



Driver fatigue management

Verification tool

making a difference

Disclaimer

This publication may contain occupational health and safety and workers compensation information. It may include some of your obligations under the various legislations that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website (www.legislation.nsw.gov.au).

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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1. INTRODUCTION

The tool included in this document provides practical guidance to assist 'duty holders' to verify that they have met their obligations, responsibilities and requirements under the *Occupational Health and Safety Regulation 2001* – part 4.5 Long distance truck driver fatigue (the Regulation).

The Regulation applies to heavy trucks with a gross vehicle mass (GVM) of 4.5 tonnes or more, which transport freight (either in a single journey or series of trips) greater than 500 kms. Employers of drivers and head carriers undertaking this type of work must ensure that the risk of harm arising from truck driver fatigue is either eliminated or appropriately managed. DFMPs should be developed in consultation with affected drivers.

Where consignors and consignees (of *prescribed business*) enter into a contract with an employer of drivers or a head carrier, they must confirm that a DFMP is in place and that the delivery time is reasonable. In assessing the reasonableness of the delivery timetable, the consignor or consignee must take into account the time allocated for travel, loading, unloading and queuing. Where a consignor or consignee directly enters into a contract with a self-employed carrier, they must, to the extent that their activities contribute to the risk, assess the risk of harm from fatigue to the driver's health or safety under that contract, and eliminate or control the risk. They must also develop a DFMP and make it available to affected drivers.

The need to undertake a risk assessment and develop the DFMP are two separate requirements that can be combined. However, it will not be sufficient to have a DFMP that does not assess, eliminate or control the risk of fatigue. Driver fatigue risk assessments can be incorporated into the DFMP.

Further information relating to the development of a DFMP can be found in *WorkCover's Driver fatigue management* publication, February 2006 (Catalogue No. WC04804).

2. KEY AREAS FOR COMPLIANCE – DRIVER FATIGUE MANAGEMENT PLAN

A DFMP, as described in the Regulation, sets out the requirements relating to how a company schedules trips, and assists in addressing the risks of fatigue arising from the transport of freight long distance by means of a heavy truck. DFMPs must be developed in consultation with drivers and detail how drivers, employers, head carriers, consignors and consignees are able to meet their obligations under the Regulation.

DFMPs must address the following:

- trip scheduling and rostering
- management practices
 - assessing driver suitability
 - hazard and incident reporting
 - monitoring drivers' health and fitness
- work environment and amenities

- fatigue training and information
- loading and unloading schedules, practices and systems
- accidents and mechanical failures
- documentation – records, monitoring and reviewing.

Once an organisation's DFMP is prepared, it is important to ensure that the control measures put in place actually reduce the risk of driver fatigue.

Documentation of policies and procedures relating to the DFMP should provide evidence that a fatigue management system is in place and is assisting in the management of long distance truck driver fatigue.

The effectiveness of the system should be measured and reviewed every one to two years, ensuring continuous performance improvement measures are in place. Driver activities are to be monitored against the DFMP, ensuring that they remain consistent with the plan's objective in addressing the concerns relating to the risks of fatigue arising from the transport of freight long distance. DFMPs must be made available to all drivers covered by the plan.

It is also important to verify whether the fatigue management system complies with the requirements of the Regulation. The verification tool has been designed to help organisations to assess their level of compliance.

2.1 TRIP SCHEDULING AND ROSTERING

Trip scheduling is a key factor in managing fatigue. A long distance heavy truck driver should only be required to drive reasonable distances, in sufficient time with adequate provision for rest breaks. They should also be provided with adequate notice of a change of shifts.

Trip schedules should:

- take into account actual driver work times
- plan for adequate breaks
- provide the truck driver with an opportunity for an adequate rest and sleep
- recognise that drivers have other non-work related demands on their time and that these may reduce time for sleep
- ensure opportunities for sleep take into account activities such as washing and bathing, eating meals and travelling to and from the depot (when travelling home for sleep).

Trip scheduling also needs to take into account delays and disruptions that may be encountered by truck drivers during a trip, and contingency plans should be factored in.

Driver rosters plan the pattern of work and rest periods. Rosters must:

- always be in accordance with the DFMP
- maximise the opportunity for drivers to recover from the effects of fatigue
- consider changes to the regular sleep patterns of drivers.

