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What is the Expectation of Worker Voice and Grievance Mechanisms on Certified Fishing Vessels?





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Please note that photographs contained within this report are not intended to represent good or bad examples of fishing crew welfare. Photographs are intended for illustrative purposes only.



The full project report can be found [here](#).



This report summarises the outcomes of a project carried out through 2022 which sought to understand expectations of Worker Voice and Grievance Mechanisms for crew on fishing vessels certified to good crew welfare in line with global conventions, for example ILOc188. The full report can be found [here](#).

RESEARCH QUESTION:

“WHAT IS THE EXPECTATION OF WORKER VOICE AND GRIEVANCE MECHANISMS ON CERTIFIED FISHING VESSELS?”

DIVE IN

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Overview

The global frameworks of the International Labour Organization’s (ILO) Work in Fishing Convention, 2007 (No.188) (ILO C188) and the United Nations Guiding Principles (UNGPs) on Business and Human Rights Guiding Principle 31, provide international principles for good worker welfare. ILO C188 provides the framework that many social standards related to fishing are based on, and countries who have ratified the convention have agreed to develop Grievance Mechanisms. Additionally, UNGP 31 defines a range of principles for effective Grievance Mechanisms.

While standards and risk assessment tools for fishing crew welfare require Worker Voice and Grievance Mechanisms to be in place, there is a lack of practical guidance for how to build and implement them on fishing vessels. This unique working environment is particularly challenging given that fishing vessels often operate outside normal communication channels and in remote areas away from normal social structures or support networks. There is also the added complexity of multiple crew nationalities, cultures, languages, countries of vessel ownership, geographically distinct fishing areas and ports visited.



Conclusion

- ⌚ There was consensus that **Worker Voice**, or representation, and **Grievance Mechanisms** need to be a part of operations on any fishing vessel.
- ⌚ There was little or no consensus, or understanding as to what those processes need comprise nor clear guidance in how to build and operate such mechanisms effectively.
- ⌚ There is no single answer to how **Worker Voice** and **Grievance Mechanisms** can be actioned in practice for crew on fishing vessels operating at sea, nor is there one solution or model that can be applied globally.
- ⌚ Recognising the need for difference is important and these mechanisms will need to be adjusted according to different contexts.
- ⌚ Crew need to know about the process, feel safe to use them, and a record of successful remediation needs to be kept.
- ⌚ Issues requiring representation or **Grievance Mechanisms** need identifying, assessing and addressing.
- ⌚ Fishing Vessel owners, skippers and recruiters need support and training.
- ⌚ Access to communication at sea i.e. WIFI, is critical.
- ⌚ All stakeholders need to be able to better understand the benefits and participate in development of guidelines, regulations and enablement.

“Training is essential. Crew members need to get help to talk about issues and make use of the Grievance Mechanisms”

- Interviewee

The full project report can be found [here](#).





CONTINUED: CONCLUSION

These **Key Recommendations** result from a comprehensive project, undertaken through 2022 that asked the question:

“WHAT IS THE EXPECTATION OF WORKER VOICE AND GRIEVANCE MECHANISMS ON CERTIFIED FISHING VESSELS?”

The study used an action research methodology and focused on direct contact with **150 global stakeholders from 30+ countries** via surveys, interviews, and regional workshops. The objective was to understand what stakeholders expected in relation to Worker Voice and Grievance Mechanisms on certified fishing vessels, and to develop recommendations for action to support the capture fishing industry to create best-practice processes for effective implementation. The outcomes are intended to be applicable globally. The full report details can be found [here](#).

The focus of the project was understanding expectations of current best practice on fishing vessels certified for good crew welfare or vessels capable of being certified. Concentration on best practice provides a benchmark from where current best processes can be acknowledged, show cased, knowledge and experience shared, or where less good practice can build a plan of improvement with clear guidance. It provides a measurement to which other processes can be aligned and gaps noticed.

