

Measure 39: Social legislation inland waterway transport

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<p><i>Policy package:</i> 4D: Sea and inland waterway Safety, quality and environment</p>
<p><i>Measure 39:</i> <i>Harmonisation of conditions in respect of rest periods, crew members, crew composition and navigation time of inland waterway vessels.</i></p>
<p><i>What is the problem being addressed ?</i></p> <p>The objective pursued by this measure is the harmonisation of social conditions in particular navigation and resting times and crew composition in inland navigation. This again has the twofold objective to contribute to more equal competition within the inland navigation industry as well as contributing towards higher safety levels in the industry. With respect to sailing and resting times the most important policy confronting the industry is - just as in road freight transport - how to implement the requirements of Directive 2000/34 that limits the average weekly labour times to 48 hours. A very difficult issue is how to cope with the situation that the industry is dominated by owner-operators that often live on-board of vessels. This necessitates somehow to distinguish between private time and working time, the enforcement of which may virtually impossible to achieve for some activities. The measure is also related, albeit in a negative way, to modal shift objectives because cost per hour of inland navigation very likely will increase and relative price levels of IWT to road freight- and rail freight transport are expected to deteriorate because of this measure.</p>
<p><i>Measure's costs and/or benefits:</i></p> <p>Costs for introduction of for instance the 48-hour working week needs a registration, monitoring and enforcement system. The cost of monitoring and enforcement will strongly depend on how resting and sailing times are exactly defined in national legislation. General cost estimates for implementation and operation are not available but as a lower limit the direct company cost per ship can be compared with the 'tachograph' system in road transport. The direct enforcement cost for the enforcement authorities may amount to millions of EURO depending on the specific type of legislative implementation (for the Netherlands it has been estimated that in the worst case this will be 6 million EURO). However there will be more important costs for the Inland Water Transport industry as well because it is expected that the costs of operation will be higher (higher hourly costs), the present labour shortage in the market may increase and it may lead to a loss of market share (estimations of total social costs amount to 17-28 million EURO according to a study in the Netherlands). The same study also indicates that the gains of a reduced accident risk will not outweigh the costs increases (again not for the EU as a whole but for the Netherlands).</p>
<p><i>Legislative implementation at the EU level:</i></p> <p>Directive 2000/34 (adopted) is the most related one, but this is no a specific transport policy Directive (let alone a WP measure) but a general social policy Directive. Implementation on national level is studied but has not taken place yet.</p>
<p><i>What are the objectives ?</i></p> <p>Stringent enforcement of the legislation is difficult to achieve and costly but not impossible. The accident risks will indeed be reduced. However the average number of accidents and indeed the total accident costs in IWT is low. Only 2-3% of the vessels (per year) in the Dutch fleet are involved in accidents and only 0.4-0.7% of the vessels have an accident that is related to labour times and fatigue (according to figures in the Netherlands). So the the total social benefits of this type of legislation will be limited. Objective achievement may very well depend on acceptance of the legislation by social partners (Employers and employees). Figures from the study in the Netherlands show that more than 15% of the dry cargo fleet and 10% of the tanker fleet is regularly active more then 80 hours per week! So from a general social perspective such conditions may very well considered to be unacceptable. It appears however that also the personnel is hesitant to accept a cap on the maximum allowable labour time because overtime payments will be reduced correspondingly. Furthermore there is a large shortage of personnel in the labour market. So support for the legislation is not unequivocal.</p>

Interactions with other WP measures:

Measure 39 is technically (with respect to legislation and enforcement) comparable to similar type of legislation in road freight transport, like (vertical) Directive 2002/15.

The measure is negatively related to modal shift policies (as explained above). It is expected that the consequences for cost levels in IWT are more substantial than in road- and rail freight transport, leading to relative price levels that are unfavourable to IWT.

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Output indicators:

- Changes in average labour times in inland navigation (not standard available)
- Crew composition in inland navigation. (not standard available)

Outcome indicators: intermediate impacts on transport markets

- Wage levels in inland navigation (not standard available)
- Labour market shortage in inland navigation (not standard available)
- Hourly cost in inland navigation (not standard available)
- Price levels in inland navigation (not standard available)

Outcome indicators: final impacts on transport users and non users

- Accident rates in inland navigation (available in statistics)