

## **Discrimination and Exploitation through On-the-Job Training and Hiring: The Case of the “Non-Elite” Seafarers in the Filipino Maritime Industry**

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### **Abstract**

This paper examines and exposes the discriminatory and exploitative practices prevalent in the recruitment and placement of “non-elite” cadets and graduates in the Filipino maritime industry. Non-elites are disadvantaged maritime cadets and graduates who did not make the cut for choice maritime schools that have partnerships with shipping companies. The findings show that non-elite cadets from the provinces, without backers, or lacking in “work experience” are more likely to work as “utility” workers in manning offices, as well as to pay placement/reservation fees to secure their shipboard training placements onboard. As utility workers, they are exploited to provide administrative (i.e., paperwork) or miscellaneous support (i.e., run personal errands for supervisor, or prepare coffee and buy snacks for the staff) for a pittance or none, and without any assurance

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on the length of service or the date of departure for their onboard training. Additionally, this involuntary servitude negatively lengthens their status as cadets, stunts their skills and competencies, and provides inaccurate academic rating of their competencies. Because of ship shortages for actual training onboard, lack of finances to enroll in the curriculum, or large numbers of cadets vying for a position onboard, cases of shipboard training being held in offices emerged during the survey and interviews. Findings also show that non-elite graduates with shipboard training in offices and without backers have fewer employment opportunities. Likewise, they are exploited by manning agencies through requirement to provide utility services or attend unnecessary trainings. The study used a combination of quantitative survey, by simple random sampling, and qualitative key-informant interviews to support the statement that some shipboard training and employment placement practices contribute to the exploitation and discrimination of non-elite seafarers.

**Keywords:** cadet, discrimination, maritime industry, on-the-job training, placement practices, seafarers, utility manning

## **Introduction**

The Philippines is considered as one of the major providers of seafarers worldwide, with 30 percent of employed seafarers as being Filipinos (Jimenez, 2012). Termed as “modern-day heroes” because they contribute to the economic development— the Philippine Overseas Employment Administration (POEA) redirects 80 percent of the seafarers’ weight income to the Filipino national bank (Wu, 2011; Wan & Tira, 2008; Gonzaga, 2006; Okamura, 1998)— Filipino seafarers are seen as cheap labor that prevent the Philippine economy from fluctuating (Jimenez, 2012; Wu, 2011; Camroux, 2008). The POEA Overseas Filipino Workers (OFW) Statistics Survey showed a rise in the number of seafarers deployed from 406,531 in 2015 to 442,820 in 2016, representing an annual increase of 8.93 percent (POEA, 2016). But while the Philippines remains a top global source of seafarers, Philippine maritime education has been confronted with the problem of diminishing cadetship rates, with a

number of cadets having difficulties in obtaining shipboard training onboard. This likewise meant an oversupply of maritime graduates that shipping companies, both local and foreign, could and would accommodate into employment.

This study looks at non-elite maritime cadets and graduates who are vying for positions or employment in both local and foreign vessels. Non-elite is a term this study uses to distinguish maritime cadets and graduates who did not make the cut for choice maritime schools that have partnerships with shipping companies, either local or foreign, thus placing them in a disadvantaged position when applying for shipboard training onboard or employment. In this study, a focus on the non-elite seafarers highlights the need to acknowledge their presence in the maritime industry and recognize the disparities in recruitment and placement processes between the “elite” and non-elite seafarers. Delving into the factors that affect recruitment and placement practices, which include: the interrelations between employers (i.e., shipping companies through the manning agencies) and employees (i.e., non-elite maritime cadets and graduates); the relations between employer organizations (e.g. manning agencies) and the local Philippine government (e.g. Department of Labor and Employment [DOLE], POEA, Maritime Industry Authority [MARINA], Commission on Higher Education [CHED], etc.); the roles of seafarer labor/ trade unions, and the unfair labor practices existing from a seafarer’s recruitment during the “job search” to the actual stay onboard the ship during employment (Binghay, 2005), the results of this study may help maritime employers provide equal employment opportunities for non-elite seafarers and facilitate the value afforded to their labor hours. While validating the largely undocumented discriminatory and exploitative practices in the scope of placement for on-the-job shipboard training and employment, the results can strengthen existing reforms based on the provisions stipulated in the Maritime Labour Convention (MLC) 2006 and advanced by the policy-making bodies of the local government, as well as promote the formulation of policy recommendations in view of the international standards and guidelines.

This study aims to expose the system of discriminatory and exploitative practices among Filipino seafarers by seeking to answer the general question: What shipboard training and employment placement

practices contribute to the exploitation and discrimination of non-elite seafarers, and how can these be used in the development and/or improvement of monitoring systems? The following assumptions on non-elite cadets/graduates are established on key findings:

#### *Shipboard Training*

1. They are required to work as utility” workers in manning agency/shipping company offices prior to their shipboard training.
2. They pay placement/reservation fees to serve as utility workers in manning agency/shipping company offices.
3. They have shipboard training in offices.
4. They are discriminated against based on their school locations (i.e., National Capital Region [NCR] vs. provinces).
5. They are discriminated against based on their social connections (i.e., backers or recommendations).
6. They are discriminated against based on their lack of “work experience.”
7. The involuntary servitude as utility workers prior to on-the-job/ shipboard training has a negative effect on their recruitment/placement.
8. On-the-job/shipboard training in offices has a negative effect on their skills and competencies.
9. On-the-job/shipboard training in offices has a negative impact on their academic grades.

#### *Employment*

1. They are exposed to the exploitative practices of being required to work as utility workers in manning agencies prior to their employment.
2. They attend unnecessary trainings as required by manning agencies.
3. They are discriminated against based on their shipboard training locations (i.e., ships vs. offices).
4. They are discriminated against based on their social connections (i.e., backers or recommendations).
5. On-the-job/shipboard training in offices has a negative effect on their employment opportunities onboard ships.

To expose the discriminatory and exploitative practices prevalent in the recruitment and placement of non-elite cadets and graduates in the Filipino maritime industry, presentation and discussion of data are divided into two sub-sections: (a) shipboard training, (b) employment. A differentiation of these practices puts emphasis on the cadets' and graduates' applications in manning agencies and the negative effects of these practices in the overall recruitment/placement process. To further clarify the sub-sections, this paper defines cadets as apprentices waiting for their shipboard training onboard to complete the 1-year requirement for graduation. Graduates are full-pledged seafarers applying for their first job onboard a ship.

### **Overview of the Local and Global Maritime Industry**

Over the years, various studies and research, with emphasis on the perceived unfair treatment of seafarers, have been conducted in relation to discriminatory and exploitative practices in the maritime industry both in the local and global settings. These studies focused on the potential sociological (Manuel, 2011; Sampson et al., 2011; Bloor & Sampson, 2009; Pentsov et al., 2004), psychological (Allen et al., 2008; Leszczyńska et al., 2008; Smith, 2006) and phenomenological (Fernandez-Gonzalez et al., 2014; Lileikis, 2014; Lileikis, 2013; Gliožienė & Lileikis, 2012) impacts these may have on the world trade, in general, and on the particular individuals who technically make the shipping industry flourish.

