



MIN 618 (M+F) Amendment 1

COVID-19: Guidance on the reporting of occupational diseases

Notice to all Ship Owners, Ship Operators and Managers, Masters, Officers and Crew of Merchant Vessels, Skippers and Crew of Domestic Passenger Ships and Inland Waterways Vessels

*This notice should be read with the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997, as amended and replaces MIN 618 (M+F)
This MIN expires 30 September 2020]*

Summary

This Note gives guidance on the reporting of diagnosed COVID-19 cases among seafarers on board ships, where there is reasonable evidence that it was caused by exposure at work.

Amendment 1 updates the guidance on how to decide whether a case of COVID-19 is reportable. See amended section 2.2 and new section 4.

1. Introduction

1.1 The employer of a seafarer on a UK ship must report to MCA when they are notified that a seafarer who works (or has worked) on a ship is suffering (or did suffer) from an occupational disease (The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997, regulation 11A).

1.2 Reportable occupational diseases are specified in MSN 1850 (M) Annex 1. They include -

- “Any disease attributed to an occupational exposure to a biological agent.”

2. COVID-19 cases

2.1 In respect of COVID-19, an employer is only required to make a report when a seafarer has been diagnosed as having COVID 19 and there is reasonable evidence that it was caused by exposure at work. This must be reported as a case of occupational disease. See section 4 of this notice for further guidance on “reasonable evidence of occupational exposure”.

2.2 In accordance with MSN 1850(M), a case is reportable only if the employer has received a written diagnosis of a specified disease from a medical practitioner. However, unlike with



usual diagnosis of occupational disease, many cases of COVID-19 are currently being confirmed without a medical practitioner's written diagnosis, for example, on the basis of laboratory test results. In the current highly unusual circumstances therefore, MCA will not require those results to be confirmed by a medical practitioner before a case of COVID-19 resulting from work is reported. Any official confirmation of COVID-19 infection such as from a public testing body should be considered as being equivalent to a medical practitioner's diagnosis.

2.3 If there is reasonable evidence that a seafarer diagnosed with COVID-19 was likely exposed because of their work, this must be reported as an exposure to a biological agent using MSF 4159. An example of a work-related exposure to COVID-19 would be a medical practitioner, nurse or seafarer who is diagnosed with COVID-19 after treating or caring for someone with COVID-19.

2.4 This is in addition to the requirement to report any case or suspected case of COVID-19 to a port health authority before arrival in a UK Port.

3. Making a report

3.1 A report must be made on form MSF 4159, available from www.gov.uk :
<https://www.gov.uk/government/publications/occupational-disease-report-form-for-uk-registered-merchant-ships-msf-4159-rev-0714>

3.2 The completed form should be sent to mlc@mcga.gov.uk.

4. Reasonable evidence of occupational exposure

4.1 When deciding if a report is required, the employer should make a judgement, based on the information available, as to whether or not a confirmed diagnosis of COVID-19 is likely to have been caused by an occupational exposure, i.e. whether or not there is reasonable evidence that a work-related exposure is the likely cause of the disease. Whilst this should be considered on a case by case basis, there are some general principles which can assist in making this judgement.

4.2 There must be reasonable evidence linking the nature of the person's work with an increased risk of becoming exposed to coronavirus

4.3 Factors to take into account when making this decision could include:

- whether or not the nature of the person's work activities or living and working environment on board increased the risk of them becoming exposed to coronavirus?
- whether or not there was any specific, identifiable incident that led to an increased risk of exposure?
- whether or not the person's work or living and working environment on board directly brought them into contact with a known coronavirus hazard without effective control measures, as set out in the relevant PHE guidance, in place such as personal protective equipment (PPE) or social distancing.

This is not intended to be an exhaustive list.

4.4 There may also be cases where a medical practitioner has highlighted the significance of work-related factors when communicating a diagnosis of COVID-19 - these cases would also be reportable.

4.5 Additionally, for an occupational exposure to be judged as the likely cause of the disease, it should be more likely than not that the person's work was the source of exposure to



coronavirus as opposed to general societal exposure. Such cases may not be easy to identify when COVID-19 is prevalent in the general population.

4.6 Work with the general public, as opposed to work with persons known to be infected, is not considered sufficient evidence to indicate that a COVID-19 diagnosis is likely to be attributable to occupational exposure. Such cases do not require a report.

4.7 The employer does not need to make extensive enquiries in seeking to determine whether a COVID-19 infection is work-related. The judgement should be made on the basis of the information available. There is no requirement for reports to be submitted on a precautionary basis, where there is no evidence to suggest that occupational exposure was the likely cause of an infection.

More Information

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