

Onboard Complaints Policy



1. Purpose

- 1.1 The purpose of this Onboard Complaints Policy is to comply with the requirements of the Maritime Labour Convention 2006 and to enable you to bring your complaint to the attention of someone in authority, so that it can be dealt with fairly and promptly.
- 1.2 We are committed to creating a positive and supportive working environment for our Seafarers, and we want everyone to be treated with dignity and respect. We trust that everyone respects each other, and understands that behaviour they may find acceptable, may not be perceived in the same way by others.
- 1.3 Nevertheless, we recognise that sometimes, someone may have a concern with someone else, or have an issue or concern with their terms and conditions or work environment.

2. Scope

- 2.1 This Onboard Complaints Policy applies to all Seafarers within the Carnival UK fleet, here after known as "the Shipowner" (Cunard Line and P&O Cruises), unless superseded by an alternative complaint procedure contained in a Collective Bargaining Agreement governing your employment.
- 2.2 A copy of the Onboard Complaints Policy will be provided to you along with your Seafarer's Employment Agreement, and copies are available onboard.
- 2.3 A complaint is any concern, problem or grievance that you may wish to raise with the Shipowner; from personal grievances, to complaints alleging breaches of the requirements of the Maritime Labour Convention 2006. This Policy clarifies procedures for any complaint to be investigated and where possible, resolved.
- 2.4 The Shipowner reserves the right to amend the Onboard Complaints Policy at any time.
- 2.5 The Shipowner may choose to retain documentation relating to your complaint on your personnel file. Any information held will remain confidential.
- 2.6 All 'formal' complaints (Level 1 / 2) should be made in writing and you are encouraged to be open and honest when submitting the complaint, in order for the complaint to be investigated promptly and thoroughly. In addition when a complaint is raised, in order to attempt a suitable resolution, it may be discussed with relevant parties.
- 2.7 Complaints may be made anonymously where allowed by local law; however, keep in mind that filing a complaint or concern anonymously makes it more difficult for the Company to conduct a thorough investigation and potentially provide appropriate resolution.
- 2.8 All complaints, and decisions concerning complaints, will be recorded in writing, and a copy provided to you.
- 2.9 All complaints should be raised onboard and heard by the appropriate Manager, i.e. Line Manager/Departmental Manager. Where this hasn't been possible you should contact the Onboard HR Manager in the first instance, or in the absence of an Onboard HR Manager, the shore side Employee Relations team as soon as possible.
If you are not onboard at the time of wishing to raise a complaint, you should direct your complaint in the first instance to the shore side Employee Relations team who may arrange for a shore side Operational Line Manager to hear your complaint.
A complaint or grievance may be submitted directly to the Master, the Shipowner or to the applicable external authority. Alternatively you may contact the competent authority in your country of residence.

3. Policy Details

- 3.1 If you raise a complaint in good faith, you mustn't suffer detriment, adverse treatment or victimization as a result of doing so through the complaints process.
- 3.2 However, misuse of the Onboard Complaints Policy as a result of consistent, inaccurate or malicious complaints may result in disciplinary action being taken against you.
- 3.3 The use of the Onboard Complaints Policy doesn't prejudice any other legal rights you may have to seek resolution elsewhere.

4. Employee Assistance Programme

- 4.1 We have an Employee Assistance Programme in place which can be accessed by anyone as a supportive measure.

5. Informal Complaints

- 5.1 The Shipowner encourages everyone to resolve complaints informally before invoking the formal procedure. If you have a complaint, you should discuss it first, informally, with your line manager or, if your complaint is against your line manager, you should discuss it with an alternative Manager.
- 5.2 A response will normally be provided to you within 7 working days.

6. Formal Complaints Policy – Level 1 (Formal complaint)

- 6.1 If you have raised the complaint informally but remain dissatisfied, you must outline in writing the nature and basis of your complaint and give this to a more Senior Manager. If your complaint is against your line manager, you should give your complaint to an equivalent ranking Senior Manager.
- 6.2 You will be invited to a hearing where your complaint will be discussed. It may be necessary to conduct further investigations prior to a decision being reached. If you are unable to attend the hearing you should inform the person conducting the hearing as far in advance as possible, with an explanation as to why you can't attend. The Manager hearing your complaint will then rearrange the hearing.
- 6.3 When a decision has been reached you will be notified and provided with an explanation of the decision in writing. This response will normally be provided in writing within 7 working days of the complaint being submitted, unless an extension to this timeframe is agreed by both parties. Further guidance is available from the Onboard HR Manager in the first instance or if unavailable, the shore side Employee Relations team.
- 6.4 Your line manager will normally hear the complaint unless the complaint is against them, in which case your complaint will be heard by a more Senior Manager or an Officer of an equivalent rank if your line manager has already attempted to resolve the matter informally. For a senior individual, if you are not onboard, or where the Shipowner considers it appropriate, and with agreement from you, your complaint may be heard by a representative from Operational Line Management shore side who will be supported by a member of the shore side Employee Relations team.