The current global economic recession led more shipping companies to cut on costs (Blejer & Guerrero, 1990), implying the increase in shipping capacity, crew members being paid off, and lower profits received by ship owners. Also, globalization and economic transitions have made an impact on the employment structure and professional perspectives leading to changes in national policies of employment, employers' hiring preferences, and available job opportunities (Wu et al., 2006; Ding & Liang, 2005; Wu, 2004).

#### ***Training opportunities***

With a large pool of young people wanting to take up a career at sea, there rises an issue on insufficient onboard berths that cannot meet

the demand for sea service training. This leads to the impending shortages of skills in the long run, affecting the supply and demand for experienced and highly skilled officers (Lobrigo & Pawlik, 2012; Lewarn & Francis, 2009). Trainings have been and are still being developed and employed to face these shortages and cultivate a positive maritime image that involve both management and individuals. However, strains on the training quality included education systems that shifted their objectives to passing competency examinations (Emad & Wolff, 2008) instead of focusing on learning skills and knowledge required onboard, or crewing agencies implementing training services that demanded kickbacks from maritime education and training institutions, or institutions that issued certificates without training and that forged certificates (Bloor & Sampson, 2009). Furthermore, racial division, a form of discrimination, could cause unequal employment opportunities and fragmented training and certification (Bonnin et al., 2004).

While general maritime policies advocate the personal and career development of seafarers to be able to cater to the needs of individuals, a closer look at the distribution of seafarers around the world, the recruitment preferences of ship owners, crewing patterns and a look at possible changes prevalent in the maritime industry, is necessary (Wu & Winchester, 2005), especially as more training programs have now been aimed at meeting solely the needs of the institutions or the shipping companies rather than the specific needs of individuals for personal growth and career satisfaction (Dinwoodie, 2000).

### ***“Cadet” status***

The growing demand for qualified seafarers and an enhanced quality of recruitment campaigns have put the maritime cadet in a disadvantaged position. While there was no scarcity of new recruits as many young people found the maritime industry lucrative, shipping companies and training agencies, on the other hand, found it difficult to readily accept apprentices. This was because employability skills were not necessarily developed at school; thus, the increased importance of the workplace as a site for the learning and development of these skills. The need to upgrade and develop the recruits' skills required the employers' utmost attention especially when recruits dropping out midway in their careers became a global concern (Smith & Comyn, 2004; Akyeamong, 1991). Common reasons were: (1) dissatisfaction

with particular program aspects, particularly on matters related to mismatched skills, excessive training hours and limited or outdated equipment, (2) financial issues that affected training opportunities, (3) self-confidence in what they have acquired, and (4) career change (Gamanov, 2012; Akyeampong, 1991).

Lack of training programs from the cadetship level all the way to the duration of the career as costs of training were high (Cheng & Choy, 2013; Gamanov, 2012; Surugiu & Dragomir, 2010; Jaquier, 2005; Alderton & Winchester, 2002) would continue to decrease the already decreasing competitiveness of seafarers in the global labor market.

### ***Filipino seafarers in the maritime industry***

Despite being termed as national heroes who invest much of their time, energy and money for the country, certain issues arise as to the position of Filipino seafarers in the global labor market.

For one, similar to the global situation of the maritime industry particularly in highly industrialized countries, these issues involve the shortage of competent seafarers, mostly officers. While financially rewarding and prestige building, the profession entails much sacrifice, and calls for discipline and perseverance – qualities that are becoming less attractive for students in recent years (Magramo & Gellada, 2009; McKay, 2007). Another issue is the Flags of Convenience (FOC), a system used by ship owners to enable them to register their vessels at very low costs and to operate tax-free. This system allows shipping companies to employ cheap labor. In other words, the FOC is a legal system permitting the owner to abandon social and financial obligations to the seafarers by legitimizing contract labor work, which is viewed as a form of exploitation at sea (Evi-ta, 2012; Barcelona, 2011).

Employability exploitation encountered by Filipino seafarers arise from the fact that only less than 50 percent of them actually board foreign vessels, as well as the temporary employment contracts, with most employed onboard for six to nine months only, leading to a disadvantage when bargaining for better terms and pay. In addition, there is no standard pay provided by foreign vessels hiring Filipino seafarers, with many actually boarding unsafe and poorly manned vessels that do not comply with international standards. Filipino

seafarers are likewise charged large fees by maritime schools, manning agencies and training agencies. A study of utility men working for free for manning agencies identified “servitude as a strategy for attaining economic mobility and male adulthood,” as a means of attaining a shift or transition from education to work. Considered as an exploitation of seafarers, the study presented how these utility men’s services were perceived as a circumvention of the limited employment opportunities in the Filipino maritime industry and a means of an “informal and negotiated pathway to employment,” (Galam, 2018, p. 580) albeit unsupported by labor laws.

Binghay’s (2005) paper “Ensuring Occupational Health and Safety for Overseas Filipino Seafarers” documented unfair labor practices such as employment that exceeded the POEA-mandated 12 months fixed contract sometimes without prior consent of the seafarer, and long and tedious job searches. These are validated by Amante (2003) in that that the time spent in applying, processing papers for new contracts, and waiting to board the ship took about the same time as the period seafarers spent working onboard. Also, private manning agencies and government workers extorted money or labor from seafarers in exchange for placement onboard. Furthermore, most Filipino seafarers perform work of a lower range, primarily as deck hands, engine room oilers, cabin cleaners and cooks. Although almost 300,000 Filipino seafarers are at sea, they remain largely invisible in debates about globalization, transnationalism and migration. Nonetheless, rules and legislations for future generations of seafarers are being carefully studied so as to prevent Filipino seafarers from being seen as merely “glorified national resources” (McKay, 2004). Also, Albuero (1993) and Brooks (2002) discussed Philippine labor policies, particularly those linked to economic stability and indicated more coordinated trade and labor policies are necessary in addressing the Philippine maritime industry for better implications to national employment and economic growth.