Drivers must be given sufficient notice of changes from night and day shifts, to allow for sleep pattern differences.

Work time in trip schedules needs to include rostered driving hours as well as additional time for work that is incidental to driving, ie servicing and maintaining the truck, loading, unloading and queuing

Poor trip scheduling – risk of fatigue

The table below can be used as a guide to determine the nature and likelihood of the risk of driver fatigue associated with poor trip scheduling.

Other identified factors, such as poor management practices, inadequate training, supervision, reporting and amenities, must also be taken into account when assessing and either eliminating or appropriately managing the risk of harm arising from truck driver fatigue.

Business or operational practices contributing to fatigue risks		
High fatigue risk	Medium fatigue risk	Low fatigue risk
Regular schedules planned with driver shifts rostered 14 hours or longer per day	Regular schedules planned with driver shifts rostered longer than 10 hours per day	Regular schedules planned with some driver shifts rostered longer than 10 hrs per day
Schedules do not allow any time for delays, eg traffic delays	Schedules allow only minimal flexibility for delays	Schedules allow time for delays
Most trips are scheduled during low alertness periods (between 10 pm and dawn)	Some trips are scheduled during low alertness periods (between 10 pm and dawn)	All trips are scheduled to avoid driving at low alertness periods (between 10 pm and dawn)
Insufficient notice is given to the drivers of schedule changes, not allowing the opportunity for good quality rest prior to trips	Some notice is given to drivers of schedule changes, often providing less than five days' notice, limiting the drivers' opportunity for good quality rest prior to trips	Schedules ensure at least one week's notice is given to drivers of any changes, allowing the drivers the opportunity for good quality rest prior to trips
Short breaks are not always scheduled or taken	Short breaks are scheduled or taken only at the end of allowed maximum driving period	Short frequent breaks are scheduled and taken throughout the entire shift
Drivers will rarely sleep during the night, or will sleep during the night in their vehicle	Drivers sometimes sleep at night, usually in their own bed, or always at night but in a vehicle or motel	Drivers sleep at night in their own bed
Drivers rarely get the opportunity for seven to eight hours sleep per night	Drivers only sometimes get the opportunity for seven to eight hours sleep per night	Drivers almost always get opportunity for seven to eight hours continuous sleep per night
Unpredictable schedules and or shifts	Schedules and shifts are usually predictable	Schedules and shifts are predictable

2.2 MANAGEMENT PRACTICES

Good management practices are critical in the development of a DFMP. It is important to consult with everyone in the transport supply chain to identify risks and manage them appropriately. This is especially important for trip scheduling, to allow business demands to be met while complying with the Regulation.

Wherever possible it is best to eliminate fatigue. This can be achieved by appropriate rostering and trip scheduling combined with appropriate breaks and sleep time.

It is important to make sure that the control measures put in place actually work. The Regulation requires that a person responsible for preparing a DFMP must ensure that their activities are consistent with the plan.

Consulting with all parties involved in the transport supply chain as well as checking driver logs will determine whether the control measures are being implemented, effectively controlling fatigue and complying with legislation.

Consultation with employees during the preparation and adjustment of a DFMP is a requirement of the Regulation.

2.2.1 Assessing driver suitability

Drivers need to be in a fit state for work when presenting for duty. Factors that can affect their wellbeing and capacity to work effectively include:

- a second job
- other driving
- recreational and sporting activities
- insufficient sleep
- stressful situations
- the consumption of alcohol, other drugs or medication.

A written company policy needs to be developed in consultation with drivers, outlining the importance of being fit for duty. Procedures for checking drivers prior to starting work need to be in place, as does a comprehensive alcohol and drugs policy. Drivers need to understand the implications of presenting unfit for duty.

Contingencies should be in place for these situations and be clearly documented and communicated to employees.

2.2.2 Hazard and incident reporting

Systems must be in place so hazards and incidents can be easily reported, as it is important that all hazards that contribute to fatigue be identified and acted upon.

Employers are responsible for establishing a process for long distance drivers to report the following types of incidents:

- driver failed to obtain sufficient sleep
- driver experienced a level of fatigue they believe is incompatible with operating in a safe and reasonable manner

- driver believed fatigue may have played a contributing role in an actual or near miss incident
- mechanical defects.

