

NEWSFRONT

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LEGAL OPINION

Sea Employment Contract / Collective Agreement

When a Collective Agreement terminates, it ceases to apply and terms of employment are regulated either by a subsequent Collective Agreement or, failing this, by the terms of the respective agreement of a seafarer and the shipowner/employer.

In case the parties to the personal employment agreement, ie the seafarer and the employer, agree to incorporate in their agreement the terms of a Collective Agreement, even if this has expired, such terms are valid in the context of a personal employment agreement and govern the relation between the parties thereto.

Piraeus one-membered Court of Appeal Judgment no 98/2020, Judge: M. Daniil, Attorneys at law: M. Stamouli, El. Veloudoyianni, Maritime Law Review vol. 48, p. 373.

NOTE: Collective agreements have a predefined duration. When a collective agreement terminates, it is supposed that the next one will be in force. This is not always the case, as negotiations can last more. In case that, during the duration of a personal employment agreement, a Collective agreement enters into force, it will affect the terms of the personal agreement which do not conform with the provisions of the Collective Agreement.

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