

Working Hours and Safety at Sea

Fisheries observers often feel pressurised to work extended hours on commercial fishing trips in order to (a) satisfy sampling coverage targets, and (b) fit in with normal working patterns on board. Fatigue leads to poor judgement and slow response to the environment, which creates a safety hazard to the observer, the crew, and the vessel.

Observers have some control on working hours on catch sampling trips for the EU Data Collection Framework. However, when vessels are chartered on fishing surveys, e.g. for the Fisheries Science Partnership (FSP), pressures on the observer can be amplified by the terms of the contract, e.g. the number of fishing events required, ownership of the catch, and a dispensation to fish 'off-quota'. In addition, the skipper and crew can be keen to complete the survey in the shortest possible time in order to return to commercial fishing that may be more profitable.

With regard to UK fishing vessels, the **Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004** stipulate a minimum of 10 hours rest in any 24 hour period and 77 hours for each 7-day period. Daily hours of rest may be divided into no more than two periods, one of which shall be at least six hours. 'Rest breaks' of up to 30 minutes do not count as rest for the purposes of the Regulations. For surveys being undertaken on commercial fishing vessels under charter, for the safety and well-being of observers, and for the quality of data being gathered, these scheduled rest periods will be built into the **Detailed Operations Plan (DOP)**. The skipper will be asked to provide at the pre-survey meeting a written plan of scheduled rest periods, to demonstrate compliance with Regulations to the satisfaction of the project manager and the observer. In signing the DOP, the skipper agrees to adhere to the working schedule throughout the survey.

From practical, first-hand experience of FSP surveys gained by observers over many years, the following requirements have been drawn up to guide project managers with their Detailed Operations Plan:

1. Charters that require direct comparison of the catch of two or more rigs need to be crewed by a minimum of two observers.
2. Observers should have one continuous period of rest per day of no less than 6 hours.
3. To safeguard this rest period, the skipper should refrain from commencing any fishing operation permitted outside the survey plan until all sampling is completed from the last survey tow of the day, and the observer is off the deck.
4. Observers should have a second continuous period of rest (4 hours) per day to make up the balance of 10 hours rest. The interval between the two periods should not exceed 14 hours.
5. Meals should be prepared for observers at the same time as those for the crew. Observers should not be expected to prepare a meal for themselves in a time-period set aside for rest.

The fishing environment is unpredictable, and survey plans sometimes have to be flexible enough to maximize benefit in terms of realizing the survey objectives optimally. Weather is the obvious factor. Additional rules regarding safety that need to be included in the DOP are:

6. Observers have authority to discontinue sampling if sea conditions, or other conditions on deck, become too dangerous or strenuous *in their opinion*.
7. Survey components need to be classed in the DOP as (a) essential, or (b) desirable, to allow observers to prioritise sampling activities easily. Geographic coverage, the number of fishing events, the size of samples, the number of species sampled, etc., may need to be compromised in the field, so observers are authorized to agree realistic targets with the skipper during the course of a trip, if necessary.