It is important for all drivers to know how to report a hazard. The reporting process provides information for trend and causal analysis and allows for continuous improvement. As drivers are exposed to the hazards associated with fatigue, their input is crucial to identify hazards that arise from their work.

2.2.3 Monitoring drivers' health and fitness

Driver health and fitness is an important issue when considering how to manage the risk of fatigue. Health and fitness directly affect a driver's ability to deal with stress and the demands of the job.

Common health problems experienced by truck drivers include:

- obesity and heart disease
- diabetes – uncontrolled diabetes can lead to feelings of fatigue
- sleep disorders, eg sleep apnoea.

A health management system should be developed and implemented to assist drivers with health problems and to promote better health management. The system should include information on medical history, sleep disorders, diet, alcohol or substance abuse and lifestyle. Drivers also need to have their fitness to drive tested (refer to the National Transport Commission's national standard *Fitness to drive*). Employees also have a responsibility for their own health and safety by ensuring that they follow procedures.

Factors to consider when developing policies and procedures include:

- methods to generate a culture of understanding of fatigue management, eg communication and consultation
- the type of work to be performed
- body clock patterns which can contribute to fatigue
- driver scheduling and rostering – including length of shift, allowances for necessary rest and recovery during and between shifts
- availability of rest areas and amenities for drivers
- consultation on fatigue risks with drivers and other parties in the chain of responsibility
- reviewing loading and unloading times, and delays at pickup and delivery points
- establishing driver capacity and fitness for work
- contingency planning, including providing for reasonably expected delays
- training and education in fatigue management
- managing incidents and near misses
- establishing and maintaining appropriate workplace conditions
- audits.

2.3 WORK ENVIRONMENT AND AMENITIES

Appropriate work environment and amenities are key factors in limiting the risks associated with driver fatigue. Vehicle cabins need to be designed in accordance with ergonomic standards for safe operation, and vehicles need to comply with Australian design rules and standards.

Trucks should meet Australian standards for seating and sleeping accommodation. In particular:

- vehicle cabins should be well ventilated
- seating suspension should be adjustable to the driver's height and weight
- vehicles should be equipped with appropriate sleeping accommodation if drivers are required to sleep in the vehicle.

Regarding sleeper berths, the Australian design rule 42/04 should be taken into consideration.

Allowances need to be made, wherever it is reasonably practicable, for sleep and breaks to be taken where there is access to amenities such as toilets, showers and facilities for meals.

The time of day and the sleep environment should to be considered, particularly in summer when the temperature inside a truck can be excessive during daylight hours. Parking must also be considered so the truck can be moved into a parking bay – away from traffic noise and vibrations that may disturb sleep.

DFMPs must identify appropriate rest stops and ensure trip schedules allow drivers to stop at appropriate locations. Drivers must be able, however, to retain the flexibility to stop for breaks if they are experiencing symptoms of fatigue.

Where accommodation is provided away from the truck it needs to be assessed to ensure the driver can have adequate sleep, eg away from noise or intrusions, not too hot or light.

2.4 FATIGUE TRAINING AND INFORMATION

A DFMP must include training and information about fatigue, its causes and how to identify and better manage hazards.

This should include:

- common causes of fatigue, eg shift work, extended working hours, roster patterns, driver demands not related to work and delays in loading and unloading
- tips to identify signs of fatigue
- hazards associated with extended work hours
- potential health and safety impacts of fatigue
- company policies and procedures for fatigue management
- how drivers are responsible for making appropriate use of their rest days, ensuring they are fit for duty on rostered shifts.

Consideration needs to be given to the appropriateness of information, training and supervision to be provided to other members of the supply chain. This includes supervisors, schedulers and any other person whose actions may affect drivers' safety. Drivers who attend training outside their normal shifts need to be considered 'at work', and rosters should be adjusted accordingly.

Training is vital to ensure correct procedures surrounding the DFMP are understood and followed by all employees. A DFMP can be prepared but, unless employees follow these procedures, incidents due to driver fatigue may still occur.