KEY RECOMMENDATIONS FOR STAKEHOLDER ACTION:

- ④ 1. Develop an international dialogue to build a Code of Best Practice to foster effective Worker Voice and Grievance Mechanisms on fishing vessels based on global guidance, experience and frameworks
- ④ 2. Specify requirements, beyond building of the process, within the Code of Best Practice for effective Worker Voice and Grievance Mechanisms, such as:
 - Training for vessel owners and skippers on how to create Grievance Mechanisms, enable participation in Worker Voice representation, and specific requirements that support good preparation of crew at recruitment
 - Preparation of crew at recruitment to include full understanding of the role's work and responsibilities, the contract, including pay; amount and how it will be paid; rights on board, and training to be provided
 - Language appropriate information. Information to ensure crew know how to access a Grievance Mechanism on board and at port
 - Communications Access. All fishing trips over 24h should provide crew with free access to WIFI on a daily basis, with provisions in place regarding safety
- ④ 3. Share experience of best practice and applicable tools, for example:
 - Develop videos and multi lingual information that can be downloaded to smart phones/tablets for use at sea
 - Work with expert 3rd parties to understand how well crew are prepared and their experience at sea
 - Building out crew representation i.e. buddy systems and creating trust with crew representatives



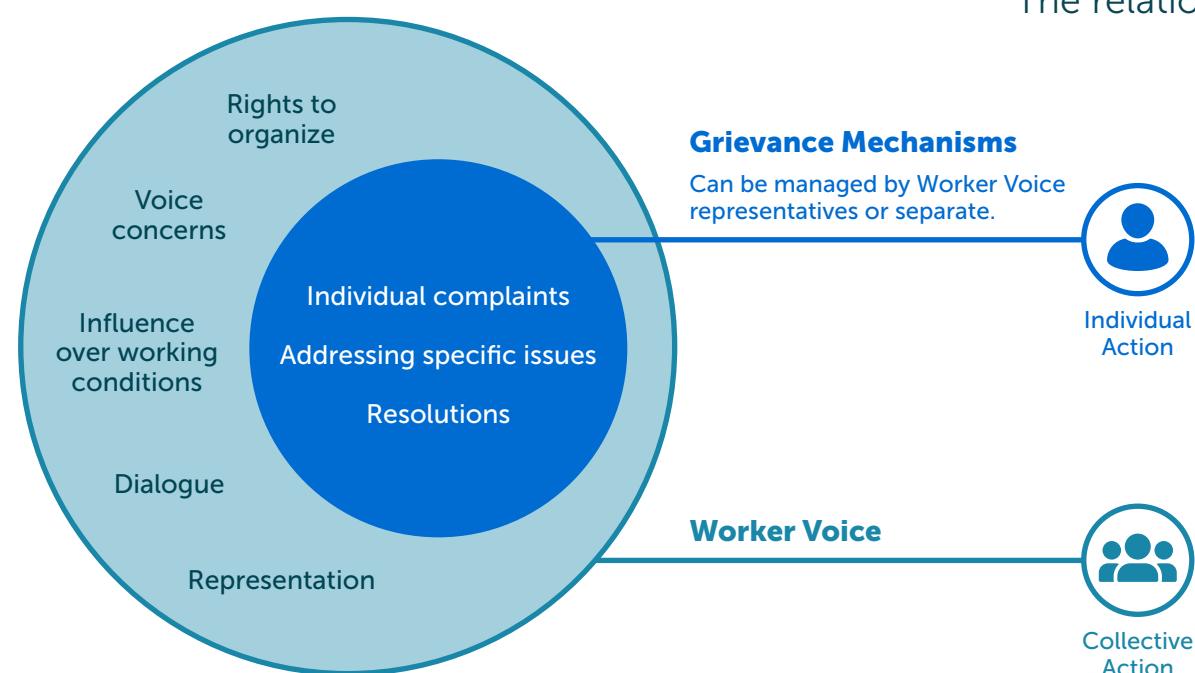
CONTINUED: CONCLUSION

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All stakeholders including fishing vessels owners and crew representatives can engage and contribute to building sound guidance for the implementation of best practices for Worker Voice and Grievance Mechanisms. Adopting guidelines for implementing best practices will support designing and operating processes to a level that could achieve certification for crew welfare, whether that certification is pursued or not.

Defining these guidelines will allow for clear recommendations and tangible priority actions to enable and inspire all stakeholders to move forward. The guidelines should include recommendations for training skippers, crew, vessel owners and highlight what is needed at recruitment to better support crews. Worker Voice, the way in which workers have access to third-party advice, to voice concerns, have influence over matters that affect them in the workplace and improve the effectiveness of remediation; while it can be individual or collective action, is generally more collaborative in nature and involves representation of a group of people.

Conversely Grievance Mechanisms, frameworks for addressing grievances of workers that relate to all stages of employment, are more usually associated with issues that arise out of a personal experience over the course of employment. Grievance Mechanisms can be stand-alone mechanisms or may sit within a Worker Voice context or be managed by Worker Voice representatives such as trade unions. The relationship between the two is illustrated below.



