

REPORT OF THE STANDING COMMITTEE ON PERSONNEL

Agenda

1. Introduction and Approval of the Agenda.
2.
 - Update on Seafarer’s Identification Document system (SID) (Joanne Laviolette, TC).
 - Ratification of the Seafarer’s Identification Documents Convention (Revised), 2003 C185 (Naim Nazha, TC).
3. Update Marine Human Resources National Advisory Committee (HRSDC).
4. Simulations and their use, assessment, capabilities, and technology (Kevin Laing, Rheinmetall).
5. Integrated Fire Patrol Methodologies for vessel’s crews and land based fire services (Captain Vassilios Pamboukes).
6. *Marine Personnel Regulations* - summary of the policies and Ship Safety Bulletins published (Diane Couture, TC).
 1. Section 229 of the Marine Personnel Regulations: Endorsements and certificates – Passenger carrying vessels
 2. TP 15030: Block Credit Course Accreditation
 3. TP 5562: Nautical Cadet Training Program
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 5. STCW-F Convention
Marine Medicine (Hearing Standards)
7. Comprehensive review of the STCW Convention and the STCW Code - Chapters I, II, III, V, VI, and VII. (Naim Nazha, TC).
8. Other Business / Stakeholder Submissions:
 - TSB Watch List Passenger Manifests *Fire and Boat Drills Regulations* (Darren Johnston, BC Ferries).
 - Small Vessel Machinery Operators (SVMO) (Seafarers International Union).
 - Minimum safe manning (CMSG).
 - Delays in the issuance of medical certificate (Comité sectoriel de main d’œuvre industrie maritime).
9. Tentative agenda items for the next CMAC meeting.

The meeting of the Standing Committee chaired by Naim Nazha, Transport Canada was held on Tuesday, April 27, 2010.

1. INTRODUCTION AND APPROVAL OF AGENDA

Naim Nazha acknowledged that the International Maritime Organization has selected this year to be the “year of the seafarer”. The “year of the seafarer” will give TC and the maritime community at large the opportunity to pay tribute to Canadian seafarers and the seafarer of the world for their unique contribution to society and in recognition of the risks they shoulder in the execution of their daily tasks and duties in an often hostile environment.

The chosen theme will give us the opportunity to convey to the more than 45,000 Canadian seafarers a clear message of our community's care for them. As this Standing Committee touches on the human element and the particular work, training, and certification of seafarers Naim Nazha took this opportunity to thank through the various associations present in the room all of the Canadian seafarers and those of the world, for their hard work and commitment to a safe and secure marine transportation system.

Naim Nazha listed the Agenda items to the Standing Committee for approval. Marc Boucher proposed to add the issue of minimum safe manning on large or multi-deck tugs to the agenda and Claude Mailloux an item with respect to the delays in issuing marine medical certificate. The Agenda was adopted with the amendments.

2. Update on Seafarer's Identification Document system (SID)

Joanne Laviolette, Transport Canada, announced the deployment of the Seafarer's Identification Document system (SID). The update included the following points:

- System to be deployed in all Marine Safety offices, except Sept-Iles and Cap-aux-Meules, by the end of April 2010.
- This system will allow TC to issue a SID that fully complies with all the security requirements of the ILO Seafarers' Identity Documents Convention, C-185.
- Target date for production is late spring.
- A SID can only be issued to seafarers who have been granted a Transportation Security Clearance.
- The SID will be valid for five years and the expiry date of the document will be synchronized with the expiry date of the Transportation Security Clearance.

Joanne Laviolette invited all the attendees to visit a kiosk in the main reception area, where the SID solution and 3M Canada's autogate systems were being showcased.

John Greenway, Seaway Marine Transport, asked for an update on two developments: 1) using the SID system at ports and terminals for crew access and 2) reciprocity of SID with the U.S.

