



PREVENTION AT SEA

CIRCULAR 02/2018

PASEA CLARIFIES HOURS  
OF WORK AND REST  
INTERPRETATION FOR  
SEAFARERS



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## PaSea clarifies Hours of Work and Rest interpretation for seafarers

**Case Study:** It is commonly reported that during Port State Control inspections onboard, deficiencies, related to the *Maritime Labour Convention (MLC 2006) Regulation 2.3 - Hours of work and hours of rest*, are imposed. More specifically, the issue that is raised in most of the cases, is revolving around the interpretation of *'in any 24-hour period'*.

Prevention at Sea, due to our commitment for effective risk prevention assistance, would like to clarify the applicable interpretation attributed to MLC 2006 Regulation 2.3 Hours of work and hours of rest, para. 5(b) and para. 6 with regards to the phrase 'in any 24-hour period'.

Our CEO, holding an MLC 2006 Trainer/Inspector Certificate issued by ILO, brought this issue to the attention of ILO International Labour Standards Department requesting clarification whether the interpretation provided by Prevention at Sea to the Shipping Industry is aligned to the subject regulation.

Specifically the issue raised revolves around checks 'in any 24-hour period' and whether such checks could commence during a seafarer's rest period.

**Prevention at Sea's position is that breaking the seafarer's undisrupted rest period into parts and initiating the subject calculation/checking without taking into consideration the undisrupted rest period, is not recommended and should be avoided.**

Our position is based on the fact that:

- a) By not taking into consideration a part of the seafarer's undisrupted rest period, irregularities may occur which could result in a violation of the regulations.
- b) The seafarer's rest period should not be split into parts/sections, regardless if the rest period commenced in the previous day. For example, if a seafarer received rest between 2000 of day 1 and 0400 of day 2, then the undisrupted rest time is 8 hours in total.

Thus, commencement of 'in any 24-hour period' checking during the rest period 2000 (day 1) - 0400 (day 2) i.e. starting at 2100, 2130, 2200, 2300 etc. should be avoided – **Review the following example.**

# Example

**PaSea Image 1.** The example indicated on 04 - 05 December highlights the irregularities of the checking when this commences during a period of rest. The light blue box/cell on the 4th of December indicates the start of the calculation. By checking the 24-hours period starting from 1430 on 04th Dec. until 1430 on 05th of Dec., **a violation of the regulations should be raised, as the sum of 10 hours is the result of 3 rest periods i.e. 1.5+7.5+1.**

However, this calculation should be avoided as the rest period between 1200-1600 on 05 December was split into two rest periods.

Day/Time	Hours of rest																								In 24-h	Comments	In any 24-hour	In any 7-d		
	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00					00:00	
+ 28 Nov 2017																										24		24	168	
+ 29 Nov 2017																											24		24	168
+ 30 Nov 2017																											24		24	168
+ 01 Dec 2017																											24		24	168
+ 02 Dec 2017																											24		24	168
+ 03 Dec 2017																											24		24	168
+ 04 Dec 2017					W	W	W	W	W	W	W	W	D	D	D	D	D	D	D	D	D	D	D	D	D	12		12	156	
+ 05 Dec 2017					W	W	W	W	W	W	W	W	D	D	D	D	D	D	W	W	W	W	W	W	W	10		10	142	
+ 06 Dec 2017																											24		24	142
+ 07 Dec 2017																											24		24	142
+ 08 Dec 2017																											24		24	142
+ 09 Dec 2017					W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	10		10	128	
+ 10 Dec 2017					W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	10		10	122	
+ 11 Dec 2017																										12		12	113	
+ 12 Dec 2017																										24		24	113	
+ 13 Dec 2017																										24		24	127	
+ 14 Dec 2017																										24		24	127	
+ 15 Dec 2017																										24		24	127	
+ 16 Dec 2017																										24		24	127	
+ 17 Dec 2017																										24		24	141	
+ 18 Dec 2017																										24		24	156	

**PaSea Image 1. RH Manager software\***

By implementing the suggested methods of calculation (Method 1,2 & 3 that follow), it can be proved that the seafarer has received adequate rest and in accordance with regulations, before starting work at 0400 on 5th of December (Rest between 2030 (4th Dec) – 0400 (5th Dec)) and again before starting work at 1600 on 5th of December.

