



## **Code of Practice**

# Transportation of Employees by Vessel to or from a Workplace in the Offshore Petroleum Industry – Newfoundland and Labrador

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**The Canadian Association of Petroleum Producers (CAPP)** represents companies, large and small, that explore for, develop and produce natural gas and oil throughout Canada. CAPP's member companies produce about 80 per cent of Canada's natural gas and oil. CAPP's associate members provide a wide range of services that support the upstream oil and natural gas industry. Together CAPP's members and associate members are a solution-oriented partner to the world's needs for affordable, clean, safe and secure energy, and an important part of a national industry with revenues from oil and natural gas production of about \$116 billion a year. CAPP's mission, on behalf of the Canadian upstream oil and natural gas industry, is to advocate for and enable economic competitiveness, with environmentally and socially responsible performance and is dedicated to advancing reconciliation with Indigenous peoples. CAPP is committed to ensuring that Canada is positioned to help meet global climate commitments as the supplier of choice in a world that demands a lower carbon energy future.

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## 1 Purpose and Scope

This Code of Practice entitled *Transportation of Employees by Vessel to or from a Workplace in the Offshore Petroleum Industry - Newfoundland and Labrador* (this “Code of Practice”), is a result of a joint effort among Newfoundland and Labrador Offshore Petroleum Industry Operators and the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB).

Operators in the Newfoundland and Labrador offshore area, represented by CAPP, have developed this Code of Practice to provide guidance and a consistent practice for the safe transportation of Employees by vessel to, from and between an Operator’s offshore Workplaces.

This Code of Practice is intended to complement an individual Operator’s and Employer’s procedures, as well as legislative and regulatory requirements<sup>1</sup>, for the transportation of Employees to and from a Workplace by vessel, including but not limited to the following:

- *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act, S.C.1987, C.3, s. 205.014 (the “Accord Act”).*
- *Newfoundland Offshore Petroleum Drilling and Production Regulations, S.O.R./2009-316, ss. 19, 25, 69 and, 70.*
- *Canada-Newfoundland and Labrador Offshore Area Occupational Health and Safety Regulations, SOR/2021-247 (the “OHS Regulations”)*

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<sup>1</sup> References are to Federal version.

## 2 Terms and Definitions

All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the *Accord Act*.

For the purpose of this Code of Practice, the following terms and definitions apply:

**Employee** Means an individual who, in return for monetary compensation, performs work or services for an employer in respect of a work or activity for which an authorization has been issued pursuant to subsection 205.001(1) of the *Accord Act*.

In the context of this Code of Practice, an Employee is considered a passenger being transported to or from a Workplace.

**Employer** Means a person who employs or contracts for the services of any individual in respect of a work or activity for which an authorization has been issued, if that person has the power to exercise direction and control over the individual's work at the workplace pursuant to subsection 205.001(1) of the *Accord Act*.

**Marine Installation or Structure** Pursuant to subsection 205.001(1) of the *Accord Act* Marine Installation or Structure (a) includes (i) any ship, including any ship used for construction, production or diving or for geotechnical or seismic work, (ii) any offshore drilling unit, including a mobile offshore drilling unit, (iii) any production platform, subsea installation, pipeline as defined in section 135, pumping station, living accommodation, storage structure or loading or landing platform, and (iv) any other work, or work within a class of works, prescribed under paragraph (4)(a) but does not include any vessel, including any supply vessel, standby vessel, shuttle tanker or seismic chase vessel, that provides any supply or support services to a

ship, installation, structure, work or anything else described in paragraph (a), unless the vessel is within a class of vessels that is prescribed under paragraph (4)(b), or (ii) any ship or vessel within a class of ships or vessels prescribed under paragraph (4)(c).

Offshore Installation Manager (OIM)

The manager responsible for the safety of all personnel onboard the installation, placed in command pursuant to section 193.2 of the *Accord Act*.

Operator

A person or company who has been issued an authorization by the Canada-Newfoundland and Labrador Offshore Petroleum Board.

Vessel Master

The individual in command of the vessel and responsible for its safe and efficient operations and the safety of all personnel on board.

Vessel Owner

The owner of a vessel.