Joanne Laviolette responded that TC is working to promote the use of SID at ports and terminals and cited Trois-Rivières as an example. Naim Nazha added that TC has been approached by Trois-Rivières to conduct a pilot project using SID at ports and gates. He noted that Marine Safety has been working with Marine Security to develop this level of access.

Ratification of the Seafarer's Identification Documents Convention (Revised), 2003 C185

Naim Nazha informed the Committee that TC has received strong support from industry stakeholders to ratify the Seafarer's Identification Documents Convention (Revised), 2003, C185. Marine Safety is currently working with other departments towards ratification. He added that the U.S. Department of Homeland Security Regulations that came into effect in May 2009 included provisions for reciprocal recognition of seafarer's identification documents. Naim Nazha reported that TC is currently looking into whether ratification will provide reciprocal recognition.

Edith Bélanger, Seafarers International Union, asked if the SID system would be compliant with the C185. Naim Nazha answered that SID will be compliant with C185, when it is deployed. Joanne Laviolette added that seafarers could choose to apply for either SID: the one issued under ILO C-108 (the current card) or the SID issued under ILO C-185 (the modernized card). The process will remain voluntary until Canada has ratified C-185 and denounced C-108. The cost for the SID will be \$20.

Edith Bélanger stated for the record that the Seafarers International Union is primarily concerned with seafarers having access to all the ports and terminals. Naim Nazha reminded the Committee that access to ports and terminals is not the explicit jurisdiction of Marine Safety, but that Marine Safety is working with Marine Security on the aforementioned pilot project and will await the results.

John Greenway asked if the crew of vessels in dry dock require identification (port pass). Joanne Laviolette noted that, since all ports are different, seafarers should check with their employers and local port authorities to confirm what documents are necessary at the specific work locations. Naim Nazha recommended that private operators who have their own terminals could approach 3M in order to get SID card readers to provide access to these terminals.

Joanne Laviolette noted that since the SID validity is synchronized with the security clearance, seafarers should be advised to make an application for renewal of their SID at least six months prior to expiry.

3. UPDATE MARINE HUMAN RESOURCES NATIONAL ADVISORY COMMITTEE

Andreas Hofstaetter, HRSDC, presented a brief update on the design and development of an industry-led Marine Human Resources Sector Council. He advised the Committee that HRSDC has received the business plan and is continuing development. He thanked TC for helping to bring stakeholders together and to identify issues. He concluded that HRSDC is optimistic that they will have more development to report in the coming months.

Catherine Dutton, Marine Institute of Memorial University of Newfoundland, asked if there is anything else stakeholders can do in the meantime to aid in the development. Andreas Hofstaetter responded that there is little that industry can do to gather federal funding. He noted that industry members could try to get funding for training, but added that it is unlikely because HRSDC no longer funds training since this responsibility has been transferred to provincial jurisdiction.

4. SIMULATIONS AND THEIR USE, ASSESSMENT, CAPABILITIES, AND TECHNOLOGY

Kevin Laing, Rheinmetall Defence, gave a presentation on marine safety simulators on their use, assessment, capabilities, and technology. He invited anyone from the Committee to visit a display located in the Westin Hotel or to engage him in a one-on-one conversation to discuss training simulators. He went on to explain that the areas of marine safety where Rheinmetall technology can be applied include: ship handling, radar, navigation, communications, cargo operations, engineering, and damage control.

Larbi Yahia, Institut Maritime du Québec, asked if new applications could be inputted into the simulator systems. Kevin Laing answered that these systems can be used in a variety of applications and that Rheinmetall is enthusiastic about working with clients to accommodate their needs.

5. INTEGRATED FIRE PATROL METHODOLOGIES FOR VESSEL'S CREWS AND LAND BASED FIRE SERVICES

Larbi Yahia, Institut Maritime du Québec, discussed their partnership with Maritime Emergency Management Consulting and Instruction by noting that they have been offering firefighting training and training for other industries on a voluntary basis, in French, for eight years. He then turned the floor over to Vassilios Pamboukes.