7. Formal Complaints Policy – Level 2 (Appeal)

- 7.1 If you aren't satisfied with the outcome at Level 1, you can appeal against the decision. This must be submitted in writing within 7 days of being notified of the decision. Level 2 is the final stage of the Onboard Complaints Policy onboard and ashore. An appeal will normally be heard by a more Senior Manager or an Executive Officer of a more senior rank.
- 7.2 If you are unable to attend an appeal hearing, you should inform the person conducting the hearing as far in advance as possible, with an explanation as to why you can't attend. The Manager hearing your appeal will then rearrange the hearing.
- 7.3 A decision will normally be provided in writing within 7 working days of the appeal being heard, unless an extension to this timeframe is agreed by both parties. A decision may be taken in your absence if you unreasonably fail to attend a hearing.
- 7.4 The decision of the Manager hearing the appeal will be final.

8. Right of Accompaniment

- 8.1 You may, during any part of the formal procedures, be accompanied at a hearing by a trade union representative (where practical) or work colleague.
- 8.2 When making your choice of companion, you shouldn't request to be accompanied by a colleague whose presence may prejudice the hearing, or who might have a conflict of interest. The Manager hearing your complaint may request you to choose a different companion if they believe this could be the case.
- 8.3 If the appointed work colleague or trade union representative can't attend the hearing on the date specified, you should notify the manager hearing your complaint, of an alternative date as far in advance as possible. Provided that alternative date is reasonable and falls within 5 working days of the original date, then the Manager hearing the complaint will, as far as reasonably practicable, re-arrange the hearing for that date.

9. Collective Complaints

- 9.1 Where a group of Seafarers have a collective complaint, a representative may be identified to act for the group of Seafarers and the formal procedure may be followed.

10. Complaints To The Relevant Authority

- 10.1 The Shipowner's Onboard Complaints Policy doesn't replace your right to raise a complaint through the relevant authority.
- 10.2 If your complaint hasn't been resolved to your satisfaction onboard or through your employer, you can raise your complaint to the flag state of the ship you are serving on. To do so you must;
 - Put your complaint in writing, clearly identifying the nature of the complaint
 - Include sufficient evidence to justify the complaint and show it is not vexatious, malicious or trivial
 - List the steps that have already been taken through the Onboard Complaints Policy to deal with it, including the responses to each step
 - Submit the complaint within 3 months of the final failure to achieve resolution

Alternatively, you may choose to raise your complaint to the competent authority in your country of residence. For residents of the United Kingdom, this is through the Employment

Tribunal service; however the competent authority will vary depending on your nationality and country of residence.

- 10.3 If your complaint specifically relates to compliance with the Maritime Labour Convention and you feel it hasn't been effectively dealt with through the Onboard Complaints Policy, your complaint may also be raised to an authorized port state control officer.
- 10.4 For the purpose of the Onboard Complaints Policy, the competent authority (flag state) is Bermuda for all ships which are not registered to the UK. The contact details of the Bermuda Maritime Administration are:
Chief Marine Surveyor, Department of Maritime Administration, PO Box HM 1628, Hamilton HM GX, Bermuda. Tel: 441-295-7251. Fax: 441-295-3718. Email: complaints@bermudashipping.bm.
- For those ships which are registered to the UK, the competent authority (flag state) is the Maritime and Coastguard Agency (MCA). Their contact details are:
MCA Customer Service Manager, Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton, United Kingdom, SO15 1EG. Tel: +44(0)7810 528504. Email: infoline@mcga.gov.uk.
- 10.5 You are also entitled to raise a complaint to your home country competent authority. Please find below a list of contact details of Competent Authorities in your Country of residence.

