

Person Days – Notifiable Construction Projects

Construction projects are notifiable if they:

- Last more than 30 days on site.
- Involve more than 500 person days of construction work (Any day on which construction work is carried out (including holidays and weekends) should be counted, even if the work on that day is of short duration).

A person day is one individual, including supervisors and specialists, carrying out construction work for one normal working shift.

The HSE Info-line has stated that there is no set shift length; it is taken on a project by project basis. Therefore to calculate if your project is notifiable due to the amount of persons on site, use the following calculations:

Max No: of site operatives X project duration (in days)

Examples:

12 site operatives working for 15 days (12x15) = 180 person days – non notifiable project.

30 site operatives working for 20 days (30x20) = 600 person days – notifiable project

Should there be more than one shift a day on site:

Days – 15 site operatives working for 14 days (15x14) = 210 person days

Nights – 23 site operatives working for 14 days (23x14) = 322 person days

210 + 322 = 522 person days

Days + Nights = 522 person days – notifiable project

Working Time Limits (The 48-hour week)

Your normal working hours should be set out in your contract of employment. Unless you choose to (or you work in a sector with its own special rules) you should not have to work more than 48 hours a week on average.

Contractual Hours

Your terms of employment should say what hours and working patterns are involved in your job. You might not have a written contract, but employees must be given written particulars of their main terms and conditions - including the working hours - within two months of starting.

The 48-hour Week

Most workers should not have to work more than an average of 48 hours a week, according to the Working Time Regulations. The Regulations also give you rights to paid holiday, rest breaks and limits on night work.

Your average working hours are calculated over a 17-week period. You can work more than 48 hours in one week as long as the average is less than 48.

Opting Out of the 48 Hour Week

If you are 18 or over and wish to work more than 48 hours a week, you can choose to opt out of the 48 hour limit. This must be voluntary and in writing. It can't be an agreement with the whole workforce and you shouldn't be sacked or subjected to a detriment (for example, refused promotion or overtime) for refusing to sign an opt-out.

If you sign an opt-out, you have the right to cancel this agreement at any time by giving between one week and three months' notice. You can agree this notice period with your employer when you sign the opt-out. You can cancel an opt-out even if it's part of a contract you've signed.

Restrictions on night work

There are limits on how long you can work at night. Under the Working Time Regulations, night time is described as the period between 11.00 pm and 6.00 am. You're a night worker if you regularly work for at least three hours during this period.

As a night worker, you shouldn't work more than an average of eight hours in each 24-hour period, (excluding overtime). This average is calculated over a 17 week period. You can't opt out of the night working limit.

If your night work involves special hazards or heavy physical or mental strain, you can't be made to work more than eight hours in any 24-hour period. This includes overtime.

Exceptions

Limits on night work don't apply if:

- you have to travel a long distance from your home to get to work or you constantly work in different places
- you're doing security or surveillance-based work
- you're working in an industry with busy peak periods, like agriculture, retail or tourism
- there's an emergency or there might be an accident
- the job needs round-the-clock staffing (for example, hospital work)
- you're employed in the rail industry and you work on board trains or your activities are irregular or linked to seeing that trains run on time

If you're a night worker in any of these situations, you have the right to take rest breaks to make up for your extra time at work.

Further Information

For further information on this subject visit:

<http://www.direct.gov.uk/en/Employment/Employees/WorkingHoursAndTimeOff/index.htm>