Vassilios Pamboukes, Maritime Emergency Management Consulting and Instruction, gave a presentation on Integrated Fire Patrol Methodologies for Vessel Crews and Land Based Fire Services. He examined reasonable and necessary actions expected of vessel officers and crew when responding to fires and other emergencies that occur on board while underway. He went on to say that local level emergency response is best accomplished through a greater understanding of the roles and responsibilities of shore-based fire officials and emergency responders, mariners, Coast Guard, emergency management officials, and the marine industry.

Vassilios Pamboukes described Maritime Emergency Management Consulting and Instruction's objective as familiarizing land-based firefighters with the specific conditions and hazards of the marine environment, with saving lives as their highest priority. He then provided: an overview of the Marine Emergency Training Center facilities; described their land-based and marine fire fighting training; and discussed the cooperation with l'Institut maritime du Quebec and U.S. partners in educating personnel.

Vassilios Pamboukes concluded by noting that there is keen interest in major port cities to develop these programs, but there is a lack of support. He asked the Committee for support and help in developing programs to capitalize on training opportunities in order to accomplish this goal.

6. MARINE PERSONNEL REGULATIONS - SUMMARY OF THE POLICIES AND SHIP SAFETY BULLETINS PUBLISHED

Diane Couture, Manager, Nautical Certification and Pilotage, gave summaries of the following policies:

- **Section 229 of the *Marine Personnel Regulations* - Endorsements and Certificates – Passenger- Carrying Vessels**

Diane Couture addressed the issue of who on board a vessel is required to hold a Specialized Passenger Safety Management Endorsement or Certificate. She advised the Committee that due to the inconsistent application of these requirements, TC has clarified the definition of “immediate responsibility” in the *Marine Personnel Regulations*.

Diane Couture read the definition as, “the person assigned immediate responsibility is the person that is answerable or accountable for the action or event.” She clarified that it is the person with oversight who would face the consequences should the action or event go sideways. She offered four examples of procedures for opening, closing, and securing hull openings; stability and stress requirements and limitations; procedures for the maintenance of special equipment on passenger-carrying vessels; and loading and embarking procedures.

Diane Couture added that TC has prepared instructions for all marine safety inspectors to ensure that this requirement is applied uniformly across the country. She noted that operators are responsible for informing TC as to who on board has immediate responsibility. She concluded that the person with immediate responsibility must establish procedures for safety-critical tasks so the junior crewmembers are familiar with their responsibilities and can carry them out under appropriate supervision.

Full details are available from TC upon request.

- **TP 15030 - Block Credit Course Accreditation**

Diane Couture announced that TC has developed a new TP namely the Block Credit Course Accreditation. This TP is currently in draft form but will be finalized after the CMAC meetings and once TC has received final comments from the nautical schools.

She advised the Committee that the forthcoming TP describes all the requirements that must be met before a Block Credit Course Accreditation is granted. Any course providers can obtain a Block Credit Course Accreditation if they meet all the standards described in the TP. Course providers seeking this accreditation must have a Quality Management System in place in conformity with TCMS standards.

Full details are available from TC upon request.

- **TP- 5562 - Nautical Cadet Training Program**

Diane Couture announced that they have also revised and updated TP 5562 - Nautical Cadet Training Program. A last draft will be provided to the CAMTI group this week for final review and it will be published shortly after the CMAC meetings

- **Master Limited Examinations**

Diane Couture informed the Committee that TC has purchased new examination software to administer Master Limited examinations. The new software will allow TC to create different profiles either for each vessel or for the different sector of operations. Each TC exam center will be in charge of its own sectors or vessels and will have to create these profiles.

TC has already created and entered over a thousand questions for the Master Limited for a vessel of less than 60 gross tonnage certificate and are now creating questions for the Master Limited for a vessel of 60 gross tonnage or more certificate. Candidates will have the choice between more than 60 gross tonnage and less than 60 gross tonnage training. Expected implementation is April 2011. More detail will be provided when the system will be officially in place.

