



Employee Resources Policy Guide

Seafarer's Supplement

Human Resources

APPROVAL			
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AMENDMENT RECORD

Amendment Date	Revision Number	Amender Initials	Amendment
October 2020	1	JS	Edits to September 2020 initial submitted version.

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1. SEAFARER’S SUPPLEMENTAL DOCUMENT

This document is intended to serve as supplement to the TDI-Brooks International, Inc. (TDI-Brooks) Employee Policy Guide dated May 2020.

2. APPLICATION OF THIS SEAFARER’S SUPPLEMENT DOCUMENT

This applies to TDI-Brooks’ Seafarer candidates as defined:

- Domestic Day-Rate Employees also known as US Domestic Seafarer Day-Rate Employees
- Foreign Day-Rate Contractors also known as Foreign Seafarer Day-Rate Contractors

3. THE SEAFARERS AGREEMENT (SEA) OR OFFER LETTER

US Domestic Seafarer Day-Rate Employees will be provided with a SEA or Offer Letter, signed by both the Seafarer and a management representative of TDI-Brooks.

Foreign Seafarers Day-Rate Contractors will be provided with a SEA, which serves as evidence of a contractual arrangement. Additionally, the SEA provides Contractors with the expectation and requirements for living, working, and care aboard the ship as specified in ILO MLC 2006.

4. EMPLOYMENT AT-WILL DOCTRINE

Each employee and contractor is considered to be an **employee-at-will**. This **at-will** doctrine is not negated or altered by any statements contained in employee handbooks, employment applications, SEA company memoranda or other materials conveyed to you in connection with your employment. Also, such documents do not create an implied contract of employment for a definite period or a guarantee of employment. Completion of any new-hire probationary period will not change your status as an **employee-at-will** or in any way restrict our rights as an employer.

The information in this guide is in summary form for ease of reading. TDI-Brooks reserves the right to clarify or change any of our policies at any time without notice. Changes would typically apply from the date specified in a notice of policy change, and before the next employee guide revision. We may also issue updated employee guide revisions from time to time, to include new policies and recent policy changes that are already in place.

Special note. A collective bargaining agreement does not form any part of the SEA or Offer Letter.

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A. EMPLOYMENT ELIGIBILITY VERIFICATION

All offers of employment are contingent upon you furnishing satisfactory evidence of identity and authorization to work. Specifically, for domestic day rate employees, you must complete an **I-9 Employment Eligibility Form** and provide valid fit for duty medical documentation.

B. EQUAL OPPORTUNITY

We are an equal-opportunity employer. We value and enjoy the diversity of our people and TDI-Brooks is committed to providing an equal and fair opportunity in all aspects of our employment system, applied to all personnel and candidates without regard to race, religion, gender, color, creed, national origin, citizenship status, military service, reserve or veteran status, sexual orientation, disability or any other status or class protected under International, Federal, State or Local Laws. None of these listed distinctions among people will be a deciding factor in connection with our:

- Hiring, placement, promotions, demotions, or transfers of people.
- Recruiting, advertising, or solicitations for employment.
- Treatment or conditions during your employment.
- Selections for personnel training.
- Promotions, evaluations, disciplines, layoffs, or terminations.
- Other employment policies and decisions.

However, a candidate must be found to be fit for duty at sea, per our Seafarer’s qualification process.

C. PERSONNEL RECORDS

i. Personnel Files

Your personnel files will be kept confidential. Only Senior Management will have access to your files. All medical records are kept confidential with the Designated Employee Representative (DER).

ii. Updating Personal Records

It is your responsibility to promptly inform the HR Representative of any change in name, personal contact information (for example: personal email address, home address, telephone number), and/or emergency contact information.

Your National Seafarer certificates (specific to your nationality) are your responsibility. Send your updated certificates to crewdocs@tdi-bi.com.

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D. YOUR RESPONSIBILITY

Part of your on boarding responsibility is to provide your National Seafarer certificates and other professional licenses. You will also be required to show or acquire a valid Passport, Visas, TWIC, Medical Fitness certificate, drug-free certificate, and vaccination record. All documents need to be original and current. TDI-Brooks will cover any additional cost for documents specific only to our needs on a case-by-case basis.

