



**Economic and Social
Council**

Distr.
RESTRICTED

TRANS/SC.3/WP.3/R.89
1 December 1995

ENGLISH
Original: RUSSIAN

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Principal Working Party on
Inland Water Transport

Working Party on the Standardization
of Technical and Safety Requirements
in Inland Navigation
(Eleventh session, 13-15 February 1996,
agenda item 9)

MINIMUM MANNING REQUIREMENTS FOR INLAND NAVIGATION VESSELS

Transmitted by the Government of the Russian Federation

Note: The secretariat reproduces below the text of draft Regulations concerning the working and rest hours of crews of river vessels, which it has received from the Government of the Russian Federation.

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REGULATIONS CONCERNING THE WORKING AND REST HOURS
OF CREWS OF RIVER VESSELS

The Regulations concerning the working and rest hours of crews of river vessels (hereinafter referred to as the "Regulations") were drawn up in accordance with the labour legislation of the Russian Federation and apply to the crews of river vessels, irrespective of ownership, which are registered in the territory of the Russian Federation.

1.1 These Regulations govern the working and rest hours of personnel employed on river vessels (hereinafter referred to as "crew members") when the vessels are in service, being prepared for service or delivered for winter repairs, lay-up or mothballing.

1.2 These Regulations apply to all motorized vessels and to crews of non-motorized vessels, stationary vessels and floating transshipment facilities used for:

- transporting cargo or passengers for commercial purposes;
- ice breaking;
- roadstead operations;
- salvage and rescue operations;
- auxiliary operations connected with the transport process or serving shipowners' own needs;
- dredging;
- marking waterways;
- other non-transport work, including training.

1.3 The Regulations do not apply to:

- vessels used for fishing or work directly related to that activity;
- vessels belonging to the internal affairs authorities, Federal Border Service, Main Frontier Troops Command, Federal Intelligence Service, Main Protection Administration or Ministry of Defence of the Russian Federation;
- vessels with a capacity of less than 80 gross register tons and/or power of less than 55 kW, except vessels belonging to waterway or canal enterprises;
- sports craft.

1.4 In matters relating to the working and rest hours of crew members not provided for by these Regulations, the general rules of the labour legislation shall apply.

2. Terms used in the Regulations

Vessel	Floating craft especially designed for transporting people or cargo or for performing other work on water.
Commercial purposes	Making a profit or earning income.
Personnel	Employees constituting the crews of river vessels, whatever their duties or functions on board. The crew of a vessel consists of the master, other officers and ordinary crewmen.
Employer	Vessel's owner or manager or their agents.
Operation of a vessel	Running the vessel, ensuring its safety and that of its cargo and passengers and environmental safety, and organizing productive activities.
Preparation for service	Set of organizational, technical and legal measures for the preparation, handover and acceptance of a vessel for service after repairs or winter lay-up (in accordance with the Rules concerning the handover of inland navigation vessels for repairs and acceptance after repairs and the Rules concerning the repair of river vessels).
Delivery for winter repairs, lay-up or mothballing	Work performed by a vessel's crew for the handover (acceptance) of the vessel for repairs, winter lay-up or mothballing (in accordance with the Rules concerning the handover of inland navigation vessels for repairs and acceptance after repairs and the Rules concerning the repair of river vessels).
Winter lay-up of vessels	Type of storage of a vessel under winter conditions. Crew members during winter lay-up perform work for the protection of the vessel, ice breaking, snow clearing or other work.
Mothballing	Set of measures for the long-term conservation of a vessel.
Watch duty (watch)	Particular kind of duty requiring heightened attention and continuous presence at a post or work place. Crew members on watch are called watch-keepers.
Crew method of work	Form of manning whereby the vessel's entire crew is constantly on board during the navigation period. Used on displacement-type passenger vessels operated on transit or local lines, on long-haul transport vessels or vessels on expeditions or special voyages, and in cases where changing teams is not considered possible during a voyage.

Team method of work	Form of manning whereby the vessel's crew is divided into teams for the purpose of watch keeping.
Manning with substitute crews	Involves constituting a substitute crew for a group of vessels manned by regular crews of the same size to replace the crews of those vessels by rotation at certain intervals.
Employee	Wage or salary earner.
Working hours	Time during which a crew member is required to perform work to service and run a vessel or convoy and keep it in proper working order in accordance with the Regulations concerning service on river vessels of the Russian Federation.
Daily rest	Intervals between watches or periods of duty on board per day.
Weekly rest	Days of rest allowed per week.
Consolidated rest days (leave)	Days of rest granted to personnel in consolidated form in the course of an accounting period for working more than the normal working hours during that period.
Overtime work	Work performed during the period in addition to the working hours specified on the watch schedules.
Work requiring all hands and emergency work	Work on a vessel requiring the participation of all or part of the crew.