### ***Philippine legislations related to recruitment and placement of cadets and seafarers***

The term “cadet” is defined as “a student of a maritime educational institution, who is required to undergo onboard training to complete the educational requirements for a maritime degree or technical



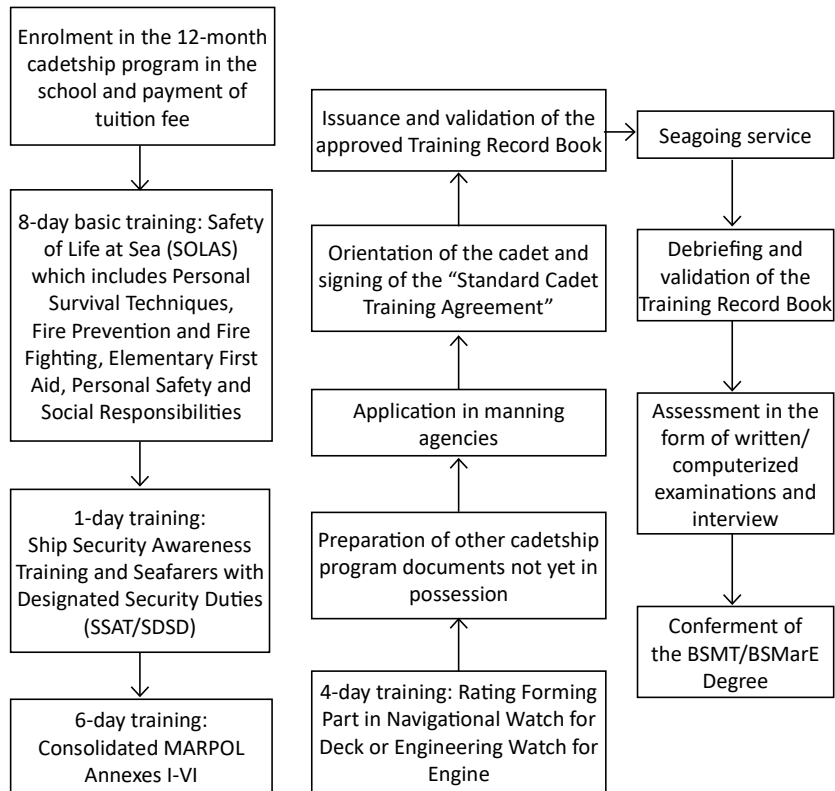
course” (DOLE Department Order No. 130, 2013). The POEA, for its part, included Filipino cadets in its definition of “seafarer” as “any person who is employed or engaged or works in any capacity onboard a ship to which the Maritime Labor Convention applies” (POEA Governing Board Resolution No. 08 Series of 2013). Differences and ambiguities in the definition of cadets, and in the handling of their rights as “full-pledged seafarers,” imply the ease by which they are discriminated against and exploited during the entire course of their seafaring career as cadets, as well as indicate the dire need for the collaboration and participation of stakeholders (i.e., maritime schools, shipping companies, government and non-government organizations, etc.) to properly clarify these.

In the maritime industry, skilled labor is an advantage. The need to supplement university or technical education with working experience forms the basis for shipboard training programs and other trainings that equip maritime graduates for employment, thereby, reducing the seafaring shortages, either structural or quality. Pursuant to the transfer of the Apprenticeship and Learnership Programs to the Technical Education and Skills Development Authority (TESDA) by virtue of Republic Act No. 7796, the implementation of programs and the development of skills were given greater attention. However, in 2013, TESDA’s responsibility over the maritime shipboard training for Deck and Engine Ratings was transferred to MARINA. Only the training, assessment, and certification for ship catering and ship cook were retained under TESDA’s charge.

The emphasis on the importance of shipboard training was adopted and promulgated through the CMO (Commission on Higher Education Memorandum Order) No. 20 Series of 2014 implementing the guidelines on the seagoing service required for Bachelor of Science in Marine Transportation (BSMT) and Bachelor of Science in Marine Engineering (BSMarE) programs, which affirmed that “maritime education, training and certification is a matter of national interest and that protecting, fostering and promoting its quality is an international obligation.” This was also in accordance with the International Convention on the Seafarers’ Training, Certification and Watchkeeping (STCW) Code for Seafarers of 1978 to promote quality maritime education programs.

The 12 months (or 1 year) shipboard training process, which was the usual route taken by maritime students prior to graduation and conferment of the bachelor's degree as per CMO No. 20 Series of 2014, could be summed up in the following basic and general procedures:

Figure 1.1 Process Flow of the Regular 1-Year Shipboard Training Program



Except for other in-house trainings that are usually offered by the manning agencies for free, the following requirements are shouldered by the maritime cadets prior to their applications for the 1-year shipboard training program.

The well-being of Filipino seafarers has largely been a concern of maritime officials and major stakeholders, i.e., seafarers' groups, shipping firms, governments of receiving and sending countries, and other stakeholders such as crewing agencies, seafarer unions, maritime

Table 1.1 Requirements for the 1 Year Shipboard Training

Basic Training (BT) Certificate	Eight (8) days training on SOLAS, which includes Personal Survival Techniques, Fire Prevention and Fire Fighting, Elementary First Aid), and Personal Safety and Social Responsibilities with practical demonstration on the last day of training.
Ship Security Awareness Training and Seafarers with Designated Security Duties	One (1) day training on security awareness and designated duties in the event of threat on international ships and port facility services.
Consolidated MARPOL Annexes I-VI	Six (6) days training on the prevention of marine pollution due to Oil, Noxious substance, Hazardous materials, Garbage, Sewage and Air.
Rating Forming Part in Navigational Watch for Deck or Engineering Watch for Engine	Four (4) days training on the duties of the deck or engine ratings to have a safe watch keeping on bridge or engine room.
Birth Certificate	Basic document for Filipino citizen issued by National Statistics Office
NBI Clearance	Seaman visa clearance issued by National Bureau of Investigation
Seafarer's Identification and Record Book	Basic document for every seafarer issued by MARINA
Seafarer's Registration Certificate	Registration mandated by POEA; Recently changed by MARINA to Seafarers Registration Number
Yellow Fever Vaccination Certificate	Vaccination required by Bureau of Quarantine before travelling abroad particularly Africa
Certificate of Proficiency of BT	Certificate issued by MARINA after the BT completion.
Certificate of Proficiency of SSAT/SDSD	Certificate issued by MARINA after the SSAT/SDSD completion.
Philippine Passport	Basic travel document issued by the Department of Foreign Affairs to legitimate Filipino citizens in order to travel abroad.
Transcript of Records	Academic records of performance issued by Maritime School.
Certification, Authentication & Verification	Certificate issued by CHED.
Social Security System	Registration number.
Letter	Cover letter submitted to the manning agency prior to the application for the one year shipboard training program.
Resume	Summary of personal information, skills, trainings, working experience and objective in life.
Medical Certificate	Valid certificate issued by accredited medical hospitals or clinics.