1. AUSTRALIA

Name: Australian Maritime Safety Authority (AMSA)
Address: AMSA Head Office, Information Centre, 82 Northbourne Avenue
City: Braddon ACT
Postal Code: 2612
Website: www.amsa.gov.au/
Telephone: +61262795000

2. BELGIUM

Name: Federal Public Service Mobility and Transport, Maritime Transport
Address: City Atrium, Vooruitgangstraat 56
City: Brussels
Postal Code: 1210
Telephone: +32(0) 22773111

3. BULGARIA

Name: Bulgarian Maritime Administration (BMA)
Address: Diakon Ignatii Str., 9. - 1000
City: Sofia
Website: www.marad.bg
Telephone: +(3592) 9300910

4. CANADA

Name: Transport Canada, Safety and Security
Address: 330 Sparks Street, 11th floor (AMS) , Place de Ville, Tower C
City: Ottawa
Postal Code: K1A 0N8
Website: <http://www.tc.gc.ca/eng/marine-menu.htm>
Telephone: 613-998-0610

5. CROATIA

Name: Ministry of Maritime Affairs, Transport and Infrastructure
Address: Prisavlje 14, HR-10000
City: Zagreb
Telephone: 01 6169 111
Contact name: Igor Butorac, Assistant Minister
Contact email: igor.butorac@pomorstvo.hr

6. CYPRUS

Name: Ministry of Communications and Works Department of Merchant Shipping (DMS)
Address: P.O. Box 56193
City: Lemesos
Postal Code: 3305
Website: http://www.mcw.gov.cy/mcw/mcw.nsf/mcw11_en/mcw11_en?OpenDocument
Telephone: +357 25-823715
Contact name: DMS/CYPRUS - MLC, 2006 CONTACT POINT
Contact email: mlc@dms.mcw.gov.cy

7. FRANCE

Name: Direction des affaires maritimes (DAM)
Address: Grande Arche, Paroi Sud
City: Paris-La-Défense Cedex
Postal Code: 92055
Website: <http://www.mer.gouv.fr/>
Telephone: +33 1 40 81 21 22

8. GERMANY

Name: Berufsgenossenschaft fuer Transport und Verkehrswirtschaft (BG Verkehr)
Address: Dienststelle Schiffssicherheit der BG Verkehr, Brandstwiete 1
City: Hamburg
Postal Code: D-20457
Website: <http://www.dienststelle-schiffssicherheit.de/>
Telephone: +49-40-36137-0
Contact name: ISM / ILO Department
Contact email: mlc@bg-verkehr.de

9. GHANA

Name: The Ghana Maritime Authority (GMA)
Address: No. E354/3, 3rd Avenue, East Ridge, Ministries Post Office
City: Accra
Postal Code: PMB 34
Website: <http://www.ilo.org/dyn/normlex/en/www.ghanamaritime.org>

10. GREECE

Name: Ministry of Shipping, Maritime Affairs & the Aegean
Address: Akti vaseliadi, Gates E1-E2
City: Piraeus
Postal Code: 18510
Website: <http://www.yen.gr/wide/home.html>

Telephone: 0030-210 406 4701

11. HUNGARY

Name: Regional Employment Centre of Central Hungary

Address: Magdolna Nehmet, Kisfaludy, U. 11

City: Budapest

Postal Code: 1082

Telephone: (1) 477-5700

Contact email: kmrmk@lab.hu

12. INDIA

Name: Office of the Director General of Shipping (DG Shipping),

Address: Jahaz Bhavan, Walchand H. Marg, Mumbai - 40000, India.

Tel No: (+91)2222613651 / 2 / 3 / 4

Fax No: (+91)2222613655

Website: dgship@dgshipping.com

13. ITALY

Name: Capitaneria di Porto di Genova (Genoa Harbor Master's Office)

Address: Sezione Sicurezza della Navigazione (Safety Navigation Department)

Tel No: 010/2777320

E-mail: sicnav@cpgenova.it

14. JAPAN

Name: Ministry of Land, Infrastructure, Transport and Tourism (MLIT)

Address: 2-1-3 Kasumigaseki

City: Chiyoda-ku

Postal Code: 100-8918

Website: <https://www.mlit.go.jp/en/index.html> /

Telephone: +81-3-5253-8111

15. LATVIA

Name: Latvian Maritime Authority

Website: <http://www.jurasadministracija.lv/en/index.php>

Telephone: +371 67 062101

16. LEBANON

No contact details provided.

17. LITHUANIA

No contact details provided.