TC is looking to discuss with different course providers who are interested in providing a block credit course for these written examinations.

Diane Couture also informed the Committee that TC intends to use this software to provide examinations for all Marine Safety certificates. She noted that each course is different and will be required to be developed. Expected implementation for all marine certificates is five years.

- **STCW-F Convention**

Diane Couture informed the Committee that Canada has ratified the IMO STCW-F Convention. The STCW-F Convention will enter into force twelve months after the date on which not less than fifteen States have either signed it without reservation as to ratification, acceptance, or approval, or have deposited the requisite instruments of ratification, approval, or accession.

Presently Canada is the fourteenth contracting state to the convention. TC expects the Convention to come into force within eighteen months.

This Convention applies to fishing vessels of 24 metres in overall length or more. TC has presented the new certification system for fishing master certificates of competency that will be put into place to comply with this Convention. The *Marine Personnel Regulations* will need to be amended to reflect these changes.

- **Marine Medicine (Hearing Standards)**

Naim Nazha gave an update on Marine Medicine's progress concerning Hearing Standards. He noted that ILO/WHO guidelines for conducting pre-sea and periodic medical fitness examinations for seafarers do not accommodate the use of hearing aids.

He added that TC must ensure that hearing standards are current and realistic. He informed the Committee that as an interim measure, TC instituted a temporary policy that allows for more flexible testing and most importantly, allowed the use of hearing aids. However, there are some geographical limitations. At this point TC will be formally accepting the use of hearing aids.

Naim Nazha concluded that TC must ensure a fair and standard assessment process and the only way to achieve this is a periodic objective measurement to ensure the adequate and safe functioning of seafarers.

Richard Goode, BC Ferries, asked if a seafarer could currently get testing with a hearing aid. Naim Nazha yielded the floor to Dr. Peter Jenna, Marine Medical Unit. Dr. Jenna responded that a seafarer could get tested using a hearing aid.

Naim Nazha asked all the colleges, unions, and operators to pass the message on to seafarers to get a CDN number before going for the medical examination, as the CDN number is required for the medical documents. Terry Engler, International Longshoremen and Warehouse Union Local 400, asked where a seafarer could get a CDN number. Naim Nazha replied that a seafarer could get a CDN number at a TC center with proper identification. Diane Couture added that a seafarer can also get a CDN number by mail, but are required to see a commissioner of oath to confirm the photocopy of the identification submitted by mail.

Ivan Oxford, Camosun College Nautical Training, asked if TC physicians would have the proper equipment to conduct the hearing tests. Dr. Jenna answered that at this time TC is unsure of how many physicians will have the proper equipment and that outside services may be necessary to accommodate volume.

Terry Engler asked if TC would accept audiograms for these tests. Dr. Jenna answered that TC will accept any audiogram from a certified audiologist.

7. COMPREHENSIVE REVIEW OF THE STCW CONVENTION AND THE STCW CODE - CHAPTERS I, II, III, V, VI, AND VII

Naim Nazha began the comprehensive review of the STCW Convention and Code by informing the Committee that this item is in its final stages prior to ratification. He distributed the latest version of the Comprehensive Review of the STCW Convention and STWC Code report to members of the Standing Committee for review and comment. He explained that deletions are marked with strikethrough and highlighted text represents changes or rewording. He noted that he has not received feedback on these changes and advised the Standing Committee to take this last opportunity to provide comments in preparation for the adoption of the final text at the IMO in June 2010.

Naim Nazha led the Standing Committee through an extensive overview of the proposed changes chapter by chapter. For each chapter and as necessary he cited the potential impact of the proposed changes, made recommendations to specific stakeholders, responded to questions, and solicited comments.