Although the Constitution of the International Labour Office confers no special competence upon the ILO to interpret Conventions and any comment is without prejudice to what the supervisory bodies of the ILO may have to say about the issue, we understand that **the ILO Labour Standards Department supports and shares the same interpretation with PaSea in regards to the commencement of checking of 'in any 24-hour period'.**

With the aim to assist in the correct checking for potential violations, we have provided three (3) useful methods below to help with smooth compliance:

## Method #1

Checking of 'in any 24-hour period' should commence at the **START** of any period of work by moving backwards 24 hours.

The seafarer should have received a minimum of 10 hours rest before commencing a new work-related task, which in turn should be divided into no more than 2 periods, one of which should be of a minimum of 6 hours. Conclusively, this type of calculation indicates whether the seafarer received adequate rest in accordance with the regulations before the commencement of a new work related task.

For example, if the seafarer is about to commence work at 0500 of day 2 (10th Dec), the subject checking should be carried out for the 24-hour period between 0500 of day 1 (9th Dec) and 0500 of day 2 (10th Dec) – [See PaSea Image 2](#).

As depicted below, the rest period is divided into two periods with 10 hours in total of rest, as per MLC 2006 requirements.

Day/Time	00:00 01:00 02:00 03:00 04:00 05:00 06:00 07:00 08:00 09:00 10:00 11:00 12:00 13:00 14:00 15:00 16:00 17:00 18:00 19:00 20:00 21:00 22:00 23:00 00:00																								Hours of rest					
	In 24-h	Comments	In any 24-hour	In any 7-d																										
+ 30 Nov 2017																										24		24	168	
+ 01 Dec 2017																											24		24	168
+ 02 Dec 2017																											24		24	168
+ 03 Dec 2017																											24		24	168
+ 04 Dec 2017					W	W	W	W	W	W	W	D	D	D	D	D	D		W	W	W	W	W	W	W	12		12	156	
+ 05 Dec 2017				W	W	W	W	W	W	W	W	D	D	D	D	D	D		W	W	W	W	W	W	W	11.5		11.5	143.5	
+ 06 Dec 2017																											24		11.5	143.5
+ 07 Dec 2017																											24		24	143.5
+ 08 Dec 2017																											24		24	143.5
+ 09 Dec 2017																											10		10	129.5
+ 10 Dec 2017																											10		10	123.5
+ 11 Dec 2017																											12		12	114.5
+ 12 Dec 2017																											24		12	114.5
+ 13 Dec 2017																											24		24	127
+ 14 Dec 2017																											24		24	127
+ 15 Dec 2017																											24		24	127
+ 16 Dec 2017																											24		24	127
+ 17 Dec 2017																											24		24	141
+ 18 Dec 2017																											24		24	156
+ 19 Dec 2017																											24		24	168
+ 20 Dec 2017																											24		24	168

PaSea Image 2. RH Manager software\*

\*RH Manager software: The 'RH Manager' is a software application designed by Prevention at Sea to assist seafarers in properly recording, calculating and monitoring the working and rest hours. Certified by Lloyd's Register, the 'RH Manager' is in accordance with the STCW, MLC 2006, OPA 90, 46 US Code 8104 rest hours' requirements. For a Free Trial and information relating to the features and benefits of the Software application, please visit [www.preventionatsea.com](http://www.preventionatsea.com) or email [info@preventionatsea.com](mailto:info@preventionatsea.com)

# Method #2

## Checking at the end of or during any period of work, by moving backwards 24hrs (worst case scenario)

This method of calculation indicates the worst-case scenario as if checking commences at the end of an undisrupted period of work which has just been completed, by moving backwards 24hrs.

For example, if the seafarer worked from 0700-1300 of day 2 (11th Dec), the subject checking should be carried out for any rolling 24-hour period. As an example, the indicative checking 0730-0730, 0800-0800, 0830-0830, 0900-0900, 1000-1000, 1100-1100, 1200-1200, 1300-1300 between day 1 (10th Dec) and day 2 (11th Dec) could be used. **The worst-case scenario is the checking of the period 1300-1300 where, by moving 24hours backwards, the whole work period (0700-1300 of day 2 on 11th Dec.) is included in the calculations – See PaSea Image 3.**