18. LUXEMBOURG

Name: Luxembourg Maritime Administration

Address: 19-21, Boulevard Royal

Postal Code: L-2449

Website: <http://www.maritime.lu/>

Telephone: +353 2478 4453

19. MOROCCO

Name: Ministry of Equipment and Transport

Address: Boulevard Houphouet Boigny

City: Casablanca

Website: http://www.equipementtransport.gov.ma/MET_New/Accueil.htm?sec=Tous&sess=Tous

20. NEPAL

Name: Government of Nepal

Address: Ministry of Labour and Transport Management

Singha Durbar,

Kathmandu,

Nepal

Telephone: + 977 1 4211877

Fax: + 977 1 4211794, 4211815

21. NETHERLANDS

Name: Ministry of Social Affairs and Employment

Address: Anna van Hannoverstraat 4

City: BJ Den Haag

Postal Code: 2595

Website: <http://www.government.nl/ministries/szw>

Telephone: +31 77465 6767

22. NICARAGUA

No contact details provided.

23. PAKISTAN:

Name: Director,

Address: Protector of Emigrants,

Government of Pakistan,

14-J, Block-6, P.E.C.H.S.,

Karachi, Pakistan

Telephone: +92 21 34531941, 34532596

24. PANAMA

Name: Panama Maritime Authority

Address: PanCanal Building Ave. Omar Torrijos Herrera-Albrook

City: 0843 Balboa Ancón

Postal Code: 0533

Website: <http://www.amp.gob.pa/>

Telephone: (507) 501-5050

Contact name: Attorney Adelaida Fundora

Contact email: afundora@amp.gob.pa

25. PHILIPPINES

A.

Name: Philippine Overseas Employment Administration (POEA)

Address: Blas F. Ople Building, Ortigas Avenue corner EDSA

City: Mandaluyong City

Policy Name: Onboard Complaints Policy – 16.01.19 – V1.0

Review date – 28.02.21

Owner – Senior Manager, Employee Relations

Website: <http://www.poea.gov.ph/>
Telephone: 722 11 44

B.

Name: Department of Labor and Employment (DOLE)
Address: 5/f DOLE Building, Gen. Luna Wing, Intramuros
City: Manila
Website: <http://www.dole.gov.ph/>
Telephone: 527 3456
Contact name: Marc Igual
Contact email: ppdd.bwc@gmail.com

C.

Name: Maritime Industry Authority (MARINA)
Address: 984 Parkview Plaza, Taft Avenue corner Kalaw Street
City: Manila
Website: <http://www.marina.gov.ph/>

26. POLAND

Name: The Ministry of Transport, Construction and Maritime Economy (Maritime Transport and Shipping Safety Department)
Address: 4/6 Chałubiński Street
City: Warsaw
Postal Code: 00-928
Telephone: 0048 22 630 10 00

27. RUSSIAN FEDERATION

Name: The Ministry of Transport of the Russian Federation (MINTRAS)
Address: ul.Rozhdestvenka, 1, p.1
City: Moscow
Postal Code: 109012
Website: <http://www.mintrans.ru/>
Telephone: +7 (495) 626 1010

28. SOUTH AFRICA

Name: South African Maritime Safety Authority (SAMSA)
Address: 161 Lynnwood Rd cnr Duncan Street
City: Brooklyn
Postal Code: 0181
Website: <http://www.samsa.org.za/>
Telephone: +27 (0) 12 366 2600

29. SPAIN

Name: Ministry of Development, Director General of the Merchant Marine
Address: C/ Ruiz de Alarcón, 1
City: Madrid
Postal Code: 28071

Website: www.fomento.es/MFOM/LANG_CASTELLANO/DIRECCIONES_GENERALES/MARINA_MERCANTE/NAUTICA_DE_RECREO/Organizacion_administrativa/DGMM/default.htm?lang=en

Telephone: 91 597 90 20 / 91 597 90

Contact name: D. Victor Jimenez Fernandez, Deputy Director General of Maritime Security, Contamination and Inspection

Contact email: vjfernandez@fomento.es

30. SWEDEN

Name: Swedish Transport Agency

Address: SE-601 73 Norrkoping

Website: <http://www.transportstyrelsen.se/en/>

Telephone: +46 771 503 503

31. SWITZERLAND

Name: Swiss Maritime Navigation Office (SMNO)

Address: Elisabethenstrasse 33, P.O. Box

City: Basel

Postal Code: CH-4010

Website: <http://www.eda.admin.ch/eda/en/smno/trasea.html>

Telephone: +41 (0) 61 270 91 20

32. UNITED KINGDOM

Name: Maritime and Coastguard Agency (MCA)

Address: Spring Place 105 Commercial Road

City: Southampton

Postal Code: SO15 1EG

Website: <http://www.dft.gov.uk/mca>

Telephone: 02380 329100

Contact name: Neil Atkinson

Contact email: mlc@mcga.gov.uk

33. VIETNAM

No contact details provided.