Chapter I – General Provisions

Regulation I/1 – Definitions and Clarification

Naim Nazha cited new definitions for the following terms that are being introduced:

- **GMDSS radio operator** - Persons must be qualified in accordance with Chapter 4 of the radio operator regulations administered by Industry Canada.
- **Passenger ship.**
- **Certificate of competency** - certificates will be issued and endorsed in accordance with Chapters 2, 3, 4, and 7.
- **Certificate of proficiency.** Naim Nazha commented that there is no impact due to this change, but members of the Committee should be aware of the distinction between certificate of competency and certificate of proficiency.
- **Security duties** - These changes will impact security training.
- **Electro-technical officer** - These changes will not impact manning requirements, but will include new competencies and therefore will impact certification for seafarers who require this certification.
- **Able seafarer deck.**
- **Able seafarer engine.**

Naim Nazha noted that the only change in the previous two terms is terminological, i.e. from “able seaman” to “able seafarer”.

- **Electro-technical rating** - Naim Nazha noted that the proposed changes are still presented in square brackets because they have not yet been adopted. It will be decided in June 2010 before adoption by the IMO.
- **Documentary evidence** - Seafarers must comply with the documentary evidence requirements.

TC will take these definitions and clarifications into consideration when amending the *Marine Personnel Regulations*.

Regulation I/2 and Section A-I/2 - Certificates and Endorsements

Naim Nazha cited new requirements that have been introduced as follows:

- Paragraph 1 - The Certificate of Competency can only be issued by the party following verification of authenticity and validity of any necessary documentary evidence. In response to requests from operators to hire foreign seafarers, TC will authorize holders of certificates in accordance with paragraph 8, whereby the Administration alone can issue the certificates issued for the tankers endorsements.
- Paragraph 13 has been added.
- Paragraph 16 - Requirements for mandatory electronic databases on the status of certificates are introduced in this regulation. Naim Nazha commented that the impacts of paragraph 16 should not be concern for industry members.

Regulation I/3 – Principles Governing Near Costal Voyages

Naim Nazha cited paragraphs 2, 5, and 6.1 as impacting vessels and seafarers engaged in near costal voyages.

Regulation I/4 – Control Procedures

Naim Nazha cited point 3.4 as having been amended to reflect security concerns.

Regulation I/5 – National Provisions

Naim Nazha cited paragraph 2 as having been added. He commented that the impact would be to put the onus on TC to take action to prevent fraud and other unlawful practices involving certificates and endorsements issued.

Regulation I/7 – Communication of Information

Naim Nazha cited paragraph 4 as having been added. He commented that the impact would be for TC to ensure proper communication of amendments to the STCW Convention and Code to the IMO.

Regulation I/8 – Quality Standards

Naim Nazha cited paragraph 1.1 was amended to include the issuance of medical certificates. Procedures for the issue of medical certificates are now part of the quality standards. He cited paragraph 2, which explains that Canada's adoption of the STCW will be evaluated for functionality according to the Convention and Code. He commented that all ratifying states undergo this evaluation.

Regulation I/9 – Medical Standards

Naim Nazha cited paragraphs 1 to 6 as having been added. He commented that despite the changes, paragraph 5 still ensures a two-year validity period and paragraph 6 still offers a three-month extension of validity for seafarers at sea at the time of expiry. Mandatory provisions for in service eyesight are introduced on section A-I/9 of the Code. Parties must appoint medical practitioners. Seafarers shall have valid medical certificate while working at sea. Parties shall establish procedures for recognizing medical practitioners. Parties shall establish provisions for appeals.

Similar provisions exist in the *Marine Personnel Regulations*.

Regulation I/10 – Recognition of Certificates

Naim Nazha cited paragraphs 1.1 and 5 for small changes to the text.

Regulation I/14 – Responsibilities of Companies

Naim Nazha cited paragraphs 1.3 and 1.7 as being new. He commented that this section of the Convention and Code reinforces paragraph 106 of the *Canada Shipping Act, 2001*; the impact will be to put the onus on companies to fulfill their responsibilities to provide training and to ensure effective oral communication on board.

Regulation I/15 – Transitional Provisions

Naim Nazha noted only that the entire section is still presented in square brackets because the decision to ratify this section has not yet been made.

