

# BURGESS

## Yacht Management - Crew

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Good crew are key to the success of a yacht's operation and to the guests experience on board. At Burgess our experienced crew department ensure that all crew on our managed yachts are properly employed and cared for in accordance with all current legislation. Our subsidiary company Burgess Crew Services (Guernsey) PCC Ltd today employ over 1,700 crew and in addition to relieving Owners from the issues of crew employment BCS also assume the liabilities of crew employment from the Owner.

The key activities within Crew are as follows:-

### Crew Supervision

Working with Burgess Crew Services (Guernsey) PCC Ltd or another crew employment company the Burgess team provides comprehensive crew support and supervision in the day to day operation of the yacht.

Burgess Crew Services provides the crew employment and payroll structure and Burgess provide the day to day supervision; working with the Owner and the Captain to ensure that the running of the Yachts is achieved effectively and efficiently.

### Crew Employment

#### » **Burgess Crew Services (Guernsey) PCC Ltd**

Working with the Captain and under the guidance of the Owner, Burgess Crew Services provide a full complement of crew employment and management services. The following is an outline of the main services covered.

#### » **Crew Employment**

All crew members on the yacht would be employed by Burgess Crew Services. We work with the Captain and yacht Owner or Owner's representative to ensure that the correctly qualified and experienced crew are employed on the yacht. Burgess Crew Services would ensure that all crew are paid, suitably trained, performance assessed on an annual basis (or more frequently if required), that leave and travel is monitored, and that any employee issues are dealt with efficiently and effectively.

#### » **MLC, 2006 Compliance**

For all commercial yachts, once the Flag of the vessel has ratified the convention and at the time the convention comes into force, we will ensure that all the MLC, 2006 compliance requirements are being adhered to. This will include ensuring the correct crew documentation including terms and conditions of employment in the Seafarer Employment Agreement (SEA) are Flag approved; have a maritime labour certificate (if required); undertaking internal auditing; ensuring that the Yacht and BCS protected cell company employing the crew has the

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relevant DMLC Part II; arranging and overseeing the external MLC, 2006 Flag audit.

For further expansion and explanation about the maritime labour certificate and DMLC please see FAQ 4, and for an understanding of the areas covered under the MLC, 2006 please see FAQ 5. Both can be found further along in this proposal.

## » **Crew Recruitment**

Burgess Crew Services work closely with the Owner and Captain on the placement of Officers and crew for your Yacht. We ensure that all the correct certification and paperwork is held by the crewmember and that the correct paperwork is issued, signed, stored and, as required, amended.

Burgess Crew Services is not a recruitment agency, however due to our prominence within the yachting industry we receive many CVs from potential crew. As and when vacancies occur we are therefore normally able to provide Captains with a selection of resumes of potential candidates. This is part of the Crew Administration and there is no placement fee charged.

When a suitable candidate is identified, we work closely with the Captain or relevant person and ascertain availability and location, arrange interviews, check references and undertake qualification verification and certification checks. In addition we work with security companies who are able to offer background checks as required and, where applicable, we are able to organise psychometric and aptitude testing.

If we have no suitable candidates then we advertise the positions on free or nominal fee industry websites.

Burgess Crew Services has good working relationships with many of the industry's recruitment agencies, and we work with the Captains to ensure that the most competitive rates are obtained.

## » **Payroll**

Through Burgess Crew Services we are able to pay crew in any currency. All funding for your yacht is securely ring-fenced by utilising an independent Protected Cell Company within BCS. Working with the Burgess Accounts department a funding request will be submitted to the Owner once a month in accordance with an approved budget.

BCS pay the crew on a monthly basis, process termination payments, withhold social security contributions as required, make other deductions and remittances, and email monthly payslips. Fully detailed accounts for salaries are produced monthly and additional reports can be provided at the Owner's request. The above would usually be within the monthly accounts but can also be provided as a separate report.

End of year statements will be sent to all crew so that they can organise any end of year tax returns they are required to pay.

For US resident crew employed to work on board US flagged yachts all the relevant end of year returns will be sent to the US authorities and all relevant

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information provided to the crewmember so they can complete their end of year tax return.