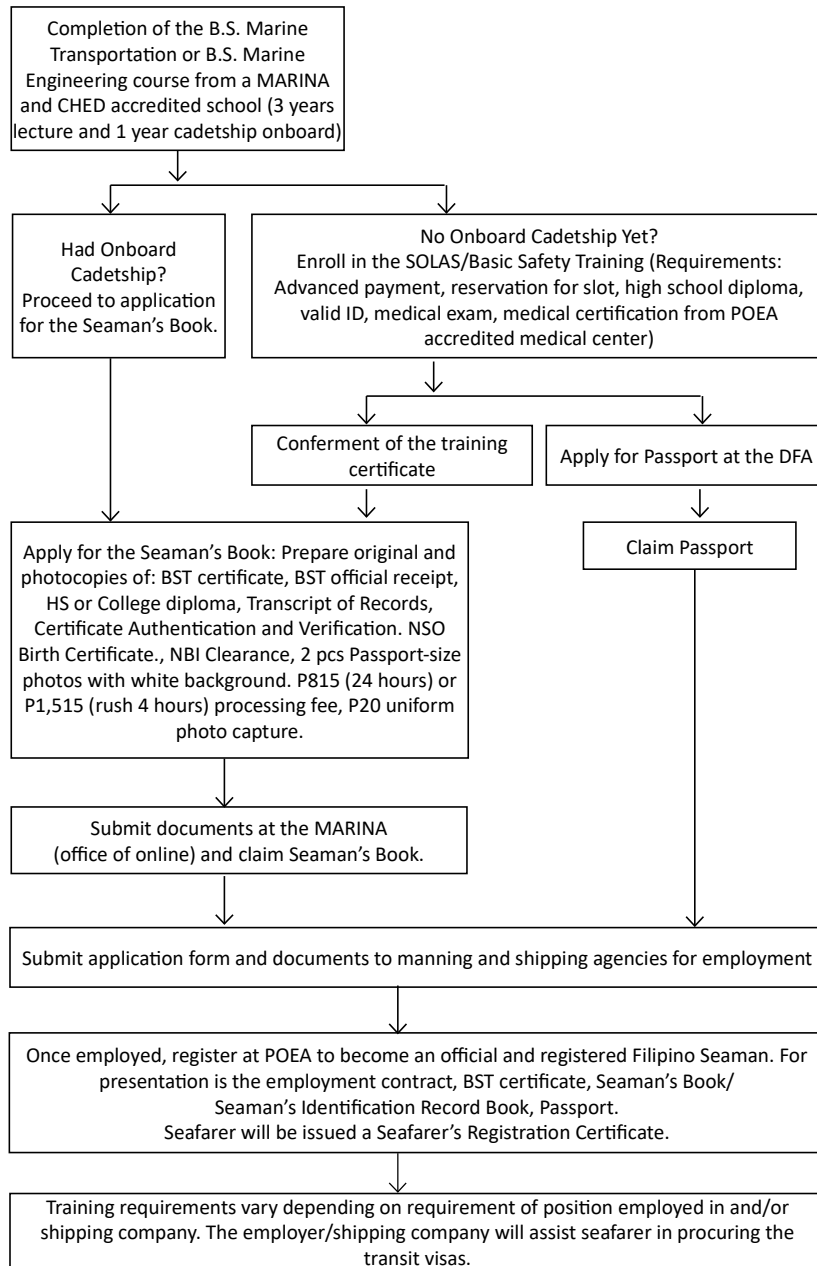
schools, international and multilateral organizations. In particular, the improvement of the maritime industry and promotion of the seafarers' welfare are largely overseen by legislations passed through the DOLE and POEA, in compliance with the International Labour Organization's Maritime Labour Convention 2006. Referred to as the Seafarers' Bill of Rights, the Convention has rules and regulations that cover the relationship of employers and employees existing between ship owners and seafarers, as well as oversees the welfare, safety, and security of seafarers in both domestic and international shipping. While these provisions aim to provide sufficient protection for Filipino seafarers, certain conditions are not covered, particularly in terms of wage determination, prompt remittances, and implementation of rules by which foreign ships honor the Philippines as a labor-supplying country.

Figure 1.2 is the basic process flow for employment of Filipino seafarers in international ships. While a high school diploma is the minimum requirement to begin a maritime career, a full college degree will help seafarers get into the desired maritime career choice.

### **Discrimination as a Framework**

Discrimination is a result of a drive for a positive and distinct social identity. The social identity perspective (Turner et al., 1979) claims that this could be achieved either through direct harm to the *outgroup*, or a preferential treatment to the *ingroup*, hence, the term "ingroup bias." In this paradigm, there are no deep attachments and merely operates within the wider context of equality norms, stressing the spontaneous nature of discrimination in different group contexts (Al Ramiah & Hewstone, 2013). Social categorization, fueled by ingroup favoritism, creates discriminatory treatment. However, direct competition of the ingroup and outgroup worsens the existing intergroup prejudice, rather than reduces it (University of Oklahoma. Institute of Group Relations & Sherif, 1961). Further supporting and extending the social identity perspective to explain why inequality and discrimination amongst groups are perpetuated and tolerated is the systematic justification theory. This perspective holds the belief that the system in which the groups are based is fair (Jost & Banaji, 1994). High-status groups are assured that indeed the system is just and that their high-status is a reward for their value, leading to ingroup

Figure 1.2 Employment Process in the Maritime Industry



bias. However, for the low-status groups that believe that the system is just, their low-status is seen as a punishment for their unworthiness, leading to outgroup bias (Jost and Burgess, 2000).

Exploitation, on the other hand, occurs when one social group claims for itself the produce of another group for less than the full value of what it was worth. This concept is central to the idea of social oppression. One of the most influential theories of social oppression ever set forth is that of Karl Marx who posited that exploitation existed and characterized all class-based societies, not only capitalism, in which workers appeared to work voluntarily and entirely for the benefit of themselves while in reality did not (Cohen, 1978). From a Marxist perspective, labor is not voluntary because workers are forced by their lack of ownership of the means of production to sell their labor power to capitalists. They are likewise not laboring entirely for their own benefit because capitalists use their advantaged positions to exploit workers in how they appropriate for themselves some of the value created by the workers' labor. This highlights three things: first, capitalism promotes economic competition between workers; second, when exploitation exists, workers are divided against each other, and third, oppressive control over one group results in a class struggle where opposing interests are advanced at the expense of the other and negatively impacts the entire class.

### **Methodology**

This study used a combination of quantitative survey with qualitative key-informant interviews. The researcher chose the "Seaman's Hub" at Kalaw Avenue/ Luneta Park in Manila, as well as the manning and training agencies around its vicinity for the sampling locations. The survey was conducted from August 4 to November 30, 2016. To make the sample representative of the actual population of maritime cadets and graduates, simple random sampling was used. This study uses the successive independent sample study – the research design that draws multiple and equal random samples from the same population at different times. The assumption for this sampling technique was that every individual agent had the same probability of being chosen at any stage during the entire sampling process. There was no scarcity of non-elite respondents within the vicinities chosen by the researcher.

There were, however, more male non-elite respondents (84 % of the 226 surveyed) within the vicinity compared to female non-elite respondents and the search for the females proved to be difficult. Hence, results focused on seafarers, regardless of gender.

The relationship between the average waiting period for both cadets and graduates and their characteristics were analyzed using the t-test to determine the probability of differences between the populations measured. For both shipboard training (cadets) and employment (graduates), the t-test showed that there were statistically significant differences for all ship types (i.e., cargo, chemical tanker, cruise), rejecting the null hypothesis that there was no difference between the means of waiting time between “direct to ship” and “ship via office.” This result validated the assumption that most non-elite cadet/seafarers who signed the contract for shipboard training/employment had to wait for incoming ships and work as utility workers in the offices which hired them while they waited.

