

## **HSE information sheet**

### **Policy on working hours offshore**

#### **Offshore Information Sheet No. 8/2008**

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## **Introduction**

This information sheet sets out some basic principles for setting a policy on working hours offshore.

Offshore Information Sheet 7/2008 **Guidance for managing shiftwork and fatigue offshore**<sup>1</sup> addresses the problems of shift design and integration into the safety management system (SMS) along with the management of fatigue associated with shift work. However Information Sheet 7/2008 does not provide specific advice on long working hours which can occur within a well-designed shift system as well as a poor one.

While it is obvious that long working hours and shift work are closely associated there are benefits to having a policy for working hours that stands alongside that for shift work. Such a policy can set clear expectations for hours as a back stop for problems with the shift schedule and also separate working hours and overtime from the issue of scheduling night work.

### **Some general principles for a working hours policy:**

#### **All sites should have the same policy**

It is difficult to demonstrate a legal justification for operating different maximum working hours on different installations. The legal requirement is to reduce risks to as low as is reasonably practicable (ALARP) and, in practice, to achieve this arrangements should be consistent from installation to installation. Any deviation would require an explanation as to why it is safe to work a certain period on one installation and unsafe on another. This is separate from the normal working day, which may be eight hours on one site and 12 on another. This is about the maximum number of hours worked and how that is controlled.

#### **Single policy for all workers**

Workload can vary significantly from one task or role to another both in terms of mental and also physical demands. Highly physical work such as the drill floor will be limited by physical exhaustion whereas managerial roles such as the Offshore Installation Manager (OIM) are likely to be limited by mental fatigue. There is a range of specialist roles, e.g. wireline, that may combine both. However it is not sustainable to argue that hours on the drill floor must be limited and those of specialists and managers need not. Tiredness at managerial (or specialist) level is a major hazard risk. It is also not sustainable to say that manual work while tired is dangerous but managing and taking decisions about that work while tired is safe.

## **The Working Time Regulations**

The following requirement should be met:

- The requirement to record working hours

The application of the 11 hour break offshore remains contentious, however this is not a barrier to adopting it as a principle, along with monitoring and risk assessing the incidence of shorter breaks.

Adequate records, including records of hours worked, will continue to be needed by employers to monitor and ensure compliance with their own policies.

### **Working hours should be a key performance indicator (KPI)**

The target should be “no overtime” as this is a clear indicator that staffing levels and work load are within safe limits. A number of North Sea operators have already achieved this and it is effective. Records of hours worked and overtime should be readily available and used and monitored by management. Again this is already current practice for some operators. HSE assesses the ease with which an OIM can provide a record of working hours along with a breakdown of overtime as a performance indicator during a human factors (HF) inspection.

### **Working hours should be part of the risk assessment process**

Long working hours and consequent fatigue are hazards. The debate as to whether they are an occupational or major hazard is ongoing, however the causes of many major incidents include a significant human fatigue element. This hazard and the control measures should be embedded into the range of work planning, risk assessment and hazard management processes. It is difficult to justify a situation in which being competent is a requirement, while being awake enough to remember how to do the job is not.

The risk assessment need not be onerous, it can be as simple as a conversation between a supervisor and the worker. However it does need to cover the nature of the task, the current and predicted alertness of the worker and their recent working history along with what arrangements are in place if they find themselves becoming fatigued.

### **Do not confound safety with pay and conditions**

It has become common practice on some installations to schedule 12 hours work over 14 or 16 so that overtime can be claimed and paid. Employees take additional breaks during the 12 hours so that fatigue is not a problem. Such practices are not sustainable. They make it hard, if not impossible, to manage fatigue safely and introduce an element of management approved rule violation that can be very difficult to cut back later. In the

event of an incident after 16 hours on duty the management will claim there was only 12 hours worked and the employees will claim they had worked hard for 16.

### **Longer duty periods**

Sometimes the nature of the task or delays may require 12 hours work to be spread over a duty period of (say) 14 hours. This can be done without increased fatigue risk provided that there have been opportunities to rest during the 12 hours and a risk assessment has been conducted to assure that the staff involved are sufficiently alert to continue working beyond 12 hours. For satisfactory rest during the duty period there should be breaks of sufficient uninterrupted duration to enable relaxed rest or napping, 30 minutes would be reasonable, and it should be possible to take these breaks in an area that is quiet and comfortable.

