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LEGAL OPINION

Seafarer's dismissal remuneration

A seafarer was employed onboard a vessel for an indefinite time and was dismissed after two years. Dismissal took place in a Greek port, and accordingly his dismissal remuneration would amount to his 15 days salary.

For the calculation of such salary, various allowances are taken into account, together with the basic salary. Overtime wages are also taken into account; however, the seafarer challenged the overtime hours the owners based their calculations on. They had already paid to him the amount they considered lawful.

The Court found the seafarer had indeed worked more overtime than taken into account in the calculations for dismissal remuneration. They also found he had worked less than alleged, so they reached an amount he should have received and ordered owners to pay him the difference.

Piraeus One-Member Court of Appeal Judgment no 351/2016, Judge: E. Liouli, Attorneys at law: M. Halari-Androulaki, Ev. Batagiannis, Maritime Law Review vol. 44. P. 259.

NOTE: For the calculation of the dismissal remuneration, the daily average of the overtime throughout the employment is taken into account and added to the other allowances. The total is divided by 22 days and then multiplied by the number of days of the remuneration.

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