Vessel Operator

The company that is responsible for the safe day to day operations of the vessel. The vessel operator can be the vessel owner.

## Workplace

Pursuant to subsection 205.001(1) a

Workplace means:

(a) any marine installation or structure where an employee is employed in connection with a work or activity for which an authorization has been issued;

(b) any workboat used by an employee, and operated from a marine installation or structure, to perform routine maintenance or repair work in connection with a work or activity for which an authorization has been issued; and

(c) any dive site from which, and any underwater area at which, a diving operation is conducted by an employee in connection with a work or activity for which an authorization has been issued.

### 3 Types of Employee Transfer

Normally accepted means of Employee transfer to / from an offshore workplace include:

- Vessel to Marine Installation or Structure Transfer via Personnel Transfer Device
- Vessel to vessel transfer via fast rescue craft, rescue boat or daughter craft, or
- Certified gangway or bridge transfer.

Other methods of Employee transfer will be considered by the C-NLOPB on a case-by-case basis. Employee transfer shall only be permitted where a procedure and risk assessment has identified the most appropriate process for the transfer with due consideration for safety of personnel.

#### 3.1 Vessel to Marine Installation or Structure Transfer via Personnel Transfer Device

##### 3.1.1 Cranes

Cranes used for Employee transfer must be certified for personnel transfer by a certifying authority who is a member of the International Association of Classification Societies.

##### 3.1.2 Personnel Transfer Device

The transfer of an Employee between a vessel and a Marine Installation or Structure will be via a certified crane lifted personnel transfer device. Transfer devices must be checked before use as per the manufacturer's recommendations.

#### 3.2 Gangway and Bridge Transfer

##### 3.2.1 Bridges

Larger vessels (for example standby vessels, heavy-lift crane vessels, accommodation vessels or mobile offshore drilling units) may be fitted with long bridges to effect the transfer of Employees. The equipment may be hydraulically controlled, with the ability to be lifted into place and supported by a crane or, alternatively, have its own dedicated support mechanism. Bridges and personnel crossings shall be closely monitored and controlled.



### 3.2.2 Heave Compensated Gangways

These are purpose-designed gangways mounted on a vessel which connect to another vessel/ Marine Installation or Structure to allow personnel to pass safely across. These gangways are fitted with hydraulic heave compensation systems which adjust gangway length and/or the horizontal/vertical angles to compensate for the vessel's relative movement. The equipment may also be fitted with a traffic light system to prevent the movement of personnel onto the gangway when automatic adjustments are taking place. Note: Must adhere to gangway requirements as per the *Canada Shipping Act* with suitable netting or barriers in place with certification from a Classification Society.

Bridges and Gangways must be approved by a Classification Society. Any alternates to these methods of transfers must be approved by the C-NLOPB.

### 3.3 Vessel to Vessel Transfer

The weather and sea state should be assessed by the Vessel Masters to determine if it is suitable for the use of a small boat, and to allow a close approach and safe transfer.

The transfer vessel (fast rescue craft, rescue boat or daughter craft) shall be outfitted for the number of persons to be transferred and shall comply with applicable regulations for the area of operation noted in an Operator's authorization.

The transfer of Employees shall only be permitted where a procedure and risk assessment has identified the most appropriate process for the transfer with due consideration for safety of personnel.

## 4 Principle Items Related to Personnel Transfers

In accordance with paragraph 205.037(2)(c) of the *Accord Act*, a copy of this Code of Practice will be posted by each Operator as applicable, in a prominent place accessible to every Employee at each of its Workplaces that are accessible by vessel. The following regulatory requirements and principles shall apply:

- a. In accordance with paragraph 19(a) of the *Newfoundland Offshore Petroleum Drilling and Production Regulations*, Operators will take all reasonable precautions to ensure that any operation necessary for the safety of Employees at a Marine Installation or Structure or on a support craft has priority, at all times, over any work or activity at that Marine Installation or Structure or on that support craft.
- b. Employees should be briefed prior to a transfer by vessel to or from a Workplace, and should be familiar with the method of transfer and the equipment being used as well as safety aspects of the transfer.
- c. Only certified and approved personnel transfer devices, vessels, crews, and lifting and lifesaving equipment will be used for Employee transfers to or from a Workplace. The “CAPP Safe Lifting Practice” provides the currently accepted best practice related to lifting equipment and related operations (for transfers between a Marine Installation or Structure and vessel by crane and personnel transfer device only).
- d. All Employees who are involved in the personnel transfer to and from a Workplace must be properly trained as per appropriate operator and regulatory requirements. Specifically, for drilling and production operations training requirements as outlined in the “Atlantic Canada Offshore Petroleum Standard Practice for the Training and Qualifications of Offshore Personnel.”
- e. Employee transportation by vessel to and from a Workplace should be done at a level of risk that is as low as reasonably practicable in accordance with the vessel’s individual passenger carrying certification. Each Operator will have as part of its management system necessary tools to assess the risks associated with the transportation of Employees, which will address at a minimum, but shall not be limited to, the following:
  - **Environmental Conditions:** Each Employee transfer will consider the visibility, wind speed and direction, sea state, (including swell height and direction, current or tide speed and direction), weather conditions (including rain, snow or ice) and any additional criteria or restrictions as deemed appropriate by the Operator. Forecasted conditions for the duration of the trip to/from or between offshore Workplace(s) will be considered when planning vessel transfers.
  - **Operational Awareness:** Personnel transfer should be prioritized taking into consideration the planned time of transfer, vessel speed versus transfer from vessel, and the operational situation upon arrival at the Workplace. Vessel transfers of Employees will be executed within the manufacturer’s

recommended operating limits for the vessel, crane and transfer devices, to ensure the safe and efficient transfer given the operational awareness (i.e. cargo operations, standby vessel, and any simultaneous operations at the time).

- **Employee Well-Being and Fatigue Management:** Each Operator must have within its management system the means for assessing and ensuring Employee well-being (i.e. motion sickness) and managing fatigue after having arrived at a Workplace by vessel and prior to work being performed by an Employee.
- f. Prior to each Employee transportation by vessel to or from a Workplace the Operator shall assess the risks associated with the personnel transfer taking into consideration the environmental conditions, operational awareness, Employee well-being and fatigue management, and implement appropriate controls and measures, as a result. If a change in the above noted conditions occurs during the transport, a reassessment should be conducted.
  - g. After arrival onboard the Marine Installation or Structure /Workplace and prior to commencing work Employees are assessed by a medic or a first aid attendant. If Employee transportation by vessel is intended to be a round trip process (i.e. transferring Employees onshore to offshore and then offshore to onshore via the same vessel) consideration will be given to having a medic or a first aid attendant onboard.
  - h. Multi (three or more) destination voyages should be avoided and should only be carried out in extenuating safety or compassionate circumstances.

## 5 Responsibilities of Operators, Employers, Employees, Vessel Owners and, Vessel Masters

The following are the overarching responsibilities of Operators, Employers, Employees, Vessel Owners and Vessel Masters. This is not an exhaustive list and is intended to complement the specific responsibilities contained in an individual Operator's safety management plans. The responsibility for the safety of Employees during transfer lies with the respective Vessel Master or OIM. There should be full co-operation and communication between the respective Vessel Master and OIM.

## 5.1 Responsibilities of Operator

Operators will ensure that all operations related to the transportation of Employees by vessel to or from a Workplace are conducted in accordance with the applicable authorization, and legal and regulatory requirements and the Operator's safety management systems.

As part of overall safety planning and management, Operators will ensure that:

- The applicable vessels are suitable for passenger transportation and comply with the applicable class, flag and coastal state requirements and the International Convention for the Safety of Life at Sea (SOLAS).
- All equipment and devices used for Employee transportation are certified by a Certifying Authority and/or classification society as appropriate for service and suitable for the activity, and the passenger transfer equipment limitations will be adhered to.
- The required procedures and work authorizations (permits) are prepared and available.
- The decision to transport Employees to or from a Workplace by vessel will take into consideration the weather for both the outbound and inbound transits, as well as the weather at the offshore Workplace. Current sea states, ice conditions and forecasts will be considered and made available to all those involved in planning the Employee transportation operation.
- The Offshore Installation Manager or his/her designate, in consultation with the Vessel Master and crane operator as applicable, has the ultimate authority on the Marine Installation or Structure, in the field, for the transfer of Employees between the vessel and the Workplace.
- Otherwise, the Vessel Masters have the ultimate authority for the transfer of Employees between vessels.
- Consideration is given to having a medic or a first aid attendant onboard the transporting vessel for roundtrip Employee runs, in accordance with the individual Operator's procedures.
- In accordance with the individual Operator safety management systems regarding managing worker fatigue (and motion sickness), Employees are assessed by a medic after having arrived onboard the Workplace and prior to commencing work.
- The carriage of passengers and dangerous goods will be done in accordance with the vessel's individual passenger carrying certification. In all instances, the carriage of dangerous goods on Employee transits will be minimized as much as practicable, in accordance with the International Maritime Dangerous Goods Code.