### **Keep it simple and do not introduce ambiguity**

Use clear language and introduce the minimum of clauses and exceptions. Set a defined maximum such as 12 hours, a defined criteria for risk assessment such as “over 12 hours”, specify who conducts the risk assessment and how it is recorded. Where terms such as “emergency” or “exceptional” are used these should be defined in an unambiguous manner.

### **Issues which should be addressed in a policy on working hours offshore**

- Acceptance of the relevance of human factors in health, safety and welfare.
- Recognition of the effects of fatigue on the performance of individuals and on the implications this may have for safety, and of the need to ensure good quality rest periods.
- Identification of the working time factors which are specific to the company, installation and occupation. These may include travel aspects, tour length, shift patterns and changeover routines, staffing levels, organisational structures, work practices, work activity, rest periods, facilities for rest and recreation and effects of upsets such as bad weather or operational problems.
- Adoption of a set of criteria defining acceptable norms and the extent of permissible deviations, including any compensating mechanisms, such as extra rest.
- Contingency plans for unusual situations, such as the failure of personnel to turn up to relieve those currently at work, or unexpected process problems.
- Systems to monitor and record factors related to working time including, where appropriate, records of hours worked, shift patterns, etc.
- Provision of information to employees on potential health and safety problems and on the precautions to be taken.
- Adequate consideration of human factors in the design of operational procedures and in incident investigation.

## **Based on HSE's research into hours and human performance the following would be good practice:**

- A limit of 12 hours work in any one shift or any period of 24 hours.
- No overtime unless the situation is an emergency. *Emergency* must be clearly defined and should not include commercial consequences.
- No overtime beyond 12 hours without a risk assessment that includes a face to face discussion with the employee to confirm their mental and physical capacities. It may be no more than a conversation, however this should be done and recorded.
- A prohibition of any overtime on consecutive shifts.
- An absolute limit of 14 hours. Note that 14 hours only leaves 10 hours to wash, eat, sleep, dress and eat. The real break after 14 hours is in the region of 8 hours. This is outside the guidelines for the Working Time Regulations and would be taken into account by HSE when considering enforcement action in the event of an incident.

Some offshore installations on the UKCS are already operating to these practices. There are a number of installations that track hours on a daily basis and have in place a "no overtime" policy. These are well run, safe and profitable installations operated by competitive oil companies, as a result HSE sees no barrier to the wider adoption of such policies.

### **Relevant legal requirements**

The Health and Safety at Work etc Act 1974 places duties on all employers to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees. The Act also requires employers to ensure, so far as is reasonably practicable, that people not in their employment are not exposed to risks to their health and safety. These duties fall on installation operators, installation owners, contractors and other offshore employers and apply to risks relating to working time.

The Management of Health and Safety at Work Regulations 1999 require all employers to assess the risks to the health and safety of their employees, and of any others who may be affected by their operations. Working time should be taken into account in this assessment of risk.

The Offshore Installations (Safety Case) Regulations 2005 require installation operators and owners to demonstrate that their management systems are adequate to ensure that the relevant statutory provisions for the health and safety of employees and others will be complied with. The legal requirements include those for the control of risks relating to working time.

The Working Time Regulations 1998

## References

Offshore Information Sheet 7/2008 Guidance for managing shiftwork and fatigue offshore

[Operations Notice 65](#) Terms and Conditions of Employment. The Working Time Regulations – Extension Offshore

Managing the causes of work-related stress – A step-by-step approach using the Management Standards HSG218 Second edition HSE Books 2007 ISBN 0 7176 6273 9

A guide to the Offshore Installations (Safety Case) Regulations 2005 L30 Third edition HSE Books 2005 ISBN 0 7176 6184 9

Management of occupational health risks in the offshore oil and gas industry Oil Industry Advisory Committee HSE Books 1996 ISBN 0 7176 0886 7

Management of health and safety at work. Management of Health and Safety at Work Regulations 1999. Approved Code of Practice and guidance L21 Second edition HSE Books 2000 ISBN 0 7176 2488 9

## Further information

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<p>This information sheet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do</p>
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