Day/Time	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	00:00	Hours of rest				
	In 24-h	Comments	In any 24-hour	In any 7-d																										
30 Nov 2017																										24		24	168	
01 Dec 2017																											24		24	168
02 Dec 2017																											24		24	168
03 Dec 2017																											24		24	168
04 Dec 2017					W	W	W	W	W	W	W	D	D	D	D	D	D	W	W	W	W	W	W	W	W		12		12	156
05 Dec 2017				W	W	W	W	W	W	W	W	D	D	D	D	D	D	W	W	W	W	W	W	W	W		11.5		11.5	143.5
06 Dec 2017																											24		11.5	143.5
07 Dec 2017																											24		24	143.5
08 Dec 2017																											24		24	143.5
09 Dec 2017					W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W		10		10	129.5
10 Dec 2017					W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W		8		10	123.5
11 Dec 2017									W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W		12		8	114.5
12 Dec 2017																											24		12	114.5
13 Dec 2017																											24		24	127
14 Dec 2017																											24		24	127
15 Dec 2017																											24		24	127
16 Dec 2017																											24		24	127
17 Dec 2017																											24		24	141
18 Dec 2017																											24		24	156
19 Dec 2017																											24		24	168
20 Dec 2017																											24		24	168

Start the calculation from here by moving backwards 24hrs.

PaSea Image 3. RH Manager software\*

\*RH Manager software: The 'RH Manager' is a software application designed by Prevention at Sea to assist seafarers in properly recording, calculating and monitoring the working and rest hours. Certified by Lloyd's Register, the 'RH Manager' is in accordance with the STCW, MLC 2006, OPA 90, 46 US Code 8104 rest hours' requirements. For a Free Trial and information relating to the features and benefits of the Software application, please visit [www.preventionatsea.com](http://www.preventionatsea.com) or email [info@preventionatsea.com](mailto:info@preventionatsea.com)

# Method #3

Checking 'in any 24-hour period' at the start of any period of work by moving forward 24 hours.

For good planning ahead, the checking 'in any 24-hour period' should commence at the start of any period of work by moving forward 24 hours. By providing the indicative plan of work-related tasks for the next days, this method of calculation will indicate whether a violation against the regulations should be expected. This method assists the crew in amending the initial work plan accordingly thus ensuring that adequate rest is provided to the seafarers – See PaSea Image 4.

Day/Time	Hours of rest																														
	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	00:00	In 24-h	Comments	In any 24-hour	In any 7-d		
+ 30 Nov 2017																											24		24	168	
+ 01 Dec 2017																												24		24	168
+ 02 Dec 2017																												24		24	168
+ 03 Dec 2017																												24		24	168
+ 04 Dec 2017						W	W	W	W	W	W	W	D	D	D	D	D	D	D	D	D	D	D	D	D	D	12		12	156	
+ 05 Dec 2017																		W	W	W	W	W	W	W	W	W	W	11.5		11.5	143.5
+ 06 Dec 2017																											24		24	143.5	
+ 07 Dec 2017																											24		24	143.5	
+ 08 Dec 2017																											24		24	143.5	
+ 09 Dec 2017						W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	10		10	129.5	
+ 10 Dec 2017						W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	8		8	123.5	
+ 11 Dec 2017																											12		12	114.5	
+ 12 Dec 2017																											24		24	114.5	
+ 13 Dec 2017																											24		24	127	
+ 14 Dec 2017																											24		24	127	
+ 15 Dec 2017																											24		24	127	
+ 16 Dec 2017																											24		24	127	
+ 17 Dec 2017																											24		24	141	
+ 18 Dec 2017																											24		24	156	
+ 19 Dec 2017																											24		24	168	
+ 20 Dec 2017																											24		24	168	

PaSea Image 4. RH Manager software\*

Other methods of calculation beginning at the start or end of the period of rest or work may exist but the three (3) aforementioned methods take into consideration the worst-case scenarios and include undisrupted time periods of work or rest at any time.

The examples indicated on 09-11 Dec, prove that the aforementioned methods of calculation are effective (See Red flags/ cells) – PaSea Images 2, 3 & 4.

Relevant correspondence with the ILO Officials is available



PaSea recommends that when scheduling work patterns for crew, the 'in any 24-hour period' should commence at the start of any period of work by moving backwards 24 hours.



# PREVENTION AT SEA

All images in this Circular are print screens extracted from the PaSea Maritime Software application RH Manager. The above methods are provided through the said software for the efficient monitoring and checking of hours of work and rest as well as cross checking with log books entries to avoid discrepancies is ensured.

**DON'T CURE, PREVENT! FOR MORE INFORMATION,  
PLEASE DO NOT HESITATE TO CONTACT US.**



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