



सत्यमेव जयते

भारत सरकार / GOVERNMENT OF INDIA
पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING
नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING
“बिटा बिल्डिंग”, 9 वी मंजिल / “BETA BUILDING”, 9th FLOOR
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Merchant Shipping Notice No. 07 of 2019

Subject: Guidelines for measures promoting women seafarers and providing conducive work atmosphere on board ship.

Preamble:

At present very few Indian women seafarers are joining Merchant Navy. The global supply of seafarers available for service on ships trading internationally is estimated at 16.47 lakh. Women seafarers represent 2 per cent of this total. In India the representation of women is 1%. Maritime Labour Convention 2006 of ILO mandate for elimination of discrimination in respect of employment and to give due priority to the measures that could further promote career opportunities and appropriate working and living conditions for women seafarers. Resolution 14 of STCW Convention as amended in 1995 appealed for increasing participation of women in maritime sector, including seafaring; Resolution 14 of STCW Convention as amended in 2010 reiterated the above resolution; To examine and recommend measures which can be taken to promote more Indian women seafarers, a Committee was constituted who provided its recommendations. After due consideration and keeping in mind objective of promoting women seafarers, the international recommendation and industry's feedback, following guidelines are issued:

Applicability

These Guidelines apply to ship-owning and ship-managing companies, which operate ships over 500 GRT, registered under the Merchant Shipping Act 1958, as amended. These guidelines may also be adopted for Ships below 500 GRT, by the ship-owners.

Definitions

1. "Seafarer" means a seafarer as defined in Merchant Shipping Act 1958, as amended
2. "Ship" means a ship as defined in Merchant Shipping Act 1958, as amended

3. "MLC 2006" means Maritime Labour Convention, 2006 as amended
4. "Ship-owner" means the owner of the ship as defined in Maritime Labour Convention 2006, as amended
5. "Sexual Harassment" as defined in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, as amended and includes anyone or more of the following unwelcome acts or behaviour:
(whether directly or by implication), namely:
 - physical contact or advances;
 - a demand or request for sexual favours;
 - making sexually coloured remarks;
 - showing pornography;
 - any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
6. Internal "Complaints Committee" as prescribed in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act at the ship-owner's office ashore.
7. "Shipboard Enquiry Committee" means the committee responsible for receiving and investigating the complaints of sexual harassment onboard a ship.

Title 1. Women seafarers' employment

1.1 Recruitment and Placement

- 1.1.1. Ship-owner should include in Company policy statement, that there will be no discrimination based on gender in employment, wages and promotions, and this should be included in the recruitment procedure.
- 1.1.2. Ship-owner should provide wages as per qualification and experience on gender neutral basis.
- 1.1.3. Ship-owner should provide equal promotion opportunity on the basis of performance and prevailing promotion policy of the company. Same should be communicated to appraising officer and should be part of Company performance appraisal procedures.

1.2 Maternity leave and re-joining

- 1.2.1 For permanent / regular employees, ship-owners should provide maternity leave as per Maternity Benefit Act, 1961, as amended.
- 1.2.2 For contractual employment,

1.2.2.1 for seafarer whose pregnancy is detected whilst employed onboard, the seafarer should be repatriated as soon as possible and in no case exceeding [26] weeks of pregnancy.

1.2.2.2 ship-owner should make provision for re-employment of seafarer, at least at same rank on completion of maternity break, within 18 months of last sign-off.

1.2.2.3 for seafarer whose pregnancy is detected after [sign-off], the ship-owner should provide provision of re-employment, at least at same rank on completion of maternity break, within 24 months of last sign-off.

1.2.3 On completion of maternity break, the seafarer shall communicate in writing to the ship-owner to confirm the date of re-joining.

1.2.4 Ship-owners may also consider offering suitable employment ashore to pregnant women seafarers until permissible medical conditions.

1.3 Basic needs on board for women seafarers

1.3.1 Ship-owner should provide on board:

1.3.1.1 relevant medicines to control heavy bleeding and during menstruation ache.

1.3.1.2 sanitary napkins as part of bonded stores or as consumables.

1.3.1.3 procedure for disposal of sanitary napkins as per applicable MARPOL regulation.

1.3.2 The seafarers on board should be sensitized about the documented procedure of disposal of sanitary napkin. This can also be included in Briefing sessions or other suitable forums.

1.3.3 Ship's Medicine chest should include the medicines to ease menstruation related complaints, such as:

- For ache - Mefenamic acid and dicyclomine (e.g. Meftal spas) OR equivalent.
- For Heavy Menstruation bleeding - Tranexamic Acid (e.g. Tab Pause 500) OR equivalent

Title 2. Sexual harassment

2.1 Onboard Complaints and redressal

2.1.1 Every effort should be made, by means of set procedures and guidelines, to resolve on-board complaints of sexual harassment on the ship itself in a fair, effective and

expeditious manner, keeping the confidentiality of complainant and person against whom complaint is made.

2.1.2 An on-board complaint should be submitted to "Shipboard Enquiry Committee" in writing, who will in turn submit its report to shore Internal "Complaints Committee" within 7 days from the date of receipt of complaint in the format prescribed in appendix I. Complaints can also be made online in the "Grievance report for female seafarers" on Directorate General of Shipping e-governance site. However, unresolved complaints should be referred to Internal "Complaints Committee" at the shore office and shall be resolved within defined time period.