5. WORKING HOURS DETERMINATION

A. WORKING HOURS AND WAGES

You are expected to work twelve hours per day while in port and at sea. Your basic wage is based upon an eight-hour work day plus four hours of overtime pay which will be included in your Consolidated Day Rate as defined in ILO MLC 2006. Your hours of work will be arranged such as to ensure that you receive a minimum of 10 hours available for rest in each 24-hour period and a minimum of 77 hours rest in each seven-day period (per STCW regulation). This minimum period of rest may not be reduced below 10 hours except in an emergency. Rest periods may be no greater than two per day and one must be at least six hours. Work and rest hours will be posted on board. A copy of the work rest period may be obtained on the vessel's navigation bridge.

B. THE CONSOLIDATED DAY RATE STRUCTURE

The Day Rate Structure is as follows:

- **Basic Wage:** = 8 hours per day
- **Fixed Overtime:** = 4 hours per day
- **Any Vacation:** – as per ILO MLC 2006. Refer to the Seafarers Employment Agreement.
- **Health Insurance:** - the Day Rate Structure does not include paid health insurance.

The Total Consolidated Day Rate Structure is a consolidation of the above.

C. ADDITIONAL WORKING HOURS

You may be required, at the absolute discretion of the Master, to work additional hours during an emergency affecting the safety of the ship, its passengers, crew, cargo, or the Environment, or to give assistance to other ships or persons in peril. You may also be required to work additional hours for safety Drills such as Musters, Fire-Fighting and Lifeboat Drills. In each such circumstance you will be provided subsequently with a compensatory rest period.

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D. DIRECT DEPOSIT

US Domestic Seafarer Day-Rate Employees. Your wages will be payable by bank transfer to your account in bi-weekly intervals.

Foreign Seafarer Day-Rate Contractors. Your wages will be payable by bank transfer to your account at monthly intervals at end of each month

E. CASH ALLOTMENTS

US Domestic Seafarer Day-Rate Employees. You may take part of your wages earned as a cash draw on ship funds at the Captain’s discretion.

Foreign Seafarer Day-Rate Contractors. You may take part of your wages earned as a local cash draw on ship funds as funds are available for port calls at the Captain’s discretion. Wages are paid in accordance with the SEA. An individual monthly statement is provided to all foreign Seafarers on board. Foreign Seafarers have the right to make an allotment of all or part of their earnings, and the charges for the allotments and exchange rates (e.g., bank transfer fees) must be reasonable and in accordance with Flag State requirements. There are NO unauthorized deductions from wages.

TDI-Brooks does not provide financial assistance for Seafarer certifications, endorsements, applications, or renewals, unless specifically requested and approved on a case-by-case basis.

TDI-Brooks does not provide Seafarers cash advances for wages not yet earned.

F. TRAVEL REIMBURSEMENTS

ILO MLC and your SEA provide that enroute travel expenses (flights, local transport, meals, lodging) are paid by TDI-Brooks, either directly or by reimbursement, from your home country to our vessel and return. Such reimbursements are requested using our standard reimbursement request form.

6. TDI-BROOKS’ RESPONSIBILITIES

A. MAINTENANCE AND CURE (INCLUDING COVID-19)

TDI-Brooks is responsible for sick or injured Seafarers in accordance with the general maritime law remedy of Maintenance and Cure. Maintenance is to support a Seafarer’s sustenance living expense and Cure is intended to support the offset of the Seafarer’s medical costs. See Vanuatu Maritime Act CAP 131, Regulations 53, 63 and Paragraphs 127, 127A, 128, 129. The Merchant Marine Act of 1920

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(Jones Act) provides US Seafarers with the same protection. The statute 46 U.S.C. 30104 also extends the Federal Employer’s Liability Act to US domestic Seafarers.

If you require medical care while you are working on board a vessel operated by TDI-Brooks, such care will be provided free of charge. Medical care may include access to necessary medicines, medical equipment, facilities for diagnosis and treatment, and medical information and expertise. Where practicable and appropriate, you will be given leave to visit a qualified medical doctor or dentist in ports of call for the purpose of obtaining treatment.

If you become sick or injured and are unable to continue while on a voyage, you will be paid your normal basic wages until you have been repatriated in accordance with the repatriation provisions set out below. After you have been repatriated you will be paid 1/3 of your normal basic wage up to a maximum of sixteen (16) weeks from the day of injury or illness.