3. Working hours

3.1 The number of hours normally worked by crew members per week shall be as follows:

36 hours for employees directly engaged in stripping tanks, holds, containers or other receptacles of petroleum products or chemicals, and for employees under 18 years of age;

40 hours for all other employees.

Normal working time per day shall be eight hours, but shall be six hours for employees on days when they are directly engaged in stripping tanks, holds, containers or other receptacles of petroleum products or chemicals, and for employees under 18 years of age.

3.2 A full account shall be kept of time worked by crew members.

The accounting period shall be determined by the employer in agreement with the appropriate elected trade union body or, in the absence thereof, with

another workers' representative. The accounting period shall in no case exceed one year (from the start of one navigation period to the start of the next).

Normal working hours during the accounting period shall be determined as indicated in paragraph 3.1.

The maximum working time scheduled per day may not exceed 12 hours, or 8 hours on vessels operated on a 24-hour basis with the entire crew on board.

Twelve-hour working shall not be scheduled for a period of more than 30 consecutive days. The actual length of such period shall be determined by the employer in agreement with the appropriate elected trade union body (or, in the absence thereof, with another workers' representative), having regard to the difficulty of the work and the region of navigation.

3.3 The time of the beginning and end of the day's work (shift, watch or period of duty) of crew members shall be specified in the watch schedules or work timetables drawn up in accordance with the Regulations concerning service on river vessels of the Russian Federation and approved by the employer in agreement with the appropriate elected trade union body or, in the absence thereof, with another workers' representative to cover the following periods:

watch-keepers - 24 hours (midnight to midnight);

other crew members - normally daytime hours (6 a.m. to 6 p.m.).

Crew members for whom such watch schedules or work timetables cannot be established owing to their conditions of service (boatswains, junior engineers/electricians, chief radio operators, radio operators, cooks, etc.) shall perform their duties during the daily working hours established for them by the employer in accordance with the Regulations concerning service on river vessels of the Russian Federation.

3.4 The day's work of the crew shall generally be divided into parts (shifts, watches or periods of duty).

On vessels operated on a 24-hour basis, a three-shift watch system shall be established when the crew method of work is used, or a two- or three-shift watch system when the team method of work is used. On vessels not operated on a 24-hour basis, a one- or two-shift watch system shall be established.

On "river-sea" vessels, in order to ensure normal working hours during the accounting period, arrangements may be made for manning by substitute crews when the period of operation exceeds six months.

The total duration of watches (periods of duty) shall not exceed the established daily working hours.

3.5 For crew members of fast vessels where the nature of the work requires there to be two or more watches, time spent on board between watches shall be counted fully or partly (but at the rate of at least 50%) as working time, on the terms stipulated in the collective agreement.

3.6 Crew members may be called upon to take part in work requiring all hands, either during a watch or when off watch, as provided for in paragraph 5.1 of these Regulations, or, with their agreement, in work for which the vessel is short-handed, or in cargo-handling or other work not forming part of the crew members' duties.

Performance of work for which the vessel is short-handed, or of cargo-handling or other work not forming part of the crew members' duties, shall be subject to additional remuneration, as stipulated in the collective agreement.

4. Rest hours

4.1 Crew members of river vessels shall be entitled to:

- daily rest;
- one day of rest per week;
- rest on holidays;
- paid annual leave and such additional leave as is provided for by the legislation in force or by the collective agreement.

On vessels where meal breaks cannot be planned owing to conditions of service (single-shift working), arrangements shall be made for meals to be taken during the working day.

4.2 Daily rest time shall total not less than 12 hours. Furthermore, one of the breaks in work shall allow for at least eight hours of uninterrupted rest, or at least six hours when crew members are working by the team method or performing work for which the vessel is short-handed. Other breaks prior to taking up watch when the vessel is under way shall total not less than four hours.

If a vessel applies the team method of work, with crew members keeping watches or taking shifts covering periods of 12 hours, uninterrupted rest time between watches shall be not less than 24 hours.

4.3 Crew members working more than the normal working time during the accounting period or working on days off or holidays shall be entitled to additional days of rest (leave) in consolidated form.