2.1.3 Guidance on formation of "Shipboard Enquiry Committee" is provided in appendix II

2.1.4 Disembarkation of complainant shall be avoided till the time her safety is not at stake. If signing Off is decided by Shipboard Enquiry Committee, then this should be done in safe and secure manner.

2.1.5 Notwithstanding para 2.1.2 to 2.1.4, a complainant may report to shore complaints committee directly.

2.2 Shore Complaints and redressal

2.2.1 Once referred ashore, the ship-owners should be guided by "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 as amended, provided that Internal "Complaints Committee" should include 2 senior women seafarers.

2.2.2 Rights of complainant should be protected including security of their existing job. At no point shall the complainant be penalised for making a complaint.

2.2.3 Ship-owners should provide suitable contact person / counsellor ashore for grievance redressal of women seafarers.

2.2.4 Ship-owners should take all adequate measures, by promulgating procedures / recommendations / guidelines for prevention of sexual harassment on board.

2.2.5 Ship-owner should provide contact details of Internal "Complaints Committee" to all persons on board.

Title 3. Gender sensitization

3.1 Shore personnel trainings and sensitization

3.2.1 Shore personnel who are part of the Internal "Complaints Committee" should be sensitive to gender related issues on board and periodically undergo training in this regard.

3.2 Familiarisation and briefing for seafarers at all ranks.

3.1.1 Seafarers joining a ship-owner for the first time, shall undergo shore-based gender sensitization briefings with objective to give clear understanding of what to expect with Gender diversity and subsequent do's and Don'ts.

3.1.2 All seafarer's prior embarkation on board shall be gender sensitized and briefed onboard by ship's management team when having presence of gender diversity.

3.1.3 Ship-owner may prepare Training modules / guidelines towards onboard prevention of sexual harassment including as below but not limited to-

Appropriate clothing considering gender sensitivity.

No pornography or objectionable material / literature in public and work places on board e.g. officer's lounge, mess rooms, bridge, Cargo control room, engine control room and ship's office etc.

Use of offensive and abusive language etc.

4. This issues with the approval of Director General of Shipping & Additional Secretary to the Gol.



(Subhash Barguzer)
Deputy Director General of Shipping (Crew)

Encl.: Appendix I & II

Copy to:

1. INSA/ICCSA
2. MUI/NUSI
3. FOSM/MASSA/IMF
4. DDG (E-Gov.) with the request for placing it at DGS website
5. Sr. PS to DG(S)
6. PS to Jt. DG(S)
7. NA/CS/CSS
8. All Principal Officers, MMD
9. All Shipping Masters, GSO
10. WISTA/IWSF

u
25/9

Recd
5:15 PM
25/9/19

Seafarer sexual harassment incident reporting Form

Employee Data: Date:

Complainant: _____ Rank: _____

Date joined: _____

Accused: _____ Rank: _____

Date joined: _____

Date and time of incident: _____ place of incident: _____

Incident:

Detailed narrative of how incident occurred (please cover all incident happened in past 90 days)

1.

2.

3.

Use additional page if required

Nature of offence-

- 1. Physical contact or advances Yes No
- 2. A demand or request for sexual favours Yes No
- 3. Making sexually coloured remarks Yes No
- 4. showing pornography Yes No
- 5. any other unwelcome physical, verbal or non-verbal conduct of sexual nature Yes No

Witness: (Name, Rank and signed statements)

1. Name: _____ Rank: _____

Statement: _____

2. Name: _____ Rank: _____

Statement: _____

Add more if required.

Following evidences can be considered (enclose with report)

1. Photographs _____
2. Audio _____
3. Video _____
4. Any written Document _____
5. Others _____

Seriousness of Incident

1. Whether complainant is under trauma: Yes No
2. Complainant wish to signoff Yes No

Guidelines on formation of shipboard complaints committee

Complainant against	Shipboard Enquiry Committee lead and members	
	Lead	Member
Deck officer or Crew	Chief Engineer	Master or Chief officer + Chief Cook or one Petty officer
Engine officer or Crew	Master	Chief Engineer or Second Engineer + Chief Cook or Petty officer
Galley	Master	Chief Engineer + Petty officer

Note: Person against whom complaint is received, he should not be part of Shipboard Enquiry Committee.

In accordance to Resolution 14 of STCW 1995 Convention and the International Maritime Organisations medium term plan for the integration of women in the maritime sector and expressing support for the organization's aims of promoting the training of women in maritime industry, the Director General of Shipping has decided to specifically consider to highlight the role of women in the seafaring profession and to promote their greater participation in maritime training and at all levels in the maritime industry.

with officials from DGS, INSA/MASSA/FOSMA and some of training institutes. The Committee unanimously recommended for age relaxation for girl candidates for 2 years to various pre-sea courses. It was also felt that sufficient awareness and information is not available to young women about Merchant Navy. Therefore, it is necessary to launch a suitable awareness drive to promote Indian women seafarers. It would be desirable to give special treatment to potential women seafarers who want to join pre-sea courses in any of the approved training institutes by Directorate.