Chapter II - Master and Deck Department

Naim Nazha said that there have not been any changes of relevance to this chapter.

Table A-II/1

For the Competency “Maintain a safe navigational watch” and under column 2 Knowledge, understanding and proficiency (KUP’s) “Watchkeeping” the following items are introduced. “The use of information from navigational equipment for maintaining a safe navigational watch, knowledge of blind pilotage and the use of reporting in accordance with the General Principle for Ship Reporting System and with VTS procedures”. A new KUP are introduced with respect to:

- Bridge resource management (BRM).
- Electronic navigational chart (ECDIS).

Making the ability to transmit and receive Morse light less onerous has modified the KUP with respect to visual signaling.

Chapter III – Engine Department

Naim Nazha cited minor changes that have been introduced to the following:

- Regulation III/1, paragraphs 2.2, 2.3, and 2.5. He commented that there would not be any manning issues as a result of paragraph 2.5.
- Regulation III/2, paragraph 2.1.
- Regulation III/5 has been added.

Chapter V – Special Training Requirements for Persons on Certain Types of Vessels

The text for regulations V/1-1 and V/1-2 and the respective sections of part A of the STCW Code Section A-V/1-1 with corresponding tables on the specification of minimum standard of competence relating to basic training for oil, chemical tanker, and liquefied gas tankers have been revised.

The new regulations introduced the possibility for approved onboard training as an alternative to the three-month approved seagoing service required for certification in advanced training for tanker cargo operations. Guidance for this training has been provided in section B-V/1.

Also guidance relating to the use of the term “immediate responsibility” has been provided in section B-V/1. The term means a person being in a decision-making capacity with respect to loading, discharging, are in transit, handling of cargo, tank cleaning or other cargo related operations.

Tables A-V/1-1-1 “Specification of minimum standard of competence in basic training for oil and chemical tanker cargo operation” introduced the competence to “Carry out fire-fighting operations” in addition to the requirements found in chapter VI.

Guidance in section B V of the Code have been introduced regarding:

- Training and qualifications of masters and officers in charge of a navigational watch on board offshore supply vessels.
- Training and experience for personnel operating Dynamic Positioning systems.
- Training for Masters and officers for vessels operating in Polar waters.

Chapter VI - Emergency Occupational Safety, Security, Medical Care and Survival Functions

Naim Nazha cited the change to the title of this chapter to include “Security”. All the security-related training requirements have been consolidated within a single regulation thereby simplifying their application. This is reflected in amended text for regulation VI/6 along with associated sections of the STCW Code.

Regulation VI/1 – Mandatory Minimum Requirements for Familiarization, Basic Training for all Seafarers

Naim Nazha cited paragraphs 2 and 3 as having been added. He noted that the impact will be on security-related training and instructions to seafarers and the documentary evidence issued to seafarers when they are found qualified under the relevant sections of the regulations.

Regulation VI/6 – Mandatory Minimum Requirements for Seafarers with Designated Security Duties

Naim Nazha noted that this regulation has been added. He noted that the impact will be on the domestic fleet and is related to training.

Chapter VII – Alternative Certification

Naim Nazha said that Canada does not use this chapter of the STCW Convention and Code and hence there have not been any changes of relevance to this chapter.

Chapter VIII – Standards Regarding Watchkeeping

Naim Nazha cited Section A-VIII/1 – Fitness for Duty, paragraph 1 has been added. He noted that the impact would be changes to the mandatory rest periods for watchkeepers.

He cited Section A-VIII/1 – Fitness for Duty, paragraph 10 as having been added. He noted that the impact will be for TC to establish measures to prevent drug and alcohol abuse, especially by establishing a limit of not greater than 0.05% blood alcohol level or 0.25 mg/l of alcohol in the breath for masters, officers and other seafarers while performing designated safety, security and marine environmental duties.

He cited Section A-VIII/2 – Watchkeeping Arrangements and Principles to be observed, specifically, Part 3 – Watchkeeping Principles in General has been added.