For US resident crew working on non-US flagged yachts we are able to provide necessary paperwork to assist them with their end of year tax return.

## » **Crew Training**

In order to maintain a safe and efficient operation it is important that all members of the crew are properly trained and that skills are updated as and when required. Burgess Crew Services will provide advice, guidance and recommendation on courses available.

We have knowledge and experience of using the services of many of the more popular training centres for seafarers. We would work with the Captain to ensure that the most cost effective and relevant courses are identified and that crew training will be undertaken at a time most convenient to the yacht's requirements where possible. We have a training requisition procedure to ensure that all training is monitored and recorded.

## » **Annual Assessments**

Burgess Crew Services operate an annual appraisal system, whereby each crew member will have the opportunity to discuss their performance, raise any work related issues they feel merit consideration with their Head of Department, and put forward training requisitions.

We are able to adapt and develop the assessment process to meet the needs of the Owner. We can utilise this system in order to assess training needs and, if required, to assess annual bonus and / or salary reviews.

## » **Crew Leave and Crew Travel**

Burgess Crew Services maintains a database of crewmembers and is able to monitor and record a balance of crew leave and provide reports at the Owner's request.

In addition we keep track of all leave travel reimbursements and we work closely with several seafarer travel operators to get the best deals for crew travel.

## » **Disciplinary and Grievances**

Using the on board standing orders we will undertake all disciplinary and grievance procedures to ensure that all problems are heard, investigated and that a satisfactory outcome is achieved. We undertake the administration associated with disciplinary and grievance procedures.

Our years of knowledge and practice of crew management mean that we have vast experience of dealing with virtually every eventuality with regards crewing matters and we will always be available to provide advice and assistance when required.

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## » **Crew Medical Insurance**

Burgess Crew Services has developed excellent working relationships with many crew medical insurance providers. We are able to obtain quotes and make recommendations in order to assist with the selection of the most suitable insurance for each yacht.

We work with the Captain and crewmember for any medical claims made, ensuring that treatment is progressed efficiently and effectively in order to get the crewmember healthy and back to work in the shortest possible time and minimise the financial impact on the operation of the yacht.

## » **Safe Manning**

Burgess Crew Services works with both the Flag and the Captain regarding Minimum Safe Manning requirements to ensure that Yachts are adequately and safely manned with qualified candidates. We have developed an excellent working relationship with many of the Flag and Maritime Administrations and are able to verify seafarer's qualifications.

## » **Coordination with Overseas Crew Agencies**

Crew of certain nationalities (e.g. Filipino and Indian) are required under their employment law to be employed through an approved in-country crew agency. This allows the crewmember to arrange the relevant government required deductions from their salary. We have excellent working relationships with many such agencies. We are able to administer all the relevant paperwork through Burgess Crew Services and settle invoices for the applicable agency fees and charges when employing crew from these countries.

## » **Crew Mail**

Crew mail may be sent via Burgess offices, from where it will be forwarded to the yacht by courier.

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## CREW

### **Burgess Crew Supervision – Burgess Agreement**

- » Work with the crew employment company, owner and captain to support crew supervision
- » Supporting compliance with crew related aspects of ISM
- » Access to the crew database for crew recruitment
- » Crew mail

### **Burgess Crew Services (Guernsey) PCC Ltd – BCS Agreement**

- » Crew members employed, trained, paid and assessed through BCS
- » For commercial yachts BCS will ensure MLC 2006 compliance for all crew
- » Crew recruitment from a wide database, undertaking necessary checks and issuing correct paperwork
- » Payment of crew salaries, associated deductions and paperwork processing
- » Crew training, including advice and guidance
- » Annual assessments for each crew member
- » Monitoring of crew leave and crew travel
- » Disciplinary and grievance procedures and all associated administration
- » Crew medical insurance placement and assisting with the processing of claims
- » BCS works with both Flag and the captain to ensure minimum safe manning requirements
- » Coordination with overseas crew agencies where crew are required to be employed through an approved in-country crew agency
- » Crew mail