NEXT: PROPOSAL FOR ACTION





Proposal for action

ALL STAKEHOLDERS, INCLUDING FISHING VESSEL OWNERS, TRADE UNIONS, NGOS, PRODUCER ORGANIZATIONS, BUYERS OF SEAFOOD AND THOSE NOTED BELOW CAN ENGAGE IN THE FOLLOWING PRIORITY ACTIONS:

- **Code of Best Practice:** Participate in the development of an international dialogue to build consensus on a Code of Best Practice on the development of Worker Voice and Grievance Mechanisms for fishing vessel crews, and methods to evaluate their success
- **Crew Preparation:** Build consensus, through the dialogue, on how to provide support for fishing companies, skippers and recruiters to ensure all onboard are well prepared beyond mandatory safety, including access to grievance processes, representation and support
- **Understand and address labor issues:** Support research to better understand and address the underlying “hot spot” reasons a crew member would need to use a Grievance Mechanism

INDIVIDUAL STAKEHOLDER GROUPS CAN TAKE THESE PRIORITY ACTIONS:

- **Standards (fishing vessel crew welfare) owners and Benchmarking operators**
 - Examine their Grievance Mechanisms and Worker Voice access requirements in line with the findings
 - Participate in the proposed dialogues, and adopt outcomes
- **Practitioners**
 - Develop training and interactive packages in appropriate languages, to support the catching sector’s (fishing companies, recruiters, skippers) understanding of what is required for effective Worker Voice and Grievance Mechanisms and how those can support their business
 - Participate in the proposed dialogues

➤ Researchers

- Understand how many crew on fishing vessels have access to cell phones and WIFI, and what restrictions are placed upon that access

➤ Governments and competent authorities

- Ratify relevant ILO regulations, in particular, but not limited to ILOc188
- Implementation and enforcement of regulations sufficient to assure fishing workers’ rights
- Commit to support, engage and adopt the outcomes of the above activities

➤ Retailers, processors, importers, distributors

- Review key principles, requirements and tools to identify where Worker Voice and Grievance Mechanisms can be improved on the vessels supplying their wild caught seafood
- Recognize the role and responsibility of seafood businesses towards establishing market rewards to incentivize high performance and sanction poor behaviour
- Commit to support, engage and adopt the outcomes of the above activities

Building a Code of Best Practice - sound practical and operational guidelines for the implementation of effective Worker Voice and Grievance Mechanisms on fishing vessels at sea – agreeing a process for responsible recruitment, and ensuring access to communications, will help ensure these vital elements of worker welfare for crew on fishing vessels can be effectively implemented and accelerate improvements to be achieved at scale.

The full project report can be found [here](#).



“There is no one size fits all, what’s needed is to understand the operations of the fleet and identify the risks. We can look at a nested hierarchy – as the risk increased then that hierarchy is built on, it expands to meet the elevated risk.”

- Interviewee



Context

The catching sector of the seafood supply chain is the oldest and last true hunting industry still operating in the global food business. Historically vessel owners have prioritised catching fish and making their vessel operation safe and profitable. While this approach has undergone significant changes, most specifically in relation to fisheries management, the sector has lagged behind other food supply chains in terms of worker welfare. They have historically, largely, been regulated on fisheries management and safety requirements rather than good crew welfare, but that is changing.

The seafood supply chain is now better informed of the labour challenges and increasingly consumers are becoming more aware of the human element of fishing too. Consumers, regulators, buyers and NGOs are calling for greater accountability, particularly in major seafood markets, by challenging seafood companies to ensure the vessels supplying their seafood operate to best practice within their supply chains. The response has been the provision of third-party audited standards, risk assessment tools and, in some cases, improved regulations.

The action research project led by Global Seafood Alliance working with Key Traceability looked deeper at case studies on South Africa, Thailand and Taiwan, as well as exploring the roles of trade unions and fishermen's support organizations.



It focused on building a consensus of expectations through showcasing examples of current best practice, tracking emerging changes, highlighting what currently constitutes effective mechanisms, proposing next steps to improve and scale current best practice mechanisms, and provide implementation guidance for fishing vessels operating at sea. The full report can be found [here](#) (hyperlink). The project sought to identify and share best practice at the current time, and provide recommendations for enabling good processes on vessels that support crew well-being and good fishing operations.

The project interacted with 150 stakeholders from 30+ different countries.

Risk factors

Seafood is said to be the world's most highly traded food commodity, with the top four importers of seafood being the EU, US, China and Japan. There are roughly 4.6 million fishing vessels in the world with an estimated 27 million people who work in capture fishing (ILO). The mobility of workers and the hidden conditions at sea contribute to the fishing industry's complexity.