Training needs to be part of company induction so employees gain an awareness of the company's general occupational health and safety and fatigue management systems. Further training needs to take place on DFMPs before a driver undertakes any trips requiring extended periods of driving. If any changes to procedures occur – as a result of accident investigation, driver feedback, or monitoring of control measures – training needs to be given on the revised procedures.

Training needs to combine written theory with practical application. There should also be an assessment component to the training to ensure those being trained have acquired the necessary skills. A supervisor may do this by observing the person following correct procedures, or through the review of trip records to ensure that correct applications of the DFMP procedures have been undertaken.

2.5 LOADING AND UNLOADING SCHEDULES, PRACTICES AND SYSTEMS

Problems can arise if consignors and consignees are inflexible with pick up and delivery times. This can place extra pressure on drivers to make scheduled arrival times, particularly when delays and disruptions occur.

The DFMP should factor in unplanned delays such as roadwork or traffic accidents that may affect delivery schedules.

Consignors and consignees must ensure that the delivery timetable is reasonable to minimise fatigue. This includes loading and unloading as well as queuing times. This may be achieved by:

- adding more flexibility to pick up and delivery times
- minimising the unloading and loading done by the truck driver
- scheduling pickup and delivery times that take into account driver delay and disruption
- ensuring that delays resulting from loading and unloading are kept at a minimum
- providing adequate amenities for waiting drivers.

2.6 ACCIDENTS AND MECHANICAL FAILURES

A DFMP must factor-in contingency planning for unexpected delays and disruptions. Risk factors that need to be considered include:

- the time of day – body clock rhythms, time elapsed since last break
- length of working time – whether the delay excessively adds to working time
- cumulative fatigue – adequacy of rest breaks, opportunities for quality sleep.

Schedules may need to be adjusted to accommodate the delay, and/or extra rest time may need to be allocated in the next shift, to allow sufficient quality rest.

2.7 DOCUMENTATION – RECORDS, MONITORING AND REVIEWING

Employers must ensure drivers and contractors are appropriately supervised and follow the requirements of the DFMP.

While drivers are away from the depot, supervision may include:

- monitoring arrival and departure times from depots and points of destination
- welfare checks
- scheduled telephone calls between drivers and supervisors, and between supervisors and consignees, to check on consignment progress
- auditing logbooks against the DFMP
- auditing timesheets and pay information against the DFMP, when drivers are paid on an hourly or per kilometre basis
- using GPS tracking systems to monitor the progress of consignments against the DFMP
- applying a system where drivers maintain contact with the depot or a supervisor to deal with unexpected delays or to vary the DFMP.

The DFMP needs to be monitored regularly to make sure procedures are followed and legislative requirements are being met. In particular it should be reviewed following any unsafe incident or near miss. Everyone involved in the development and implementation of the DFMP should be encouraged to report incidents or near misses so that measures can be put into place to prevent recurrences. Random reviews should also be undertaken to ensure procedures are effective, which will assist in determining the timing of future reviews.

A person who prepares a DFMP must ensure that all records relating to the DFMP and all documents required to prepare the DFMP are retained for a period of five years (clause 81F of the Regulation). The Regulation requires that the following documents must be retained:

- all DFMPs prepared by the person
- all contracts entered into in the course of the person's business (including any contracts of employment) that relate to the transportation of freight long distance by means of a heavy truck
- all trip schedules, delivery timetables and driver rosters for drivers covered by the DFMP
- any risk assessments on driver fatigue.

Consignors and consignees who enter into a contract with a head carrier must also keep the following documents for a period of five years:

- all documents that the person relied on to satisfy themselves that the delivery timetable is reasonable, with regard to the fatigue of any driver transporting freight under the contract
- any relevant trip schedules, delivery timetables and driver rosters to which they have access
- all documents that the person relied on to satisfy themselves that all drivers who will transport freight long distance under the contract are covered by a DFMP.

If any of the related documents that the Regulation requires to be retained are amended, each version of the document must be retained as a separate document.

If you are required to keep documents as detailed above, you must ensure that those documents are made available in accordance with a request by an inspector or authorised representative, no later than seven days after the date of the request.

3. CURRENT SYSTEMS

Your organisation may already have a number of existing policies and procedures that have been developed in consultation with employees and health and safety representatives. These existing policies and procedures may form part of your DFMP, providing they address the requirements as set out in the Regulation.