4.4 The number of consolidated days of additional rest (leave) allowed for working more than the normal working time during the accounting period shall be determined by dividing the difference between time actually worked during the accounting period in hours on main duty (excluding time spent performing work for which the vessel is short-handed, emergency work, work requiring all hands or work not forming part of crew members' duties, and time worked on holidays paid on a compensatory basis by agreement between the parties) and the working time norm for that same period by the normal working hours per day, as defined in paragraph 3.1 of these Regulations.

4.5 Consolidated days of additional rest (leave) shall be granted to crew members in the course of the accounting period either during or between navigation periods. Where necessary for operational reasons, the employer may, in agreement with the appropriate elected trade union body (or, in the absence thereof, with another workers' representative) and subject to the written consent of the employee, postpone such leave until after the accounting period, but for no more than one year. Leave not granted during the accounting period shall be paid, in accordance with the legislation, at no less than twice the normal rate.

4.6 When a vessel stops at its place of registry during a navigation period for technical or operational reasons, consolidated days of rest (leave) may be granted to crew members with their agreement on any day of the week and the employee shall in such cases have the opportunity to stay ashore continuously for at least 24 hours.

In other cases, days of rest (leave) shall be granted by agreement with the employee.

4.7 The order in which days of additional rest (leave) are granted during a navigation period shall be determined by the master or skipper in agreement with the vessel's elected trade union body (or, in the absence thereof, with other workers' representatives). The order in which consolidated days of rest (leave) are granted between navigation periods shall be determined by the employer.

4.8 During a period for which additional days of rest (leave) have been granted, crew members may, at their request, be called upon for work on board or ashore. In such cases, the work performed shall be remunerated and the additional days of rest (leave) shall not be carried forward to another date.

4.9 Crew members performing work for which the vessel is short-handed shall be entitled to additional leave at the rate of one working day for each month of such work provided that it exceeds the working time norms by at least 50%.

5. Work requiring all hands and emergency work

5.1 Crew members may be called upon to take part in work requiring all hands or in emergency work by order of the master or skipper either during or outside the established working day. All crew members shall be bound to report for such work.

5.2 Emergency work on river vessels includes:

- life saving or salvaging vessels, ship's property or cargo;
- putting out a fire on one's own or another vessel or on shore installations, or moving the vessel to a safe place;
- dealing with an accident, damage to the vessel or faulty machinery if the accident, damage or fault hinders further movement of the vessel;

- rendering assistance to other vessels in distress;
- salvaging damaged rafts;
- refloating one's own or another vessel or a raft or recovering cargo from vessels in distress;
- bringing vessels to shelter in stormy weather;
- responding to a general alarm, lifeboat alarm or "man overboard" alarm.

5.3 Work requiring all hands on river vessels includes:

- forming or breaking up convoys of vessels or rafts;
- weighing anchor or hauling tow-ropes manually on non-motorized vessels;
- making fast in bad weather, passing through a lock, entering or leaving a slipway or dock, or mooring at or casting off from an unequipped quay or shore;
- lowering and raising masts manually when passing under bridges or suspended structures;
- opening and closing cargo hatches manually, setting up and/or clearing remnants of cargo from loading ramps, gangways or decks;
- putting in place or moving suction dredges, landing stages, pontoons, support vessels or floating transshipment gear or other floating structures; or repositioning the delivery pipeline of a suction dredge.

Taking into account the specific operating requirements of vessels and in agreement with the appropriate elected trade union body (or, in the absence thereof, with another workers' representative), the employer may classify other work as work requiring all hands or as emergency work if it necessitates the participation of crew members who are off watch.

Such work may, in particular, include:

- preparing tankers for loading and completion of loading;
- navigating on lakes in poor visibility (lookout, man at the anchor, man at the helm);
- reinforced watch when sailing under icy conditions (winding the tow-rope, man at the anchor, lookout);
- fixing or removing navigational marks.

5.4 Work requiring all hands performed by crew members during their watch shall be remunerated at the rate stipulated in the collective agreement.

Work requiring all hands performed by crew members when off watch shall be counted separately from other work performed outside normal working hours and shall be remunerated at no less than twice the normal rate.

5.5 When vessels are operated at sea, the classification of work requiring all hands contained in the Regulations concerning the working and rest hours of crews of sea-going vessels shall apply.

6. Accounting for time worked by crew members during a navigation period

Time worked by crew members during a navigation period shall be counted on the basis of a table for recording working hours and rest days in accordance with the Rules for keeping a ship's account of wages.

7. Verifying compliance with the Regulations

Compliance by the employer with these Regulations shall be verified in the manner prescribed by the laws of the Russian Federation.