In the event of sickness or incapacity you will be provided with medical care, including medical treatment and the supply of necessary medicines and therapeutic devices and board, until you recover or until your sickness or incapacity has been declared a permanent nature, subject to a maximum period of 16 (sixteen) weeks. In addition, we will meet the cost of the return of your property left on board to you or your next of kin.

In the event of your death occurring on board or ashore during a voyage, we will meet the cost of burial expenses, or cremation when appropriate or required by local legislation, and the return of your property left on board to your next of kin.

B. COVID-19 CONTROL

We take very seriously the vulnerabilities and threats of illness or death presented by COVID-19. Employees and Contractors will adopt the guideline steps issued by TDI-Brooks to reduce exposure as laid out by the Director of Marine Operations.

Should you develop COVID-19 symptoms, immediate steps to self-quarantine will be carried out. These steps must be in line with prevailing government guidelines, which we have adopted as part of our policy on a case-by-case, country-by-country basis. For full details please refer to the TDI-Brooks Employee Resources Policy Guide.

All Employees and Contractors assigned to a vessel will undergo a COVID-19 test for PCR or Antigens prior to boarding. The results of such test will determine your ability to join the vessel at the assigned time.

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The guideline steps are listed below:

Step 1:	Daily temperature log monitoring for two weeks prior to sailing	Compulsory
Step 2:	PCR or Antigen testing to be taken prior to joining the vessel	Compulsory
Step 3:	Prior to travel, send log and test results to the DER Megan Brooks	Compulsory
Step 4:	You must limit exposure to essential interaction only during the period up to vessel embarkation following PCR or Antigen Test	Compulsory
Step 5:	Continuous temperature log monitoring on vessel to be recorded by the Captain <i>or other designated person nominated by the Captain</i> with test results sent to the DER Megan Brooks daily.	Compulsory

Action: Report all results for Step 1 – Step 5 above to Designated Employee Representative (DER). The DER is Megan Brooks and must be contacted at <<meganbrooks@tdi-bi.com>>

C. PERSONAL PROTECTIVE EQUIPMENT (PPE)

You should refer to the HSE Matrix for **Personal Protective Equipment (PPE)** to understand and be responsive to your PPE requirements. We will provide hard hats, personal flotation devices, safety gloves, and safety glasses. Coveralls will be issued upon request. Personal PPE supplies including hard hats, personal flotation devices, steel-toed shoes, and safety glasses must meet or exceed TDI-Brooks HSE Safety Standards. Personal PPE is the responsibility of the employee.

US Domestic Day-Rate Employees. We will reimburse you for your purchase of steel-toed safety boots up to \$150.00 per pair, per year.

Foreign Day-Rate Contractors. We will reimburse you for your purchase of steel-toed safety boots up to \$75.00 per pair, per year.

7. REPATRIATION

You are entitled to repatriation at our expense at the end of your contracted work period. If your home country requires you to quarantine upon arrival, we will pay your day rate through your arrival to your home port only. Certain exceptions apply. If you have been dismissed or terminated on disciplinary

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grounds or have breached your obligations under your agreement, we will still repatriate you. However, you may be liable for the costs incurred.

8. TERMINATION

A discussion of behaviors or circumstances in which expulsion or termination is necessary can be found under the TDI-Brooks Employee Resources Policy Guide within the paragraphs titled or related to safety, ethics, integrity and anti-corruption, harassment and bullying, drug & alcohol and other policy violations.

9. REPORTING CONCERNS

We have established on board complaint procedures in accordance with International Labor Organization, Maritime Labor Convention 2006 Title 5, Regulation 5.1.5. including two 2016 amendments recently entering into force regarding repatriation and illness/injury.

The procedure addresses complaints regarding alleged breaches of the ILO MLC 2006 requirements, with regards to vessel compliance, including Foreign Day-Rate Contractors and Domestic Day-Rate Employee rights in cases of harassment and bullying. It also seeks to resolve complaints expressed to the Captain (or the crew complaint process representative) and/or those expressed to the Designated Person Ashore (DPA). Complaint report procedures are outlined in the TDI-Brooks Safety Management Manual – SOP-GEN-025– On board Complaint Procedures. TDI-Brooks prohibits any retaliation in response to your complaint made in good faith.

