

PRESS RELEASE

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Dockers' Clause: A deal is a deal – and we are defending it!

Dockers unions, shop stewards and legal advisors from ten countries gathered in Rotterdam yesterday and pledged to take action to ensure that the new “Dockers’ Clause” is correctly implemented, forming an international team of legal advisors to prepare for action against companies that do not comply with the clause.

The new agreement was signed in February 2018 by workers’ and employers’ representatives from the **International Transport Workers’ Federation (ITF)** and the **International Maritime Employers’ Council (IMEC)**. The amended clause (Article 4, *Non-Seafarers Work* commonly referred to as the “Dockers’ Clause”) which applies to all ITF approved agreements took effect worldwide in the same month, with two exceptions: Europe and Canada.

Europe and Canada were given almost two years additional time to prepare for the new rules – until 1 January 2020 – before the agreement entered into force on the explicit request of employers.

Despite this generous arrangement, certain companies have refused to uphold the Dockers’ Clause. Instead of contracting lashing companies, they waited until the clause entered into effect and now claim that enforcement is impossible.

Today workers’ representatives in Europe (ETF) and globally (ITF) condemned the behaviour as unacceptable.

“The Dockers’ Clause was agreed for the health and safety of seafarers and dockers. Delaying its implementation jeopardizes safe working conditions and it constitutes a breach of the agreement” said Terje Samuelsen, ETF Dockers’ section chair, commenting on the employers’ actions.

“The Dockers’ Clause, which came into effect on 1 January, is important in two ways – for dockers to do the job safely and to ensure seafarers are no longer obligated to do a job that according to their CBA they’re not supposed to be doing. I am surprised that shipowners – who knew this was coming for more than two years – still don’t respect it,” Samuelsen added.

Niek Stam, ITF Dockers’ Section second vice chair said that it is important for seafarers as well as dockers that the clause is upheld.

“The Dockers’ Clause secures safe working conditions for seafarers and for dockers. The clause was agreed that lashing work should be carried out by trained dockers! Trade unions are supporting the new Dockers’ Clause and are ready and willing to defend it. A deal is a deal, and a signature is legally binding,” affirmed Stam.

“The agreement was negotiated and signed by both sides, and it is time for everyone to comply. The trade unions of Europe and Canada represented by ITF will keep their end of the promises, companies must keep their side of the bargain as well,” said Stam.

An international team of legal advisors has been formed to make sure that companies will indeed comply. Delaying tactics on implementation of the agreement will not be accepted and the necessary legal measures are being prepared to ensure the deal is respected.

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