Contextual analysis was used to qualitatively interpret the answers given by selected survey respondents during the one-on-one interviews by recounting the training and employment application methods and processes the respondents underwent, by identifying the social factors (e.g. profiles of respondents including social connections, possible shifting cultural values and expectations) surrounding the present circumstances of the interviewees, and by tagging similarly-voiced sentiments as common answers and thus, treating them correspondingly. Biases were reduced through the process by which the survey and interviews were conducted. Random selection of the general respondents for the short interviews in contrast with the longer key informant in-depth interviews ensured that the responses were varied in that the in-depth interviews gave the informants more time to give considered responses unlike the sporadic interviews conducted along the street. Differing methods decreased the procedural bias that the respondents may have experienced when put under pressure to provide information.

## Profile of the Non-Elite Seafarers

### *Shipboard Training*

Percent distribution of cadets by shipboard training characteristics

Indicator	% (N of cases=226)	Indicator	% (N of cases=226)
<b>Location of shipboard training</b>		<b>Served as utility worker in office before ship training</b>	
Cargo	37.6	Yes	61.9
Tanker	27.9	No	28.8
Cruise	25.2	Office throughout	9.3
Office	9.3	Total	100.0
Total	100.0		
<b>School location</b>		<b>With social connections for shipboard training</b>	
NCR	24.8	Yes	30.1
Cebu, Iloilo	25.7	No	69.9
Leyte, Bacolod, Davao, etc.*	23.0	Total	100.0
Other provinces	26.5		
Total	100.0	<b>Grade for shipboard training</b>	
<b>National ownership of ship for shipboard training</b>		Excellent	11.0
Ship- Foreign	35.0	Very Good	42.5
Ship-Local	55.7	Good	28.8
Office	9.3	Satisfactory	17.7
Total	100.0	Total	100.0

\*Includes Bulacan, Bicol, Zamboanga, Laguna, Quezon

Most (91%) of non-elite cadets had their training onboard ships; only nine percent had their shipboard training in offices on land. Fifty-six percent of these cadets had their shipboard training onboard ships with local/domestic ownerships. Although the survey was conducted in Manila, the respondents came from schools that were almost equally distributed among the regions. Of the total respondents, only 25 percent came from NCR. The nine percent who had their shipboard



training in offices on land likewise signified that they “worked in the office throughout,” indicating the presence of utility workers whose services were an overlap of the “waiting period for the shipboard training onboard” with their actual shipboard training. Close to three-fourths (70%) of the total have no backers or “recommendations” (social connections) prior to their shipboard training, and 54 percent received Very Good to Excellent academic grades upon the completion of their shipboard training.

***Discriminatory, exploitative, fraudulent shipboard training practices***

1. Non-elite cadets are required to work as utility workers in manning agency/shipping company offices prior to their shipboard training.

Utility work refers to the office work done by the seafarer PRIOR to the shipboard training and AFTER having signed the contract for shipboard training. Non-elite seafarers are largely identified through their prolonged service as utility workers in manning agencies prior to their shipboard training and/or employment onboard.

Sixty-six percent affirmed that they served as a utility worker in the manning agency or shipping company offices. This figure reflects the large number of cadets who already signed the contract but, for one reason or another, could not embark for their shipboard training, and had to work as utility while waiting. There were non-elite cadets who disclosed that because of the large number of cadets searching for the same position in the same shipping company, the opportunity for onboard training was limited. As the competition between the cadets grew tighter, it was not uncommon for manning agencies to require these non-elite cadets to serve as utility workers to secure their placements in the line.

For our names to be included in the list, we were told we needed to work in the office first. To think that I already had a contract at that time.\* – Respondent 01, Cadet

I worked as a utility for a long time because I was waiting for my departure as written in my contract. But it wasn't pushing

through so my work in the office extended. And so, I had my shipboard training in the office. But I was told to stay because I might be the one chosen to embark next.\* – Respondent 02, Cadet

After signing the contract, I worked in the office as utility while waiting for the arriving ship (I would be working on). That was okay as it ensured my placement onboard, but it was a long time before I actually was did. Most of the time, the ship's Captain would refer others and they would be given priority.\* – Respondent 03, Cadet

I was not able to immediately have my cadetship training. Hence, I was also unable to graduate and have a decent job. I worked at the office (as utility) because I had to wait for the ship. I really had to be self-reliant.\* – Respondent 04, Cadet

Because they were given no choice, these non-elite cadets learned to adapt to the situation and despite knowing the poor conditions surrounding the position, stayed, and worked as utility in the offices. According to the seafarers surveyed, for non-elite cadets, the waiting period for shipboard training placement onboard foreign vessels normally takes from five months to one year, slightly shorter for domestic vessels. This is largely dependent on the number of ships owned by the shipping company that they are applying to. Beyond that timeframe, the waiting is deemed “too long.” However, it is not unusual to see non-elite cadets waiting for more than a year.

Accepting the struggles of working as utility prior to their shipboard training was necessary to ensure placement, so these non-elite cadets said – if not through their applications, at least through their diligent service and daily physical appearance. As one respondent put it, utility work was “harsh, unnecessary, and unlawful.”

2. Non-elite cadets pay placement/reservation fees to serve as utility workers in manning agency/shipping company offices.

More than half of the total (62%) surveyed worked as a utility worker in offices before the shipboard training. Due to a large number of non-elite cadets needing placement onboard for their shipboard training, some manning agencies of domestic and international shipping

companies, some even established and accredited ones, required non-elite cadets to provide payment in exchange for an opportunity to work as utility in their offices while waiting for the shipboard training. While some manning agencies provided minimal stipends for their services, a greater number did not. Similarly, other manning agencies required financial transactions for “placement reservation” onboard, with the non-elite cadet paying a particular sum of money to the manning agent and/or ship owner, depending on the arrangement. While this is a covert operation, it is likewise a well-known and despised practice among seafarers.

MARINA cannot do anything sensible. They may speak of “improvements” but their systems are rotten. They themselves need to change first. They cannot even monitor corrupt agencies.\* – Respondent 01, Seafarer

You really have to give those \*\*\*\* money. You cannot do anything about it, those things really happen.\* – Respondent 02, Seafarer

There are many corrupt people at MARINA and POEA. Are you from MARINA? You might report us.\* – Respondent 03, Seafarer

When asked as to why the seafarers do not lodge complaints, their usual responses were they needed the job badly or that jobs were hard to find, or that they did not want to be “blacklisted” which was a way to temporarily disqualify applicants from participating in the overseas employment programs due to pending cases, requiring the seafarers to clear their names prior to employment.

This practice also, while done not without any complaint, has been tolerated by most applicants for the sole reason that they had no other choice. Having nothing else to do while waiting for their opportunity onboard, these cadets endured the system, acknowledging the difficult predicament they are in. As one respondent puts it, “*Minsan kalaban mo talaga konsensiya mo* (Sometimes, your conscience is your enemy.)” This practice of shelling out money for placement exploited seafarers by using their labor for a pittance or for none at all.

### 3. On-the-Job/Shipboard training in offices exists.

The Philippines has the “most number” of trainings, Filipino seafarers complained. A source from MARINA clarified that our Filipino seafarers seem to have more trainings compared to other nationalities because the curriculum of our maritime schools does not incorporate the basic training during the first three years. Cadets are left to apply and take those courses prior to their on-the-job/ shipboard training on their fourth year and after their graduation for their first employment.