To conclude this overview, Naim Nazha again encouraged all the implicated stakeholders to take this last opportunity to provide comments in preparation for the adoption of the final text at the IMO.

8. OTHER BUSINESS / STAKEHOLDER SUBMISSIONS:

TSB Watch List Passenger Manifests - *Fire and Boat Drills Regulations*

Jamie Marshall, BC Ferries, informed the Committee that the Transportation Safety Board published a watchlist with nine items concerning the *Fire and Boat Drills Regulations*. He asked if TC has any intention of amending these regulations based on the watchlist.

Naim Nazha replied that there is no intention to amend the regulations to address the concerns expressed in the watchlist, as they are already covered in the recently amended regulations.

Small Vessel Machinery Operators (SVMO)

Several industry stakeholders voiced concerns over the issuance of the SVMO and the application of this qualification to the reality of the industry. Concerns expressed include the risks to human life, lack of qualified personnel due to sea service requirements, and impacts to the industry due to changes.

Naim Nazha clarified that there are in fact two issues at stake that being minimum safe manning and certification. He encouraged the stakeholders to have this conversation at the regional level for the minimum manning and asked if there are any issues with how the SVMO is issued.

Michel Galarneau, Seafarers International Union, responded that the industry is stuck with the SVMO and the problems that come with it. The Seafarers International Union would like to see TC solve these problems.

Mark Boucher noted that one of the problems with the SVMO is the requirement for two months of sea service in order to qualify.

Michel Galarneau asked if the courses required to qualify for the SVMO could be taken as sea service.

John Clarkson reported to the Committee that they commonly are told that the required two months of sea time is a stopgap of available workers. John Clarkson suggested that if a seafarer takes an accredited course, the time spent should count toward the required two months of sea time. He also suggested allowing time spent in simulators to count towards the required two months of sea time.

Naim Nazha acknowledged that the vocal members of the Committee have issues with the policy governing the SVMO and those seafarers are finding it difficult to accumulate the required amount of sea time to qualify. He informed the Committee that there are no provisions within the regulations that allow for counting training courses for sea time remission, as it is the case with the deck certification. However, Naim Nazha made his willingness to address the issues clear and asked the members to present proposals on these issues.

Naim Nazha stated for the record that it is not TC's approach to develop certificates for specific vessels, situations or industries, that is, TC does not intend to restrict the seafarer to these vessels situations or industries. He concluded by saying that the SVMO was developed along these lines and it will remain, but there are opportunities to discuss improvements to training. He reminded the industry members to provide TC with what they feel are the shortcomings of the SVMO policy and prepare proposals for changes.

Minimum Safe Manning

Mark Boucher, Canadian Merchant Service Guild, brought forward the issue of minimum safe manning on board 2-man tugs and multi-deck tugs. Mark Boucher made it clear that the Canadian Merchant Service Guild wishes to state for the record that they have safety concerns for these vessels due to the large size and horsepower. He acknowledged the need for a level playing field and competitiveness in the market, but advocated that safety of life must be a higher priority. In particular, he noted that 2-man tugs and multi-deck tugs should be required to demonstrate the ability to recover a man overboard. Finally, Mark Boucher added that the Canadian Merchant Service Guild is looking for national leadership and consistency on this issue.

Mark Boucher reported that the Canadian Merchant Service Guild has met with the regions on this issue, but due to the severity of their concerns, they are looking for national oversight specifically on the requirement to demonstrate recovery of a man overboard.

Michel Galarneau, Seafarers International Union, also stated for the record that the Seafarers International Union is very concerned about 2-man tugs or multi-deck tugs and their ability to recover a man overboard.