The procedure is posted prominently on board with reporting forms that, when properly used, allow for complaints to be heard, documented, and resolved from the lowest level (on board) through our senior management, and extending ultimately to Port and Flag State authorities if necessary.

10. HEALTH, SAFETY AND SECURITY

A. VESSEL EMERGENCY RESPONSE PLAN

You should become familiar with the vessel emergency plan, where it is posted, and who to call in the event of an emergency. The designated HSE Representative will provide you with a copy of the emergency response plan. The designated HSE Representative ashore is the HSE Manager. The designated HSE Representative on board each vessel is the Chief Mate.

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B. ON BOARDING VESSEL ORIENTATION

Within 24-hours of arrival you will be shown your quarters and given an opportunity to inspect the area for proper sanitation and living conditions. Vessel tour and familiarization will be mandatory if you have not been on board within six months of arrival.

C. SHIPBOARD TRAINING

Shipboard Safety Training is expected to be completed within the first 30 sea going days of any voyage. It is offered in the form of Computer Based Training Modules (CBTs). Training for the use and operation of the CBT Computer Center will be available from any officer aboard.

D. DRUGS, ALCOHOL AND REQUIRED TESTING

It is the policy of TDI-Brooks that all Seafarers submit to random drug and alcohol testing. Tests can include collecting specimens for laboratory review when, at any time, we request it. Guidance for testing can be found in 46 CFR Parts 4 and 16; 33 CFR Part 95; and 49 CFR Part 40, as published by the U.S. Coast Guard. TDI-Brooks is not constrained by these regulations and retains the right to request testing using a 5 Panel DOT Test, or other tests as required by our business needs, at any time. Required testing may include, but is not limited to, testing for the use or suspected use of illegal drugs, and/or unauthorized consumption or misuse of alcohol.

There are two medical related obligations of everyone sailing on the vessel. The first is to complete an emergency medical information form, seal it in the envelope provided, and give it to the Master for safe keeping. This form provides the Seafarer the opportunity to provide information, accessed only in an emergency when you cannot speak for yourself, that could save your life. You are not required to provide any or all of the information requested. There is a place to indicate your declining to provide any or all information on the signed form for that deployment. In the event you cannot speak for yourself or are medevaced from the vessel, the form (still sealed) will accompany you to inform and assist medical personnel in your treatment.

The second medical concern/assurance is that everyone on board with prescription medicines must have a sufficient supply to last well beyond the expected duration of the voyage or their deployment and/or a proven plan for resupply. Arrangements may be made to secure any medications, of a controlled nature or that are highly vulnerable to theft or abuse, in the ship safe for periodic distribution of smaller amounts as needed.

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E. OTHER REQUIRED TESTING

It is the policy of TDI-Brooks that all Seafarers submit to other required testing as per the TDI-Brooks Employee Resources Policy Guide, which includes testing for HIV, Malaria and COVID-19 and other infectious diseases.

When operating in areas of high risk for transmittable disease (such as Malaria) we may provide various prophylactics or vaccinations for the personnel on board. While we encourage you to utilize these preventive measures at no cost to you, the right of refusal remains with you, as it does with any medical treatment.

F. UNAUTHORIZED VISITORS

Any areas within the confines of the vessel are considered private, company property. There are no unauthorized visitors allowed at any time. Authorizations are by a ship's officer.

11. PERFORMANCE EVALUATIONS AND ELIGIBILITY FOR REHIRE

Any Seafarers working on vessels operated by TDI-Brooks are subject to Crew Evaluations to determine and assess each Seafarer's operational capability (SOP-GEN-028 Crew Evaluations). Evaluations are generally conducted quarterly but may be conducted with greater or lower frequency depending on the length of a particular voyage. The outcome of these evaluations may be used to determine a Seafarer's ability to return for future voyages and in certain events, to continue with a current voyage. Evaluations cover a broad range of criteria, such as below:

- Team work and interpersonal relationships
- Problem Solving Skills
- Communications and Speech
- Technical Operations
- Safety Operations, Judgement
- Cleanliness, Conduct, Personal Appearance
- Record keeping, Time Keeping
- Additional areas of Evaluation may be added as necessary.

Upon departure you may be asked to fill out an exit survey.

12. TDI-BROOKS EMPLOYEE RESOURCES POLICY GUIDE

For other terms and conditions of hire please refer to the TDI-Brooks Employee Resources Policy Guide.

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