4. VERIFICATION TOOL

The information contained in the verification tool will tell you what needs to be included within a DFMP. If you have already developed a DFMP, the tool will allow you to check that your DFMP meets your obligations under the Regulation.

INSTRUCTIONS FOR USING THE VERIFICATION TOOL

The information in the verification tool is divided into seven categories:

- trip scheduling and rostering
- management practices
 - assessing driver suitability
 - hazard and incident reporting
 - monitoring drivers' health and fitness
- work environment and amenities
- fatigue training and information
- loading and unloading schedules, practices and systems
- accidents and mechanical failures
- documentation – records, monitoring and reviewing.

The tool comprises four columns:

- The first column describes a point of compliance with the Regulation, eg 'Systems are in place for assessing driver readiness for duty'.
- The second column, entitled 'What does compliance look like?', details the evidence that you need to be able to produce in order to prove that your organisation complies with each point.
- If your DFMP includes the evidence detailed in the second column, you should note down in the third column where it is kept. You need to be able to produce all of the evidence listed.
- If there is any evidence that your organisation would not be able to produce, you should write a brief plan in the fourth column on how you will address the issue.

Starting with '1. Trip scheduling and rostering', go through each of the categories and complete the blank boxes next to every point of compliance. Make sure that you pay attention to every detail.

If there are any details of compliance listed in the second column that you cannot provide evidence for, then your organisation is not complying with the Regulation.

If you can specify a location for all of the evidence listed throughout the tool and the DFMP is being effectively applied, then your organisation does comply.

Organisations whose DFMPs do comply with the Regulation should still take further steps to enhance their systems so that the risks from driver fatigue are appropriately managed.

LONG DISTANCE TRUCK DRIVER FATIGUE MANAGEMENT COMPLIANCE VERIFICATION TOOL

Name of organisation:				
Name of the person(s) undertaking the verification process:				
Date verification completed:				
Date for next review:				
1. TRIP SCHEDULING AND ROSTERING	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)	
Planned schedules and rosters take into account times required to perform the tasks (including loading and unloading practices) safely.	Policies and procedures, developed in consultation with occupational health and safety (OHS) representatives, detail how the time taken to perform tasks safely is to be taken into consideration. Documented evidence exists that the time taken to perform tasks safely has been taken into consideration.			
Schedules and rosters are monitored and regularly reviewed, comparing actual times taken to perform the tasks safely against planned times to perform tasks.	Policies and procedures, developed in consultation with OHS representatives, detail how schedules and rosters are to be monitored and reviewed to ensure that the ACTUAL times taken to perform tasks are being included in schedules and rosters. Documented evidence exists that actual trip times are being monitored, eg driver feedback forms or trip review forms.			
Schedules and rosters take into account the rest period required to recover from the fatigue effects of work.	Policies and procedures, developed in consultation with OHS representatives, detail how appropriate rest periods are worked into schedules and rosters. Documented evidence exists that adequate rest periods are scheduled and provided for drivers, eg rosters, time sheets or actual trip times.			
Schedules and rosters are planned with consideration of the cumulative effects of fatigue over more than one day.	Policies and procedures, developed in consultation with OHS representatives, detail how schedules and rosters will effectively manage the cumulative effects of fatigue. Documented evidence exists that the cumulative effects of fatigue have been taken into consideration, eg rosters or timesheets.			
Schedules and rosters are planned to take into account the effects of time of day or night on fatigue.	Policies and procedures, developed in consultation with OHS representatives, detail how the effects of the time of day or night on fatigue are to be taken into consideration and managed effectively. Documented evidence exists that the effects of the time of day or night have been taken into consideration, eg fatigue studies, rosters or timesheets.			

