

Danish Shipowners' Association

Danish Metalworkers' Union

TRANSLATED VERSION

Minister for Business and Growth Troels Lund Poulsen
Ministry of Business and Growth
Slotsholmsgade 10-12
DK-1216 Copenhagen K

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Referring to the invitations to a meeting forwarded by letters of 5 April 2016, we hereby present our preliminary report on the work made by the working group established by the Danish Metalworkers' Union and the Danish Shipowners' Association.

As background, we hereby give a description and an account of the development in agreements in the DIS Contact Committee, including the measures taken to "bridge" the political disagreement about section 10 of the DIS act, contained in a note drawn up by the Danish Shipowners' Association and attached as **annex 1**.

The task shedding light on the more fundamental political disagreement about section 10(2) and (3) of the DIS act has been in the background of the working group's efforts to find specific solutions to the far more tangible challenges arising in the efforts to make the cooperation under the DIS Main Agreement work as intended.

Since the parties reach solutions to the challenges arising in their daily cooperation on an ongoing basis, as is evident from annex 1 as well as from annex 2 mentioned later, the underlying disagreement in relation to section 10(2) and (3) of the DIS act seems to be of a formal rather than a real nature in practice.

Our cooperation on solutions to recognised problems may also, in the longer term, turn out to hold or point to a consensus-based solution to the underlying political disagreement. Though we are not there yet, the disagreement should not stand in the way of a continued development of our cooperation and the maintenance of the competitiveness of the DIS flag.

As regards the development of the Danish organisations' roles and tasks when it comes to attending to the interests of persons domiciled outside Denmark, we would, initially, like to say that these seafarers are, to an increasing degree, covered by general Danish social security regulations. For EU seafarers this follows from EU law, and for seafarers from third countries this follows from the bilateral social agreements that have been concluded. In this respect, the DIS is different from most other international registers of shipping, which exclude foreign seafarers from their national schemes. Thus, still more foreign seafarers will automatically be covered by, inter alia, public Danish pensions. In addition to being secured under the act on industrial injuries, all seafarers, irrespective of nationality, are secured in situations where they are – due to sickness or bodily injury during or in immediate connection with their service on board a Danish ship – in need of security benefits in the form of, for example, medical care, hospitalisation, medicine, repatriation or in the form of sickness or maternity/paternity benefits in connection with sickness or maternity/paternity leave in accordance with the special regulations applicable to seafarers.

Many foreign seafarers do not know, and often do not understand, the special rights associated with service on board Danish ships and therefore they have, if relevant, a special need for being guided about these and being guided through the system to the extent necessary.

In order to facilitate foreign seafarers' way through the Danish security and authority system, mechanisms have been established under the framework of the DIS Main Agreement whereby the Danish trade unions can assist foreign seafarers though they are not themselves members of the Danish trade unions.

According to the DIS Main Agreement, the shipowners are obliged to inform the trade unions in case of foreign seafarers' reported industrial injuries or deaths so that the Danish trade union can in these situations proactively offer their assistance to the foreign seafarers.

Foreign seafarers can also, on their own initiative, contact the Danish organisations whose contact details are printed in the collective agreements concluded with the foreign trade unions.

That there is a need to assist and help foreign seafarers in their meeting with Danish regulations and in their contact with the Danish authorities is very clear from the focus report presented as **annex 2** by the Maritime Section of the Danish Metalworkers' Union as.

In addition to accounting for the many different focus areas where the already established cooperation is being developed on an ongoing basis, as the need arises, the report points to several areas where it is possible to deepen the cooperation.

More specifically, the working group proposes the establishment of a committee in which also the authorities participate, i.e. a cross-ministerial working group as such. The purpose of this should be to map and find appropriate solutions to the more tangible challenges pointed to in the report when foreign seafarers get in contact with the Danish authorities and social security schemes. These challenges may consist in barriers of a language- and understanding-related nature, but also in a lacking possibility of communicating via NemID and similar systems that seem to be directed only at persons domiciled in Denmark.

As the above shows, there may be formal disagreement about section 10(2) and (3) of the DIS act, but in reality the problems are solved in practice due to a close dialogue and a good cooperation between the parties, which we cannot see any reason to change.

Yours faithfully,

Claus V. Hemmingsen
Chairman of the Danish Shipowners' Association

Claus Jensen
Chairman of the Danish Metalworkers' Union