The need for Worker Voice and Grievance Mechanisms on fishing vessels

Across all sectors, effective Worker Voice and Grievance Mechanisms are an important component of workers' rights and within the capture fisheries sector these mechanisms are often considered even more critical due to the 'invisibility' of the work as well as the challenging work and dangerous conditions. Recruitment of migrant crew can add further complexity due to different languages, cultures, regulations, preparation at recruitment and a range of different parties (e.g. agencies and brokers) in the recruitment process.

THE PROJECT RESEARCH FOUND STAKEHOLDERS FELT ISSUES THAT CONTRIBUTE TO CREW VULNERABILITY INCLUDE

- Distant water fishing involving remote locations and isolation
- A high proportion of migrant crew, many with language or cultural differences to the vessel's owners, national crew or skippers
- Involvement of labor brokers
- A lack of communications between crew and on shore contact at sea
- Regular transshipment increasing the time vessels can stay at sea
- Self-employed or share-fishermen that may not be protected by employment legislation
- Low levels of education or literacy
- Migrant crew less likely to understand their rights
- Low levels of representation
- Complexity of legal jurisdiction
- Lack of training and support for skippers



40%

GLOBALLY 40% OF MSC CERTIFICATE HOLDERS CONFIRM THEY USE MIGRANT CREW ON FISHING VESSELS.