2. MANAGEMENT PRACTICES 2.1 Assessing driver suitability	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)
<p>Systems are in place for assessing driver readiness for duty.</p>	<p>Policies and procedures, developed in consultation with OHS representatives, detail how the organisation will assess (in consultation with employees) the suitability of drivers for the trips they will be completing – both prior to and periodically throughout employment. Examples may include:</p> <ul style="list-style-type: none"> • health policy • drug and alcohol policy • employee medical and fitness assessments. <p>Policies and procedures, developed in consultation with OHS representatives, detail how driver suitability is monitored and take into consideration current wellbeing, pre-existing medical conditions, etc. Documented evidence exists that systems for assessing driver suitability are implemented, eg employee records or rosters.</p>		

2. MANAGEMENT PRACTICES 2.2 Hazards and incidents	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)
<p>Employer or head carrier has in place a comprehensive reporting mechanism for hazards and incidents, eg:</p> <ul style="list-style-type: none"> • near misses • mechanical hazards • unexpected road closures. 	<p>Policies and procedures, developed in consultation with OHS representatives detail how hazards and incidents will be reported, assessed and eliminated or controlled in consultation with affected drivers.</p> <p>These may include (but are not limited to):</p> <ul style="list-style-type: none"> • information on the types of hazards and incidents that must be reported, including near misses, mechanical hazards and unexpected incidents (road closures, delays, etc) • procedures that detail the minimum information to be included in the hazard or incident report, eg: <ul style="list-style-type: none"> ○ the incident ○ who was involved? ○ what type of vehicle? ○ where did it occur? ○ when? ○ what were the circumstances? • procedures for dealing with unexpected delays • procedures for follow-up and remedial action after the reported incident • procedures for analysing the reported information and for amending DFMPs as required <p>Evidence that systems in place are consistently implemented. This may include evidence of:</p> <ul style="list-style-type: none"> • near miss reports • drivers trained in procedures • incident records • follow up or remedial action • contingency plans. 		

2. MANAGEMENT PRACTICES 2.3 Monitoring drivers' health and fitness	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)
Drivers undertake the duties they have been assessed as suitable to complete.	Policies and procedures, developed in consultation with OHS representatives, detail how the organisation will monitor the health and fitness of drivers. Documented evidence exists that these procedures have been implemented.		
3. WORK ENVIRONMENT AND AMENITIES	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)
Where drivers are away from the depots, the employer or head carrier arranges amenities (eg lunch rooms, sleep accommodation) that are appropriate to the operator's freight task and in accordance with OHS requirements.	Policies and procedures detail the arrangements that have been made for the provision of safe amenities suitable for the freight task. Documented evidence exists that employee OHS representatives have been consulted in establishing and maintaining these arrangements.		
The employer or head carrier provides safe and suitable amenities (eg lunch rooms or sleep accommodation) at depots.	Policies and procedures, developed in consultation with OHS representatives, detail how lunchrooms, sleeping accommodation or other facilities will be made available for drivers as required. Documented evidence exists that lunchrooms, sleeping accommodation or other facilities are maintained and available for drivers if required. Documented evidence exists that employee OHS representatives have been consulted in establishing and maintaining these arrangements.		
4. FATIGUE TRAINING AND INFORMATION	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)
All drivers (and staff concerned in the management and supervision of their duties) are provided with information and training relating to fatigue.	Policies and procedures, developed in consultation with OHS representatives, detail how training should be provided to drivers on all aspects of the DFMP, including: <ul style="list-style-type: none"> • causes and effects of fatigue • recognising the symptoms of fatigue • strategies to manage fatigue • effects of lifestyle choices on fatigue • methods of conducting fatigue risk assessments and applying counter measures. Documented evidence exists that training has occurred and that competency has reasonably been demonstrated through assessment.		

5. LOADING AND UNLOADING SCHEDULES, PRACTICES AND SYSTEMS	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)
Schedules and rosters take into account loading and unloading (including queuing) practices and systems.	<p>Policies and procedures, developed in consultation with OHS representatives, detail how the issues of loading, unloading and queuing practices are to be taken into account when planning schedules and rosters.</p> <p>Documented evidence exists of consultation with consignors, consignees and other relevant persons on arrangements for loading, unloading and queuing practices.</p> <p>Documented evidence exists that these arrangements are implemented.</p>		
<p>6. ACCIDENTS AND MECHANICAL FAILURES</p> <p>The organisation has in place a reporting mechanism for accidents and mechanical failures.</p>	<p>What does compliance look like?</p> <p>Policies and procedures, developed in consultation with OHS representatives, detail how to report and record road crashes relating to mechanical failures, and unsafe incidents.</p> <p>Procedures detail what information is to be included in the hazard or incident report, eg:</p> <ul style="list-style-type: none"> • the accident or mechanical failure • who was involved? • what type of vehicle? • where did it occur? • when did it occur? • what were the circumstances? <p>Procedures include the process for follow-up and corrective action of the reported accident or mechanical failure.</p>	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)

