

## **RIGHTS AND RESPONSIBILITIES WHILE WORKING ON BOARD THE SEA QUEEN II AND SEA QUEEN IIA**

Please review the following and attached important information about your rights and responsibilities while working on board this vessel.

### **Your Rights Under U.S. Law**

You have rights under U.S. law regardless of your visa or immigration status.

For example, you always have the right to leave an abusive employment situation. You have the right to be paid fairly, be free of discrimination, and to a safe and healthy workplace.

Courts have found that some of the following are indicators of an abusive employment situation or human trafficking:

- Beatings, physical abuse and/or threats of beatings or physical abuse
- Imposing a debt that is difficult or impossible to pay off in a reasonable time and that is out of proportion to what you will earn, or imposing a debt that you did not agree to in advance
- Rules against keeping your own passport, visa or other identification documents
- False promises about the type of work, working hours, working or living conditions or pay, including for example adding fees for transportation, housing, food and charges to the debt you did not agree to in advance
- Denial of access to adequate food, sleep or medical care
- Telling you that you have no rights, or that you will not be believed or will be deported if you try to seek help, or threatening that you could be deported or arrested for seeking help.
- Locking in or preventing a worker from leaving when that worker wishes to resign or return home.

The attached Pamphlet from the U.S. Department of State provides information on your rights, including important information on human trafficking and what to do if you suspect your rights have been violated. Please note however that the information on minimum wage and hour regulations in this pamphlet does not apply to your employment.

There are programs in the United States to protect people who report abuse. You should not be afraid to seek help even if you have immigration concerns. People who are victims of human trafficking may be eligible for benefits, services and immigration relief. For example, you may be eligible for a "U" or "T" visa for victims of trafficking or other serious crimes.

**As part of your work terms and conditions, the Captain has agreed to the following:**

- You will not be charged, or threatened to be charged, for fuel or other costs associated with your arrival to the vessel.
- You will be provided a copy of your employment contract in your own language.
- You will be compensated according to the terms of the written contract. Such payments will be made while you are in port, and you will be provided with access to an affordable money transfer, bank or wire transfer service.
- You will have access to your passports and other travel documents. The Captain will safely store these documents for you if you want, otherwise, you are fully responsible for the safekeeping of such documents when in your possession.
- You will be provided with the use of appropriate protective clothing, in good condition, at no cost to you.
- In the event you decide to terminate your contract early, you may return home without a penalty. In such a case, the Captain will provide information about inexpensive return home options and will assist in making arrangements for you to leave before the end of your employment term, at the next time the vessel is in port. Please note that the Captain must coordinate with Customs authorities in the U.S. and the process may take several days after arriving in port.
- You will ordinarily be provided with minimum rest hours of ten hours (ideally consecutively, but otherwise provided in no more than two consecutive blocks of time) in any 24-hour period; and 77 hours in any seven-day period. The Captain may suspend the schedule of hours of rest and require any hours of work necessary for the immediate safety of the vessel, the persons on board or the catch, or for the purpose of giving assistance to other boats or ships or persons in distress at sea, but an adequate period of rest should be provided as soon as soon as practicable after the normal situation has been restored.

### **Medical Attention for Injuries**

If you are injured, the Captain will use his best efforts to provide you with appropriate medical attention, including if requested at a licensed medical facility at the first available opportunity, subject to permission of customs authorities for the crew member to leave the boat, including through procedures such as humanitarian parole or significant public benefit parole.

### **Your Responsibilities**

You also have responsibilities while aboard the vessel. Among those responsibilities are the following:

- You must obey any order from the Captain that relates to the safety of yourself, other crew members, the vessel or any other person aboard the vessel.
- You will perform your assigned duties to the best of your ability.

- You must treat your fellow crewmembers with kindness, dignity and respect.
- You must not endanger the safety of your fellow crewmembers.
- You must comply with any order issued by an official of the Coast Guard, U.S. Customs and Border Protection, or any other U.S. governmental official related to your employment aboard the vessel.

### **Directions from the U.S. Customs and Border Protection**

Prior to arriving at a U.S. port, you must provide your passport or other travel documents to the Captain. He will present them for inspection by the U.S. Customs and Border Protection. After the inspection, the CBP officer will return the documents to the Captain who will return them to you.

The Captain is willing, at no expense to you, to keep your passport and travel documents in a safe place aboard the vessel. The captain will show you where those documents are stored and provide access to you upon request. Any time your passport and/or other travel documents are in your possession, you are responsible for them. If they are lost, stolen or damaged, you are responsible. Failure to produce such documents when requested by Customs or other government authorities may result in severe penalties, including deportation.

If you are not a U.S. citizen or do not have a valid visa to enter the United States, It is your responsibility to remain onboard the vessel when stopped at a U.S. port. A U.S. citizen will be aboard the boat at all times while the vessel is in port, as required by U.S. laws and regulations.

You may seek to leave the vessel if you wish to end your employment, need medical attention, or are being mistreated. The Captain will assist you in making proper arrangements and you may ask for humanitarian or public health benefit parole.

### **You May Seek Assistance If Your Rights Are Violated**

If you believe your rights are being violated, you have several options.

You may discuss the situation with an officer of the U.S. Customs and Border Protection while in port. You may request to have such a discussion in private, away from the Captain or any other crew member.

You may contact an attorney.

Legal Services (U.S.):

Immigrant Justice Center, Legal Aid Society of Hawaii: 1-808-536-4302; 1-800-499-4302

Asian Pacific Islander Legal Outreach (San Francisco): 1-415-567-6255

Asian Americans Advancing Justice (Los Angeles):

[English](#): 888.349.9695

[需要協助嗎](#): 800.520.2356

[ក្រុមការងារជំនួយជនភាសាខ្មែរ](#): 800.867.3126

[도움이 필요하십니까?](#): 800.867.3640

[Tagalog](#): 855.300.2552

ต้องการความช่วยเหลือ: 800.914.9583

Cần sự giúp đỡ: 800.267.7395.

The State Dept. brochure you were provided includes a telephone number that you may call if you believe your rights have been violated—the U.S. Government Human Trafficking Hotline: 1-888-373-7888.

You can also text HELP to 233733 (BEFREE)

You may also contact the International Seafarers' Welfare and Assistance Network's Seafarer Help Hotline, a 24-hour, multilingual service:

- Email: [help@seafarerhelp.org](mailto:help@seafarerhelp.org)
- Live Chat: [www.seafarerhelp.org](http://www.seafarerhelp.org)
- Phone (call back option): +44 20 7323 2737
- Facebook: <https://www.facebook.com/SeafarerHelp/>
- SMS Text number: 00447624818405
- Skype: [info-seafarerhelp.org](https://www.seafarerhelp.org)