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LEGAL OPINION

Additional Employment

A seafarer was contracted to serve as cleaner onboard a vessel; he was also assigned the tasks of plumber, which he performed at the same time.

Upon termination of his employment, he sought the salary of plumber as well. The shipowners refused to agree he had worked as such, and if he did, his salary should be only the basic one for this position.

They also proposed his claim should be set-off with extra remuneration he received on top of his salary, for extra engine room tasks.

The court found the seafarer had indeed performed both tasks. Further, it found he was entitled to the whole remuneration of plumber as well, including basic salary and other allowances (overtime, leave bonus etc). The Court also refused to set-off the claim with extra remuneration paid, as it referred to engine works, ie works related to his capacity as cleaner and not as plumber.

Piraeus One membered Court of Appeal Judgment no 160/2015, Judge: F. Tserketzoglou, Attorneys at law: M. Stamouli, El. Kalogianni – Kontosea, Maritime Law Review vol. 43, p. 108.

NOTE: The seafarer who performs additional tasks at the same time, is entitled to salary and bonuses of both capacities. For the right to this additional claim to arise, the second capacity need not to be provided in the ship's crew list; what is of interest is that the additional work indeed were carried out.

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