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LEGAL OPINION

Master Employment Contract

A master terminated his employment contract due to non-payment of his salary.

Meanwhile, the vessel had been transferred to another company controlled by the same interests, with the transfer not having been revealed to the master. The latter sued the new shipowner, for the total wages due, and for those under the previous ownership.

The Court found that the employment contracts are transferred along with the entire enterprise in cases of the sale of the business; vessel sale is tantamount to the transfer of an enterprise.

Accordingly, the new shipowner had to pay all wages due by both the current and the previous employer.

Piraeus One membered Court of Appeal Judgment no 83/2016, Judge: Z. Karachaliou, Attorneys at law: M. Nystazos, Maritime Law Review vol. 44, p. 281.

NOTE: The issue of successor employer is crucial in labour claims. Here, there was an additional parameter, that of the new employer belonging to the same group as the previous employer.

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