The charity regularly benefits from revenue support from Seafarers UK, Trinity House, Seafarers Hospital Society and the Merchant Navy Welfare Board, and Nautilus is grateful for the generous support from fellow maritime charities. In 2020, £362,265 in grant funding was secured, whilst the figure in 2021 was £416,070.

Nautilus Welfare operates robust monitoring systems, including monthly reviews and quarterly scrutiny by the Nautilus Welfare Committee which reports to the Managing Trustee, the Council of the Union. There is a full independent annual audit, plus the submission of the annual return to the Charity Commission.

Ensuring high occupancy of the 125 properties and the care home is essential, and the charity works diligently to promptly fill any vacancies. Some £2.1m in income was generated from rents and care home fees in 2020, and £2.3m in 2021.





## Work in partnership with other maritime charities

As noted above, Nautilus Welfare works closely with colleagues in the wider sector to develop and enhance service provision for seafarers, sharing funding of new initiatives and continuing essential services.

The charity is an active member of the Maritime Charities Group (MCG) and is involved in promoting greater collaboration across the sector. The first MCG conference in three years took place at Trinity House in

September 2022 and was attended for the first time by Andrew Jones, the director of welfare and care, following the retirement of welfare manager Mick Howarth in May 2022. Mr Jones also took part in a panel discussing the future of case work.

The MCG incorporates 10 major charities: Greenwich Hospital, Royal Navy and Royal Marines Charity, ITF Seafarers' Trust, Seafarers Hospital Society, LR Foundation, The Seafarers' Charity, Merchant Navy Welfare Board, The TK Foundation, Trinity House and Nautilus Welfare. ❖

The Nautilus UK National Committee would like to extend a special thanks to all the Union's staff based in Wallasey and London, including our department leaders:

Nautilus assistant general secretary **Olu Tunde**

Nautilus executive officer **Martyn Gray**

Nautilus director of communications, campaigns and digital **Helen Kelly**

Nautilus head of organising **Garry Elliott**

Nautilus head of recruitment and membership **Derek Byrne**

Nautilus head of industrial **Micky Smyth**

Nautilus head of professional and technical **David Appleton**

Nautilus director of legal services **Charles Boyle**

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