

Oil & Gas workers given 'key worker' status by the British government

March 30, 2020

PRACTICES Energy, Power and Natural Resources, Europe, Middle East and Africa, Offshore Oil and Gas, Oil and Gas, Oilfield Services

The British government has adopted stringent measures to reduce the spread of the novel coronavirus effective from 23 March 2020^[1], including a nationwide lockdown, closure of non-essential shops and public venues and mandatory social distancing.

The general rule is that people should stay at home, but workers can travel to and from work if they cannot perform their work from home^[2]. However, the government has recognised the need to keep certain industries working and there are exemptions and assistance available for those who are classed as “key workers”.

The oil and gas sector has been recognised as key to securing the ongoing supply of energy to the nation^[3] and its staff identified as critical workers and therefore allowed to send their children to school or a childcare provider^[4]. Hotels and B&Bs are also allowed to stay open in order to provide accommodation to key workers.

OGUK, the industry association, is working with the government to allow for continuing availability of public transport and hotel accommodation for its key workers^[5]. This is particularly challenging for non-UK resident offshore employees. Although international travels have not been banned, as other governments close borders and airlines cancel commercial flights, companies will have to find ways for workers living outside the UK to be available at the start of their shift^[6], which may include changing rotations and making extensive use of hotel accommodation.

The social distancing rule requires that a person should be 2 meters apart from anyone outside his/her household. This may be difficult in the oil and gas industry as personnel may be required to work in close proximity in order to operate equipment and machinery. Companies should therefore take measures to reduce the risk of transmission to as low as reasonably practical^[7]. This is of paramount importance due to the legal, regulatory and contractual implications in case a company breaches its obligations to follow proper standards of safety and well-being of its workers onboard and expose their employees to unnecessary health risks.

The decision of the British Government to include oil and gas workers in its list of key workers comes after the Norwegian government introduced similar measures^[8]. Whilst the situation will no doubt continue to pose a challenge, it seems North Sea oil and gas operation should be able to carry on its essential activities amid the coronavirus crisis.

We are providing advice and support to a number of clients on this topic, if you need assistance, please contact Danielli Pugliese, Maren Strandevold or Glenn Kangisser.

[Read Related Material.](#)

[1] To be reviewed in three weeks. See: <https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/guidance-for-employers-and-businesses-on-coronavirus-covid-19>

[2] Provided the person is not showing coronavirus symptoms and neither you nor any of your household are self-isolating.

[3] <https://oilandgasuk.co.uk/wp-content/uploads/2020/03/Letter-to-members-25-March-2020.pdf>

[4] <https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>

[5] <https://oilandgasuk.co.uk/wp-content/uploads/2020/03/Letter-to-members-25-March-2020.pdf>

[6] See footnote 4.

[7] <https://www.gov.uk/guidance/travel-advice-novel-coronavirus>

[8] <https://norskoljeoggass.no/om-oss/nyheter/2020/03/olje-og-gass-pa-liste-over-viktige-samfunnsfunksjoner/>