Naim Nazha clarified the discussion by citing Part 2, paragraph 207(4)(d) of the *Marine Personnel Regulations* on Minimum Complement. He read from the Regulations as follows:

The minimum complement of a vessel, in order to deal with an emergency situation, shall consist of the persons needed to simultaneously carry out the following tasks:

- i) operate and use the fire extinguishing equipment required by or approved under the *Fire Detection and Equipment Regulations* to fight a fire at any one location on the vessel,
- ii) prepare for launching the survival craft carried in accordance with the *Life Saving Equipment Regulations*,
- iii) operate the vessel's pumping and emergency power system,
- iv) direct and control the passengers who are on board, and
- v) provide communication between the person in immediate charge of the vessel and the persons directing and controlling the passengers.

Naim Nazha noted that there are provisions in the Regulations for the minimum complement of these vessels.

Richard Goode, Canadian Merchant Service Guild, also voiced his concern for 2-man tugs or multi-deck tugs and their ability to recover a man overboard. He added that operators are experiencing economic pressure to reduce crew sizes onboard tugs to two men, but that these men do not have sufficient training to handle an emergency situation like a man overboard a multi-deck tug. He concluded by stating for the record that economic concerns should not be allowed to supersede safety.

Naim Nazha responded that everyone at the Committee agrees that their collective purpose is not to compromise safety of seafarers.

Terry Engler, International Longshoremen and Warehouse Union Local 400, also stated for the record that they are very concerned about 2-man tugs or multi-deck tugs and their ability to recover a man overboard.

Edith Bélanger, Seafarers International Union, asked in relation to paragraph 307 of the *Marine Personnel Regulations*, if it is true that TC policy allows for vessels up to 500 gross tonnage. Diane Couture responded that TC policy permits harbor tugs only between 300 and 500 gross tonnage that operate with 2-man crew. She added that the policy has very restrictive conditions.

Naim Nazha offered to make this policy available to the concerned members of the Committee to comment on what they felt are its shortcomings. Mark Boucher added that the Canadian Merchant Service Guild is concerned about the TC policy concerning dual capacity of the Master of a vessel. He noted that the policy came into effect in July 2009 and is due for review.

Colin Eckford, Council of Marine Carriers, stated for the record that they operate a large fleet of 2-man tugs and have not experienced any related issues. He clarified that a 500 gross tonnage vessel is not necessarily more dangerous because they are very restricted in where they can operate. Colin Eckford voiced his willingness to participate in the conversations concerning this issue, but added that a risk analysis is necessary to determine what should be done to address it.

Delays in the issuance of medical certificate

Mark Boucher, Canadian Merchants Service Guild, asked what happens if a person's medical certificate expires and there are delays in processing and if there are opportunities for exemption? He asked if TC has a short term and a long-term plan to deal with marine medical certification.

Naim Nazha explained that delays and additional workloads were incurred due to the changeover from medical files to government files, which must be composed according to a government standard and to clear the backlog (eighteen months) from the previous administrators of the program. He added that in the long term TC would evaluate the marine medical program to determine the required manpower. In the meantime, operators may send TC a list of seafarers (names and CDN numbers) so requests can be processed more quickly.

Terry Engler, International Longshoremen and Warehouse Union Local 400, and Darren Johnston, BC Ferries, offered their formal thanks to TC for working to address the backlog of marine medical certificates.

Mark Boucher asked if there is a forthcoming Ship Safety Bulletin on marine certificates being recognized as proof of competency under the *Competency of Operators of Pleasure Craft Regulations* in lieu of the PCOC.

Naim Nazha reported that the Operator Competency Program is reporting progress on this policy in the Standing Committee on Recreational Boating and that TC would be informing stakeholders soon.

No other business or stakeholder submissions were brought forward in the Standing Committee.

9. TENTATIVE AGENDA ITEMS FOR THE NEXT CMAC MEETING

Naim Nazha opened the floor to additions to the agenda for the November 2010 National CMAC meetings. There were no submissions for tentative agenda items for the next meeting.

Naim Nazha closed the meeting of the Standing Committee on Personnel by thanking the attendees for their participation.

Approved by:

Naim Nazha, Marine Safety, TC, Standing Committee Chair