



New Employment Rights on the Horizon for Seafarers

Since 2022, UK governments have looked to remedy the employment issues which arose from P&O's decision to fire approximately 800 UK-based seafarers without warning or consultation and to replace them with largely cheaper foreign agency workers.

The outrage that arose from their decision was exacerbated by the fact that the seafarers, the unions and the government were helpless to take any form of legal action against them, either to stop the process, levy any form of punitive sanction, or compensation for the seafarers.

Seafarers Wages Act 2023

The Conservative government looked to address the pay issue, which was the key driver behind the decision to dismiss, by introducing the [Seafarers' Wages Act](#). This was passed earlier this year and will come into force on 1 December 2024. The Act:

- ensures seafarers working on vessels that call at UK ports 120 times a year or more are paid at least the UK National Minimum Wage, and
- imposes penalties, including surcharges and potential port bans, for companies that fail to meet these wage standards.

Employment Rights Bill

Introduced by the Labour government on 10 October 2024, this Bill seeks to ensure:

- that vessels not registered under the UK flag inform the UK government if they plan to dismiss 20 or more employees, under penalty of prosecution or unlimited fines; and
- that "fire and rehire" dismissals (which were also employed by P&O, alongside redundancies in 2022) will

be automatically unfair unless employers can show:

- evidence of financial difficulty which was affecting, or was imminently likely to affect, their business viability; and
- contractual changes were necessary to eliminate, prevent, significantly reduce or mitigate the effects of those financial difficulties; and
- the need to make those contractual changes was not reasonably avoidable.

The Seafarers Wages Act, together with the [Employment Rights Bill](#), represent a significant step in improving employment conditions for seafarers and protecting them from exploitation in the future. However, it will still take some time for specific elements of the Employment Rights Bill to pass through the legislative process before being implemented. It is currently envisaged that most of the provisions in the Bill will not come into force before the autumn of 2026.

If you have any questions about how these potential changes will affect your business or how to start preparing for them, please contact our [Marine, Employment & HR](#) or [Immigration](#) teams by emailing online.enquiries@la-law.com or contact us at 01202 786332. Alternatively, [sign up to our mailing list](#) to receive details of our employment law seminars.

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