

News Release  
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## **POEA Governing Board issues guidelines on computation of applicable benefits for seafarers sailing into war-like and-high risk areas**

Labor and Employment Secretary Rosalinda Dimapilis-Baldoz yesterday announced that the Governing Board of the Philippine Overseas Employment Administration, of which she is the chairperson, has approved and issued a resolution, GB Resolution No. 5, Series of 2016, adopting the definition of “basic wage” based on International Labour Organization (ILO) Maritime Labor Convention, 2006 (MLC 2006) guidelines, which “basic wage” shall be used in the computation of applicable benefits for seafarers whose vessels are transiting through areas with war-like and high-risk designations.

Signing the resolution are Hans Leo J. Cacdac, POEA Administrator and Vice-Chairman; Milagros Isabel A. Cristobal, Women Sector Representative; Alexander E. Asuncion, Land-based Sector Representative; Felix M. Oca, Sea-Based Sector Representative; and Estrelita S. Hizon, Private Sector Representative; and Secretary Baldoz.

“As defined under MLC 2006, basic pay or wages means the pay, however composed, for normal hours of work. It does not, however, include payments for overtime work, bonuses, allowances, paid leaves, or any additional remuneration,” Baldoz said.

In the resolution, the Governing Board, also adopted the updated list of War-like and High-Risk Designations and applicable benefits issued by the social partners of the International Bargaining Forum (IBF) on 15 December 2015.

“The Maritime Industry Tripartite Council, which is composed of manning associations and seafarers unions, supported the adoption of the IBF List,” Baldoz added.  
The IBF list is as follows:

1. Designation 1-IBF War-like Operations Area: 12 nautical miles off Somali North Coast. This War-like Operations Area includes the territorial waters of Somalia extending up to the 12 nautical miles limit from due north of the north-western border of Somalia with Djibouti to due north of Cape Gardafui.

1.a. Designation 1a-IBF War-like Operation Area: All Ports of Yemen

This area includes all ports within the country of Yemen and applies to all vessels from the time they are berthed ‘all fast’ along side. As a vessel departs at berth within Yemen and the last line is let go for departure on passage, the status of being within a war-like operations area shall end. Seafarers sailing in these areas are entitled to the following:

a. Bonus equal to basic wage, payable for 5 days minimum + per day if longer;

- b. Doubled compensations for death and disability; and
- c. Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 months basic wage.

2. Designation 2-IBF High-Risk Area: Gulf of Aden + 400 nautical miles off Somali East Coast. The Western Border of this High-Risk Area runs from the coastline at the border of Djibouti and Somalia to position 11 48 N, 45 E; from 12 00 N, 45 E to Mayyun Island in the Bab El Mandeh Straits. The Eastern Border runs from Rhy di-Irisal on Suqutra Island to position 14 18 N, 53 E; from 14 30 N, 53E to the coastline at the border between Yemen and Oman, together with a 400 mile zone off the eastern coast of Somalia, i.e. from Suqutra Island down to the Kenian border in the South. Seafarers sailing in these areas are entitled to the following:

- a. Bonus equal to basic pay, payable for the actual duration of stay/transit;
- b. Doubled compensation for death and disability;
- c. Right to refuse sailing, with repatriation at company's cost; and
- d. Increase Best Management Practice (BMP) level

3. Designation 3-IBF Extended Risk Zone: West Indian Ocean and the Red Sea, with the addition of the Internationally Recognized Transit Corridor (IRTC) excluding Yemeni ports.

The coordinates of this area comprised of and stretch further than the IBF High Risk Area as outlined in item number 2 (above). Seafarers sailing in these areas are entitled to the following:

- a. Bonus equal to basic wage, payable only on the day the vessel is attacked;
- b. Double compensation for death and disability if occurred on the day the vessel is attacked; and
- c. Increase Best Management Practice (BMP) level

NOTE: In Areas in item numbers 2 and 3, bonuses and compensation are not payable when the vessel is anchored or berthed in secure ports, except in Somalia.

4. Designation 4-IBF High Risk Area: Gulf of Guinea-territorial waters (12 nautical miles) ports and inland waterways of Nigeria and Benin, including ports, terminals and roads, anchorage, the delta of the Niger River, other inland waterways and port facilities, except only when the vessel is attached securely to a berth or SBM facility in a guarded port area. Seafarers sailing in these areas are entitled to the following:

- a. Bonus equal to basic wage, payable for the actual duration/transit;
- b. Doubled compensations for death and disability;
- c. Right to refuse sailing, with repatriation at company's cost (by submitting respective notice); and
- d. Increased security requirements

Baldoz said the updated IBF list shall apply to all Filipino seafarers effective 16 December 2015. However, she clarified that the payment of war-like operations area and of high-risk operations area bonuses and additional compensation not covered by the list is not affected by the Resolution.