

TITLE 46 - SHIPPING**Subtitle II - Vessels and Seamen****Part G - Merchant Seamen Protection and Relief****CHAPTER 105 - COASTWISE VOYAGES****§ 10504. Wages**

(a) After the beginning of a voyage, a seaman is entitled to receive from the master, on demand, one-half of the balance of wages earned and unpaid at each port at which the vessel loads or delivers cargo during the voyage. A demand may not be made before the expiration of 5 days from the beginning of the voyage, not more than once in 5 days, and not more than once in the same port on the same entry. If a master does not comply with this subsection, the seaman is released from the agreement required by section 10502 of this title and is entitled to payment of all wages earned. Notwithstanding a release signed by a seaman under section 10312 of this title, a court having jurisdiction may set aside, for good cause shown, the release and take action that justice requires. This subsection does not apply to a fishing or whaling vessel or a yacht.

(b) The master shall pay a seaman the balance of wages due the seaman within 2 days after the termination of the agreement required by section 10502 of this title or when the seaman is discharged, whichever is earlier.

(c) When payment is not made as provided under subsection (b) of this section without sufficient cause, the master or owner shall pay to the seaman 2 days' wages for each day payment is delayed.

(d) Subsections (b) and (c) of this section do not apply to:

- (1) a vessel engaged in coastwise commerce.
- (2) a yacht.
- (3) a fishing vessel.
- (4) a whaling vessel.

(e) This section applies to a seaman on a foreign vessel when in harbor of the United States. The courts are available to the seaman for the enforcement of this section.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 570; Pub. L. 99–36, § 1(a)(5), May 15, 1985, 99 Stat. 67; Pub. L. 99–640, § 10(b)(4), (5), Nov. 10, 1986, 100 Stat. 3550.)

Historical and Revision Notes

| Revised section | Source section (U.S. Code) |
|-----------------|----------------------------|
| 10504 | 46:596 |
| 46:597 | |
| 46:598 | |

Section 10504 specifies when seamen on coastwise voyages may obtain portions of their wages. The section does not apply to fishing vessels, whaling vessels or yachts, and portions of it do not apply to vessels taking oysters. It does apply to foreign vessels while in United States ports.

Amendments

1986—Subsec. (a). Pub. L. 99–640, § 10(b)(4), struck out last sentence which read as follows: “However, this subsection applies to a vessel taking oysters.”

Subsec. (d)(3). Pub. L. 99–640, § 10(b)(5), struck out “(except a vessel taking oysters)” after “vessel”.

1985—Subsec. (d). Pub. L. 99–36 amended subsec. (d) generally, thereby including reference to a vessel engaged in coastwise commerce.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Effective Date of 1985 Amendment

Pub. L. 99-36, § 1(b), May 15, 1985, 99 Stat. 68, provided that: “The effective date of subsection (a)(5) of this section [amending this section] is August 26, 1983.”