NEXT: ADDRESSING RISK AND WORKER VOICE IN RESOLVING ISSUES BEFORE A GRIEVANCE MECHANISM IS NEEDED

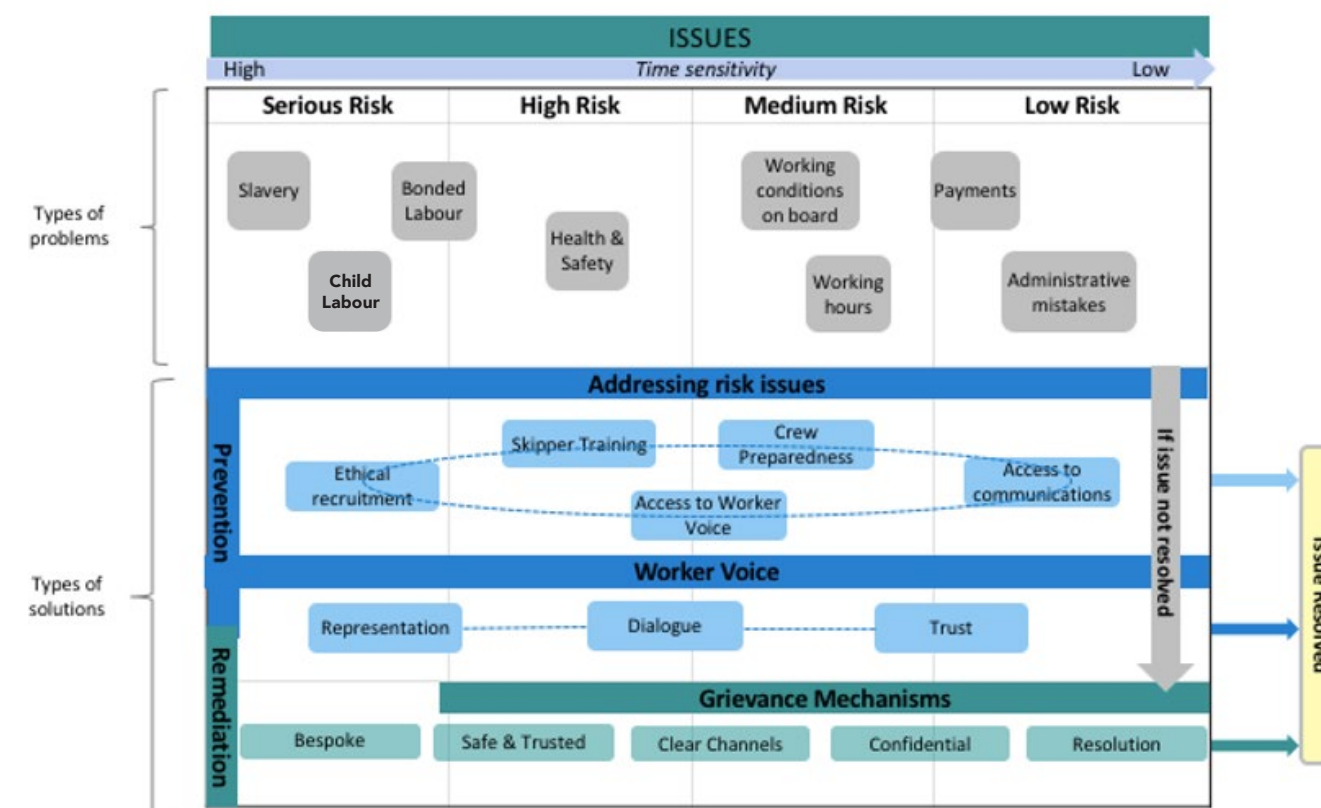


CONTINUED: THE NEED FOR WORKER VOICE AND GRIEVANCE MECHANISMS ON FISHING VESSELS

KEY THEMES OF THE PROJECT

- 1. The need to reduce and understand risks of labor issues through a range of approaches such as:
 - Skipper and management training: including focus on the business benefits of better crew morale: higher productivity and profitability, less crew turnover, safer working conditions with fewer incidents, and building confidence to handle people management issues
 - Crew preparedness and training: at point of recruitment and on-board
 - Ethical recruitment: provides contracts in line with global convention guidance
 - Access to communications: to be able to address issues early

The identification and addressing of issue 'hot spots' are as important as building mechanisms. Further understanding that different types of mechanisms may be appropriate depending on the risk context, for example the length of fishing trips and severity of the issue.
- 2. Worker Voice mechanisms in place providing effective representation, structures and forums that support dialogue, and trust to be built so that crew feel safe to engage.
- 3. Grievance Mechanisms that crew are aware of, understand, feel safe to use and which provide good remediation.

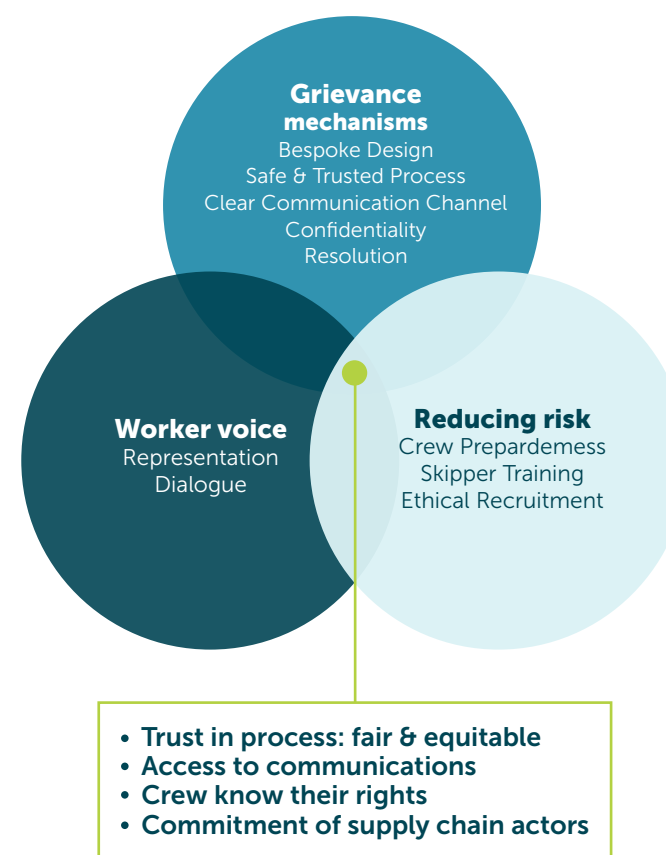


In practice, many of the factors that help to reduce risks, i.e. need for representation or remediation, are also important features of effective Worker Voice and Grievance Mechanisms. There were a range of **Cross Cutting Priorities** common to the themes, that are important in operating effective mechanisms.



Addressing risk and Worker Voice in resolving issues before a Grievance Mechanism is needed

Across all sectors, effective Worker Voice and Grievance Mechanisms are an important component of workers' rights and within the capture fisheries sector these mechanisms are often considered even more critical due to the 'invisibility' of the work as well as the challenging work and dangerous conditions. Recruitment of migrant crew can add further complexity due to different languages, cultures, regulations, preparation at recruitment and a range of different parties (e.g. agencies and brokers) in the recruitment process.



CROSS CUTTING PRIORITIES TO OPERATE EFFECTIVE MECHANISMS

- **Trust in the process**, including the confidence of crew, as well as skippers and vessel owners
- **Access to communications** while at sea
- **Ensuring crew know their rights** (understanding their contracts and have contact with representative and support bodies)
- **Commitment, action and investment** by different value chain, operators and regulatory stakeholders to support best practice



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