The results of the survey showed that while most of the respondents answered having had their shipboard training in ships (91%) rather than in offices, there were cases of the shipboard training being held in offices because of ship shortages for actual training onboard, lack of finances to enroll in the curriculum, or simply because there was a large number of cadets vying for a position onboard. And although it was a meager nine percent who admitted to having their actual shipboard training in offices, their mere existence reflected the integrity of both recruitment and manning agencies, with or without the knowledge of these cadets’ respective schools, as “qualified training venues.” The result likewise showed the inconsistencies in the deployment of Filipino cadets for proper training, and the inefficiencies of CHED’s monitoring system of Maritime Higher Education Institutions (MHEIs). To monitor these discrepancies, CHED employed additional requirements and/or more rigid monitoring provisions to prevent Filipino cadets from having their shipboard training in offices, with sanctions imposed upon cadets whose competencies fall below standards under the 1978 STCW Convention Code, as amended, and upon MHEIs that violate the guidelines.

However, based on the responses of the non-elite cadets, having their shipboard training in offices credited as “seagoing service onboard” by their supervisors was favorable for them. Their status as a Cadet and the difficulties in applying and being selected for a shipboard training onboard was enough for them to be contented with finding a manning agency willing to compromise proper and adequate training for ease and convenience, rather than wait for the opportunity to have the real training onboard. On how the non-elite Filipino seafarers who had their shipboard training in offices were able to go through the stringent post-seagoing service assessment requirements without

further questions, responses varied but mostly involved consent and compromises between them and their superiors:

My school gave me an examination but there was no interview.\*  
– Respondent 04, Seafarer

There was an exam – but it was easy because most items were already taught to us in school. And then the document (Training Record Book and daily journal).\* – Respondent 05, Seafarer

My superior was kind. He signs my daily journal.\* – Respondent 06, Seafarer

Our school did not have any exams. We were only asked to submit the documents the office where I had my apprenticeship signed. And then I was already told to work on the requirements for graduation.\* – Respondent 07, Seafarer

Both groups surveyed and interviewed— those who had their shipboard training in ships and those who had theirs in offices— remained nameless and voiceless representatives of the non-elite seafarers nationwide. Their different yet similar situations illustrate the fact that for these non-elite cadets, the search and application for shipboard training onboard was just the beginning of their troubles.

4. They are discriminated against based on their school locations (i.e., NCR vs. provinces).

Of the utility workers surveyed, 75 percent came from regions and provinces outside the NCR with 70 percent having no social connections, or backers, to vouch for them. First-time seafarers from around the Philippines would come to the NCR to seek employment or have their training, primarily because of the preconceived idea that NCR is where global circuits of labor are socially organized and where social organizations are spatially concentrated.

Crewing/Training agencies consider you more credible if you came from schools in Manila, especially for us who were not able to pass the exam provided by the shipping company before.\* – Respondent 05, Cadet

There are many processes being undertaken prior to entering the shipboard training. My companion and I had to come here to Manila (from the province) just so we could find ships (where we could work) – and this is cadetship. For sure, we would be having a hard time (searching for employment in the future).\* – Respondent 06, Cadet

These statements implied the preferences of manning agencies when choosing between non-elite cadets from the NCR and non-elite cadets from the provinces. Of the total respondents, only 25 percent of non-elite cadets came from schools in the NCR; a larger number came from the provinces (75%). A certain stigma has been attached to maritime schools from the provinces despite some of these being branches of the same prestigious maritime schools located in the NCR.

5. They are discriminated against based on their social connections (i.e., backers or recommendations).

Non-elite cadets who are placed in a disadvantaged position early on in their careers look at social connections as a tool to move up and forward. The need for a backer or a “recommendation” long before their applications are lodged and processed speak volumes about their position in the social hierarchy within the maritime industry. Politics and competition dilute the essence of setting fair rules for all seafarers. Similar to the practice of “reservation fees” for onboard placement for the shipboard training, the system of paying backers is prevalent in the maritime industry. Despite legislations prohibiting this practice, it is still largely unaddressed for the sole reason that a more systematic monitoring of schools, manning agencies, and shipping companies is necessary and would entail close and regular collaboration among these stakeholders. The sentiments of the seafarers highlight the proliferation of this culture:

For us (non-elite), grades are not considered during application for the cadetship training. Looked upon as more important is the name of the relative or backer who referred (the position).\* – Respondent 07, Cadet

It is difficult getting into a cadetship training onboard – in a good ship. Usually, shipping companies would ask for a referral or backer.\* – Respondent 8, Cadet

In all my shipboard training applications, I was asked (to mention) a backer. That commonly happens because there are many seafarers searching for a job.\* – Respondent 9, Cadet

That has been a longstanding problem. Our government has still not done anything yet to prevent this.\* – Respondent 08, Seafarer

It is more difficult for us (non-elite) because we have to do everything on our own. And then we are required to produce a recommendation. That is why sometimes, we count years before we become a utility worker, and some more years before we actually find work. But the hardship is worth it. I would rather wait for a break in foreign ships than in local. The pay is higher here.\* – Respondent 09, Seafarer

6. They are discriminated against based on their lack of “work experience.”

Utility work, while exploitative in nature, satisfies the discriminatory requirement of “work experience” prior to shipboard training, ironically considered as the first “work experience” every seafarer has to undergo. Most non-elite cadets complain of manning agencies requiring work experience as a condition to employ them for shipboard training. As these non-elite cadets have no means to raise their statuses above their being cadets, the need to work as utility in the manning agency offices to satisfy this condition is questionable.

It is difficult to find a company/agency to apply (in) because we have no experience onboard (yet). But how can we have experience if other companies will not get us?\* – Respondent 10, Cadet

The manning agencies told me that because I had no onboard experience yet, I could not be considered to work onboard for the shipboard training. Naturally, I would not have any because I haven’t graduated yet and I haven’t taken the cadetship training either.\* – Respondent 11, Cadet

My first application for the cadetship training was rejected because I (was told that) I had no prior experience. (I was

asked) What could I contribute to the company? Those \*\*\*\* are funny. I am not even a graduate yet. How could I have prior experience if they do not want to hire younger ones with no experiences yet? It is very confusing.\* – Respondent 12, Cadet

I had difficulty looking for a company that would hire applicants who had no previous onboard experience.\* – Respondent 13, Cadet

The system here is a race. The contract is only a piece of paper. You will have to show your face to be considered for the next ship.\* – Respondent 14, Cadet

7. The involuntary servitude as utility workers prior on-the-job/ shipboard training has a negative effect on their recruitment/placement.

Requiring the cadets to work as a utility worker lengthens the Cadet status – not their choice, but one which they endure voluntarily and in silence for the sake of experience and a degree of assurance of future employment. A source from MARINA affirmed their knowledge of utility as a form of recruitment/employment practice. Admitting that it is a “way of the trade” in the maritime industry, monitoring every agency, particularly those located in the provinces, would take time and resources – both not readily available in their current policies.