7. DOCUMENTATION – RECORDS, MONITORING AND REVIEWING	What does compliance look like?	Evidence (where these policies and procedures are located within your organisation's records)	Corrective actions and expected completion dates (if required)
<p>The organisation retains all documentation and records prepared for and on behalf of drivers.</p>	<p>Documented information details:</p> <ul style="list-style-type: none"> • persons that prepared DFMPs • all contracts (including contracts of employment) that relate to the transport of freight long distance • start and finish times (trip sheets) and details of any alterations • schedules of trips (ie from where to where, and when) • delivery timetables • rosters (eg who the driver is and when they are expected to start and finish) • any risk assessments made that relate to fatigue • all originals and updated versions of the above documents. <p>Information required under 81F(1) of the Occupational Health and Safety Regulation 2001 is kept for five years after the:</p> <ul style="list-style-type: none"> • plan or contract ceases to have effect • end of the period covered by the schedule, timetable or roster • assessment has been conducted. 		
<p>Appropriate documents and records are kept for five years.</p>			

5. NEXT STEPS

If your organisation currently complies with the Regulation, it is good practice to regularly review your operational policies and procedures. As well as identifying any weaknesses in your DFMP, this will enable you to respond to changes in operations, legislation, occupational health and safety systems and technology.

If your organisation does not currently comply with the Regulation, you need to document how you plan to reach compliance as soon as possible.

6. RESOURCES

WorkCover NSW

WorkCover NSW is the government organisation responsible for managing workplace safety, injury management, and workers compensation systems in New South Wales.

WorkCover works with industry, the workforce and insurers to promote a culture of safety through public awareness programs, education and other community activities.

www.workcover.nsw.gov.au

Roads and Traffic Authority (RTA)

The RTA is the NSW State Government agency responsible for improving road safety, testing and licensing drivers, registering and inspecting vehicles, and managing the road network to achieve consistent travel times.

www.rta.nsw.gov.au

National Transport Commission (NTC)

The NTC is an independent statutory body headed by six commissioners (including the chief executive officer), with a staff of around 40 people. The NTC submits policy and legislation recommendations to the Australian Transport Council of Federal, State and Territory Transport Ministers for approval.

www.ntc.gov.au

7. PUBLICATIONS

Below is a list of WorkCover NSW publications that also provide guidance and advice on the management of driver fatigue during the transport of freight long distance. Publications can be obtained by visiting the WorkCover NSW website www.workcover.nsw.gov.au or by contacting the WorkCover NSW publications hotline on 1300 799 003.

Transport and storage industry fatigue resource

Fatigue is a significant issue in the NSW transport industry. Fatigue affects workers' health, reduces performance and productivity in the workplace and increases the probability of a workplace incident occurring (Catalogue No. WC01395).

Driver fatigue management – managing driver fatigue in the long haul trucking industry: guide

This guide provides practical guidance on the application of the Regulation – roles and responsibilities of employers, head carriers, consignors and consignees, and drivers. It outlines the requirements of driver fatigue management plans (Catalogue No. WC04804).

Factsheet for consignors: Managing long distance truck driver fatigue in NSW

This factsheet outlines the responsibilities of consignors under different contractual relationships with regard to a driver fatigue management plan (DFMP). It also covers legal and record-keeping requirements, and gives tips on how consignors can help reduce the risk of driver fatigue. (Catalogue No. WC02783).

Factsheet for employers: Managing long distance truck driver fatigue in NSW

This factsheet outlines the responsibilities of employers with regard to a driver fatigue management plan (DFMP), including following the risk management process and reviewing the effectiveness of control measures. It also covers legal and record-keeping requirements, and gives tips on how employers can help reduce the risk of driver fatigue. (Catalogue No. WC02781).