## 5.2 Responsibilities of Employers and Employees

Subject to Section 205.054 of the *Accord Act*, any Employee has the right to refuse to perform an activity at a Workplace if he/she has reasonable cause to believe that the performance of the activity constitutes a danger to themselves or to another individual.

Subject to Section 205.019 of the *Accord Act*, Employers are required to fulfill specific duties to ensure the health and safety of Employees.

### 5.2.1 Employers

Employers are required by Operators to meet all regulatory requirements.

Employers are responsible for:

- the health and safety of its Employees and other individuals at a Workplace under its control;
- the health and safety of its Employees at a Workplace that is not under its control, to the extent that it controls their activities at the Workplace; and
- the health and safety of its Employees while — and immediately before — they are transported on a passenger craft .

### 5.2.2 Employees

While on a vessel transporting Employees to a Workplace, Employees will follow the instructions of the vessel crew and comply with regulatory requirements set out in Section 205.028 of the *Accord Act*.

Employees are responsible for:

- Notifying the Vessel Master or designate of any safety concerns, injury, or illness, including motion sickness, during the voyage.
- Reporting fatigue or any impediment to performing work safely to their immediate supervisors.
- Participating in the orientation of the vessel provided by the Vessel Master or designate.
- Respecting and following the established procedures, instructions and protocols on the vessel during transfer operations.
- Complying with the Operator's safety management system, policies and programs, including any related to fatigue or impairment management.

### 5.3 Responsibilities of Vessel Owners

A Vessel Owner will operate in full compliance with the requirements of Transport Canada (or other Flag State) and their respective Classification Society and safety management systems. Furthermore, Vessel Owners will ensure that their vessels are operated in accordance with the applicable Operator's safety management system.

As part of overall safety planning and management, Vessel Owners will ensure that:

- Each vessel's crew is trained in medical response, as required by the applicable regulations.
- Motion sickness medication is available.

## 5.4 Responsibilities of Vessel Masters

The Vessel Master is ultimately responsible, and holds the authority to make decisions, for matters related to the safety of the passengers, crew and vessel and has authority to decide as to whether a transfer between the Workplace and vessel can be safely undertaken. The Vessel Master will operate the vessel in accordance with applicable laws and regulations, and the Vessel Owner's and applicable Operator's management systems, policies and procedures.

As part of overall safety planning and management, the Vessel Master will ensure that:

- All passengers are provided with a safety orientation and vessel overview prior to departure.
- The Operator is promptly notified of any health or safety issues or concerns related to the transport of passengers.
- Each passenger is provided with a berth.
- Passengers are provided with an area(s) for rest and relaxation.
- Meals and snacks are provided.
- Bottled water is provided.

## 6 Reference Material

- Canada-Newfoundland and Labrador Atlantic Accord Implementation Act  
<https://laws.justice.gc.ca/PDF/C-7.5.pdf>
- Newfoundland Offshore Petroleum Drilling and Production Regulations.  
<http://www.cnlopb.ca/legislation/regulations.php>
- Canada-Newfoundland and Labrador Offshore Area Occupational Health and Safety Regulations, SOR/2021-247  
<http://www.cnlopb.ca/legislation/regulations.php>
- CAPP Safe Lifting Practice. <http://atlanticcanadaoffshore.ca/publications/>
- Atlantic Canada Offshore Petroleum Standard Practice for the Training and Qualifications of Offshore Personnel. <http://atlanticcanadaoffshore.ca/publications/>