The system exploits their labor rights and violates the right of the cadet to know the exact date of employment despite having already signed the contract. It is, however, an advantage to the manning agency or shipping company as they have an extra hand to do odd jobs with little or no additional cost. It can also be a form of protection for the manning agency or shipping company in terms of not needing to reimburse the seafarer in the event of a non-deployment as it could pass for a “delayed deployment.”

8. On-the-job/Shipboard training in offices has a negative effect on their skills and competencies.

The cadets’ actual shipboard training far exceeds the training they receive in the offices. While the training in ships, more or less, covers



the necessary skills and competencies required for future employment onboard, the training in offices is mostly administrative in nature. In addition, as there is no delineation of responsibilities for cadets in BSMarE and BSMT who have their “shipboard training” in offices, both theoretical and technical/practical knowledge are not expanded, developed, nor strengthened throughout their shipboard experience in offices.

9. On-the-job/Shipboard training in offices has a positive impact on the academic grades they receive.

Contrary to the hypothesis that shipboard training in offices would have a negative impact on the students’ grades, the results showed otherwise. Non-elite cadets who have their shipboard training in offices are more likely to get a higher grade than those who take their training in ships. About 19 percent and 43 percent of those who completed their “training” in offices received an Excellent and Very Good rating, respectively, compared with those who completed their shipboard training onboard ships. The Excellent rating given to these non-elite cadets becomes a form of compensation in exchange for their service rendered in the offices, sometimes beyond the one year required for onboard shipboard training. Overall, it was worth noting that the Excellent rating given to the non-elite cadets who had shipboard training in offices was consistently higher compared with training in either a domestic or foreign ship. In this situation, the academic grades became a form of deception as the grades did not fully reflect the cadets’ skills and competencies.

### **Employment**

Of the 190 non-elite graduates surveyed (36 respondents were still cadets at the time of the survey and interview), most were employed in cargo ships during their first employment (43%). Sixty-one percent were employed in local/domestic ships while 35 percent held jobs in foreign ships. A little more than three-fourths of the total number of respondents (77%) had social connections from within the manning agencies or shipping companies. This percentage implies that despite having social connections, some still had to work as utility in the offices of their employment. In addition, nearly half of the total respondents

(44%) received a Very Good to Excellent academic grades when they graduated from their degree courses (i.e., BSMT and BSMarE), with most employed in cargo and tanker ships.

Percent distribution of marine graduates by employment characteristics

Indicator	% (N of cases=226)	Indicator	% (N of cases=226)
<b>Location of employment</b>		<b>Served as utility worker in office before employment</b>	
Cargo	43.2	Yes	65.8
Tanker	30.0	No	30.0
Cruise	22.6	Office throughout	4.2
Office	4.2	Total	100.0
Total	100.0	<b>With social connections for employment</b>	
<b>National ownership of ship for ship-board training</b>		Yes	76.8
Ship- Foreign	34.7	No	23.2
Ship-Local	61.1	Total	100.0
Office	4.2	<b>Grade after graduation</b>	
Total	100.0	Excellent	4.7
		Very Good	43.7
		Good	34.7
		Satisfactory	16.8
		Total	100.0

***Discriminatory and Exploitative Employment Practices***

1. They are exposed to the exploitative practice of being required to work as utility workers in manning agencies prior to their employment.

In the employment category, utility work refers to the office work done by the seafarer prior to the actual onboarding, but after having signed the contract for employment onboard a ship. Of the total respondents, 66 percent served as utility workers before they were employed onboard ships, with 30 percent employed onboard ships without having gone through this stage at all. Only four percent remained

as utility worker (deferred deployment). As most of the non-elite graduates applying for their initial employment conveyed, service as a utility worker became their “bread and butter” while waiting for their work onboard the ships they signed up for. Given the choice, they would have chosen to work in a different environment and with a higher pay, but because of the influx of seafarers applying for jobs and the possibility of the “incoming ship being given to another” despite their signed contracts, they considered their physical presence in offices as necessary to assert their positions and reserve their places. This uncertainty in their placement onboard despite the contract signed was deemed discriminatory by the non-elite graduates interviewed.

I was really shocked when I first learned that my position (onboard) was given by the manning agency to someone else. I was told that the Captain requested to hire him. I was already waiting for a long time then.\* – Respondent 10, Seafarer

That feeling when everything you do has no certainty – it is frustrating.\* – Respondent 11, Seafarer

New graduates are really discriminated. That is already a given. I hope all companies would give the new graduates with no actual work experience yet opportunities. It is difficult to wait to ride onboard only to find out that (your position) was already given to someone who had been longer in the career than you have had.\* – Respondent 12, Seafarer

At times, the date of departure on their contract is left blank by manning agencies to “avoid technicalities” with government authorities when their actual dates of departure did not materialize. Most non-elite graduates who signed the contract for employment had to wait for incoming ships and work as utility workers in the offices which hired them while they waited.

2. They attend unnecessary trainings as required by manning agencies.

Training, in general, is considered as an asset by non-elite graduates and an important feature of the application process seafarers undergo. Although shipping companies have different training requirements, there were standard trainings required for all seafarers. Shipboard

training location matters in the employment location, to some extent and at least for the initial employment. Non-elite graduates who have their shipboard training in offices are also more likely to be employed in offices. Hence, shipboard training in offices, and the lack of necessary skills and competencies as a result, limit the opportunities for future employment onboard ships.

Due to the inadequacies of office work as shipboard training compared to actual onboard training, there will always be a demand for additional training among graduates, thus, additional expenses for training as well. Expenses for the trainings are either deducted from their salaries or personally shouldered.

I paid for some of the trainings; the others, the company.\* – Respondent 13, Seafarer

“In my first company – the company shouldered all my (training) expenses.\* – Respondent 14, Seafarer

I paid for my trainings. Some of them, my older brother, a seaman like myself, helped me pay for them.\* – Respondent 15, Seafarer

My parents paid for all my trainings. I do not have a job yet... The agency needed to see the trainings in my resume before they would hire me.\* – Respondent 16, Seafarer

3. They are discriminated against based on their shipboard training locations (i.e., ships vs. offices).

Interviews with the respondents showed that the national ownership (i.e., local or foreign) of the vessels during their shipboard training had no significant relationship with the national ownership of the vessels during employment, suggesting the possibility of non-elite graduates having no stringent options for employment, at least for their first employment after graduation. This indicates the struggles of searching for employment and considering the job onboard, whichever national ownership came in first.

