

OFFICIAL MAGAZINE

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of Drilling Contractors

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COVER

IADC 2003 Chairman-elect

Lawrence R Dickerson believes the industry must be more effective in getting its message out, if we are to attract new personnel and access promising E&P acreage. A profile of the Diamond Offshore Drilling President/COO begins on page 12.

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CAPITAL WIRELINES

UK proposal on EU Working Time Directive excluded sectors is out

Brian T Petty, Senior Vice President-Government Affairs

UK Offshore Working Time (London)—On 31 Oct, the UK Department of Trade and Industry (DTI) issued its first formal proposal for dealing with the formerly “excluded sectors” under the EU Working Time Directive, including offshore E&P work. IADC and allied UK trade organizations will submit responses continuing to argue the case for a 52-week reference period. IADC Senior Vice President-Government Affairs Brian T. Petty has met on several occasions with a working party of the IADC North Sea Chapter to develop the appropriate formal industry response to DTI.

In August, DTI informally solicited the views of the offshore industry and offshore trade unions. Affected E&P trade organizations responded with one voice, laying out their arguments for preserving existing flexibility to manage maintenance schedules and safety regimes. Their joint letter to DTI made the following points:

“The original exclusion of the offshore oil and gas industry from the requirements of the 1993 Directive was explicit recognition of the unique nature of its remote working environment. When the Directive was amended in 2000, the European Commission, the European Parliament and the Council of the EU also recognized that certain derogations would need to be applied to the industry. All of this involved extensive discussions over a lengthy period with the industry and representatives of the British Government, in which DTI played a pivotal role, before the wording of the amending Directive was concluded. The employers argued in favour of a 52 week Reference Period, throughout that lengthy period. The reasons for this were and remain:

- Seasonal work such as major maintenance, well servicing, diving, installation and other marine related activities are concentrated in the spring, summer and autumn months, with very little being done in the winter period of November to February when, anyway, production needs to be greatest to meet the winter demand for oil and gas;
- Safety, weather dependency and available daylight are critical factors;
- Shutdowns and major maintenance have to be phased—they cannot all be done at once;
- There are limits to the amount of equipment and the number of available specialists (and accommodation for them offshore) which means that maximum use has to be made of the right conditions for work (subject to the appropriate rest breaks);
- The UK Continental Shelf is an expensive hydrocarbon province, competing for limited investment funds with the rest of the oil and gas world where costs are lower and conditions are not so technically or meteorologically demanding.

“A shorter Reference Period would make the industry no safer, nor the workforce better protected, but it will make the industry here in the UK less competitive and its life shorter.”

DTI’s formal public proposal now states: “The Regulations will also be extended in full to mobile workers (e.g., those engaged in offshore activities) but with a derogation to allow for the weekly working time limit of 48 hours to be averaged over a longer period than the default 17 weeks, subject to industry agreement.”

IADC will continue to press the point on the reference period and urge DTI to be more specific, leaving less to employer/employee workforce “negotiations”, in order that the UK Health and Safety Executive has clear guidance in the administration of whatever is finally enacted by Parliament in August 2003.