Factsheet for head carriers who enter into a contract with a self-employed carrier: Managing long distance truck driver fatigue in NSW

This factsheet outlines the responsibilities of head carriers with regard to a driver fatigue management plan (DFMP) when they enter into a contract with a self-employed carrier. It covers their role in the risk management process, legal and record-keeping requirements, and gives tips on how they can help reduce the risk of driver fatigue. (Catalogue No. WC02782).

Factsheet for consignees: Managing long distance truck driver fatigue in NSW

This factsheet outlines the responsibilities of consignees under different contractual relationships with regard to a driver fatigue management plan (DFMP). It also covers legal and record-keeping requirements, and gives tips on how consignees can help reduce the risk of driver fatigue. (Catalogue No. WC02780).

Factsheet for drivers: Managing long distance truck driver fatigue in NSW

This factsheet outlines the responsibilities of drivers with regard to a driver fatigue management plan (DFMP), including consulting on and complying with it. It also covers legal requirements and the need to notify employers of any hazards, and gives practical tips on how to reduce the risk of fatigue – and to recognise telltale signs when it occurs. (Catalogue No. WC02779).

8. DEFINITIONS

Activities	includes anything done or omitted to be done by the person, anything done or omitted to be done under the terms of a contract to which the person is a party, anything done or omitted to be done by the person's employee or agent in the course of his or her employment or agency and anything done or omitted to be done in accordance with a work practice over which the person has control.
Carrier	a person who in the course of the person's business (including a business carried on under a franchise or other arrangement) transports freight for another person by means of a motor vehicle.
Combination	a group of vehicles consisting of a motor vehicle connected to one or more vehicles.
Consignee (receiver)	a person to whom a consignment of freight is to be delivered, being a person who carries on business of which a substantial part is prescribed business.
Consignor (sender)	a person from whom a consignment of freight is to be delivered, being a person who carries on business of which a substantial part is prescribed business.
Contract	includes a series of contracts.
Driver	the person who drives a truck and the definition of a 'worker' as defined under the <i>Workplace Injury Management and Workers Compensation Act 1998</i> , no. 86.
Evidence	supporting documentation, eg policies and procedures, which demonstrate compliance with the Act and Regulation.
Freight	includes goods, materials, livestock or any other things, but does not include persons.
GVM	gross vehicle mass: has the same meaning as in the <i>Road Transport (Vehicle Registration) Act 1997</i> .
Head carrier	a carrier other than a self-employed carrier.
Heavy truck	a. a motor vehicle with a GVM over 4.5 tonnes, or b. a motor vehicle forming part of a combination if the total of the GVMs of the vehicles in the combination is over 4.5 tonnes.
Motor vehicle	a vehicle that is built to be propelled by a motor that forms part of the vehicle.

Prescribed business business that falls within one or more of the following divisions recognised in the Australian and New Zealand Standard Industrial Classification (ANZSIC), 1993 edition (Australian Bureau of Statistics publication, Catalogue No. WC01292.0):

- agriculture, forestry and fishing (division A)
- mining (division B)
- manufacturing (division C)
- construction (division E)
- wholesale trade (division F)
- retail trade (division G)
- accommodation, cafes and restaurants (division H)
- transport and storage (division I)
- communication services (division J)
- property and business services (division L)
- cultural and recreational services (division P).

Risk exposure to the chance of injury or loss; a hazard or dangerous chance.

- Self-employed carrier**
- a. a partnership that carries on business as a carrier, being a business in which any heavy truck used for the transport of freight is driven only by a partner of the business, or
 - b. a body corporate that carries on business as a carrier, being a business in which any heavy truck used for the transport of freight is driven only by:
 - i. a director of the body corporate or a member of the family of a director of the body corporate, or
 - ii. a person who, together with the members of his or her family, has a controlling interest in the body corporate, or
 - iii. a member of the family of a person who, together with the members of his or her family, has a controlling interest in the body corporate, or
 - c. an individual who carries on business as a carrier, being a business in which any heavy truck used for the transport of freight is driven only by the individual.

Note: self-employed carriers are based on those specified in section 309 of the *Industrial Relations Act 1996*.

Transport freight long distance transport freight by means of a heavy truck (whether by means of a single journey or a series of journeys) more than 500 kilometres, including any part of the journey or journeys where no freight is transported because the heavy truck is being driven to collect freight or to return to base after transporting freight.



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