It is difficult to search for work onboard. Especially during the first employment (after graduation). I was not able to search

for the job or ship I wanted so long as I had a ship to work on for experience.\* – Respondent 17, Seafarer

Lack of experience was always the issue. I had no work experience yet that was why I immediately accepted the first job offer just so I would have an experience. After that, things became easier. I am having a hard time again now because I transferred to another company.\* – Respondent 18, Seafarer

I applied and took the trainings because marine was not my course. The process was long and tedious but it was bearable. I had difficulty looking for a ship that would hire me because I did not have any work experience onboard. That is really the concern of everyone who is new to the industry. The high salary becomes second priority. In my first job, experience and training were really my priorities.\* – Respondent 19, Seafarer

4. They are discriminated against based on their social connections (i.e., backers or recommendations).

Social connections can significantly determine where the non-elite graduate will be employed. Seventy-seven percent had social connections from within the manning agencies or shipping companies. This percentage implies that despite having social connections, some must still work as utility in the offices of their employment. The practice of having backers and recommendations suggests a society that focuses on hierarchies. Contrary to “character references” in job resumes and applications, backers are always friends or family members whose high ranks in companies enable them to decide on the plight of a seafarer’s application, or acquaintances in the company who are paid in exchange for a seafarer’s slot in the ship. Having backers promotes the idea of unequal terms of employment opportunities for everyone. Backers create another layer of prejudice even among the non-elite seafarers – those with backers and those “without.” Rather than solely addressing the gap between the elites and the non-elites, by providing equal, or at least, near equal employment opportunities for the non-elites, the responses imply that addressing this concern will entail an even detailed approach as the “underprivileged” can also become the “privileged” among the “underprivileged.”

I had a hard time because I did not know anyone (in the ship or in offices) and the agency where I applied in was looking for a company recommendation.\* – Respondent 20, Seafarer

I was also asked to produce a recommendation. It was okay because I had someone but if I did not have anyone, I would have had a difficult time, too.\* – Respondent 21, Seafarer

You won't be able to (find employment) onboard just because you have a backer. But at least you know that (with a backer) you will have certainty for a placement onboard... Maybe when there is someone whose contract is about to end.\* – Respondent 22, Seafarer

Backers are really needed if you want your application to be sure.\* – Respondent 23, Seafarer

When it comes to actual employment, grades are no longer the basis. If you do not have a backer, your application will be rejected, even by the (office's) guard.\* – Respondent 24, Seafarer

5. On-the-job/Shipboard training in offices has a negative effect on their employment opportunities onboard ships.

Generally, shipboard training in offices, despite the high grades received in compensation, limits the opportunities for employment onboard ships. This is true when employment examinations reveal the lack of necessary skills and competencies received from the shipboard training in offices. Ratings of Good to Excellent will place them in better positions onboard rather than in offices, compared to a Satisfactory rating, implying that higher grades are still considered for employment in credible shipping companies. However, unlike high academic grades being a form of compensation for shipboard training in offices, high academic grades for employment mean better opportunities for these non-elite graduates. And on the brighter side, this can help these “disadvantaged” students to excel in the academe despite not having passed the exam provided by shipping companies in their schools. Also, the national ownership affects the average waiting time for the non-elite graduates' employment.

## **Conclusion and Recommendations**

These acts of exploitation, discrimination, and to some extent, fraudulence in the hiring of non-elite seafarers for shipboard training and employment show the negative effects in various areas in the maritime industry and reveal the need for intensive and deliberate coordination and a more genuine accountability among the school, CHED, TESDA, MARINA, and POEA to enforce a more systematic rule on the implementation and monitoring of the shipboard training program and employment. These deficits also perpetrate a culture of mediocrity in the way Filipino non-elite cadets, in particular, and the whole seafaring labor force, in general, are prepared for and provided with training deemed necessary by major stakeholders. The inconsistencies in the delegation of roles and responsibilities to these stakeholders promote the “Bystander Effect” among those directly involved in the creation and implementation of legislations, or worse, be tolerant and permissive of the inconsistencies. Bystander Effect in social psychology refers to the phenomenon in which the greater the number of people present, the less likely a person is willing to help someone in distress. On hiring and placement, the involuntary servitude as utility worker lengthens the cadet status and prevents the non-elite cadets from knowing the exact date of employment/ embarkation. Manning agencies, however, have an extra hand to do jobs with little or no additional cost to them and are protected from reimbursing the cadet (not yet a seafarer) in the event of a non-deployment as it could pass for a “delayed deployment.” On skills and competencies, training in ships covered necessary skills and competencies for future employment onboard but training in offices were mostly administrative in nature. On grades, the performance rating provided for shipboard training in offices was deceptive in nature as it did not fully reflect the skills and competencies needed for future employment onboard. Hence, this hindered the non-elite graduates’ capability to be employed onboard.

Policy changes recommended include: (1) having standardized and comprehensive systems for evaluation of maritime schools’ compliances to reduce the number of agencies and shipping companies willing to compromise proper and adequate training for convenience; (2) collaboration of employers’ groups with agencies for training opportunities at discounted costs; (3) recording and monitoring of seafarers’ training licenses, certification, and complementary fees to

control the high interest rates or exorbitant fees, placement fees, as well as the number of agencies looking for “experience” or “additional trainings” from cadets and graduates; (4) rebranding Filipino seafarers by focusing on the technical and commercial needs globally, creating skill-specific jobs, and expanding the curriculums for BSMT and BSMarE programs; (5) maritime admission examination for shipboard training hiring and employment to include more “technical subjects” that are practical in nature, rather than scholastic and hypothetical, and that are pertinent to their would-be work onboard; (6) defining the scope of “non-existent” work in the maritime industry context; (7) legalizing utility work through a shipboard training onboard ships for six months and another six months working in offices to provide more cadets the opportunities to have their shipboard training onboard ships; (8) the inclusion of maritime cadets without union memberships in the protection from unfair treatment, victimization, and increase of job security; (9) promotion of our local inter-island seafaring industry – from school to ships, from shipboard training to employment; (10) opening of government-subsidized and not-for-profit centers where information on current maritime labor market status can be accessed readily and where free welfare and confidential services are offered to Filipino seafarers; (11) the International Organization for Standardization to engage younger representatives in dialogues with policy-making agencies; (12) establishing of maritime cadets as “full-time seafarers” in the Labor Code of the Philippines to enable agencies to submit reports on their status of employment, placement vacancies, remittance of foreign exchange earnings, separation from jobs, departures and other pertinent information as may be required by DOLE; and while the results are insufficient to eradicate the proliferation of the elites as this will greatly create an imbalance within the maritime industry as a business field and among the major stakeholders, the results can assist in identifying ways to provide more fair opportunities for all seafarers, despite the non-elite status. Hence, (13) for the International Maritime Organisation to recognize the inclusion of the concept of non-elite seafarers in the discussion and amendment of the STCW.

Further research on the following will greatly benefit and substantiate the recent findings: Comparison of non-elite seafarers vying for positions in local vessels versus foreign vessels; company/agency managements; notable maritime schools with partnerships with



shipping companies within and outside the NCR; ongoing initiatives of Filipino labor unions and civic organizations; cadets who underwent the 36 months shipboard training, as well as the 2-1-1 program; other national legislations particularly on shipboard training placement and employment; elite seafarers in contrast with the findings on the non-elites of this research; and seafarers after the MLC 2006 was ratified by the Philippines in 2012 and implemented in 2013.

\*English translation of the Tagalog transcript which is available upon request

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