

# Basic Fatigue Management explained

Basic Fatigue Management (BFM) gives operators a greater say in when they can work and rest providing the risk of working long and night hours is properly managed

## FACT SHEET 4



### Introduction to BFM

New fatigue laws, implemented in September 2008, set revised work and rest limits for heavy vehicle drivers and require better management of driver fatigue. The fatigue reform makes all parties in the supply chain legally responsible for preventing driver fatigue. It includes three work hours options, linked to safety, that you can choose from to suit your business.

BFM accreditation offers more flexible hours and retains the ability to work 14 hour shifts. BFM gives operators a greater say in when they can work and rest providing the risks of working long and night hours are properly managed. If your operation requires more flexibility than available under Standard Hours or BFM you should look at the Advanced Fatigue Management (AFM) option. AFM may also be suitable for operators with specific needs such as remote areas livestock transport (see Table 1).

**Table 1: Work and Rest Options**

| Module                              | Requirements  |
|-------------------------------------|---|
| Standard Hours                      | Basic work and rest time  |
| Basic Fatigue Management (NHVAS)    | More flexible work hours linked to accreditation                                |
| Advanced Fatigue Management (NHVAS) | Create your own safety management system and work hours linked to accreditation |

Operators will need to be accredited in the National Heavy Vehicle Accreditation Scheme (NHVAS) and comply with six BFM standards covering:

- scheduling and rostering;
- fitness for duty;
- fatigue knowledge and awareness;
- responsibilities;
- internal review; and
- records and documentation.

Working long hours and night shifts is widely recognised as high risk. The basis of the reform is working safer, not less hours. Operators who take basic steps to manage the risk of driver fatigue – such as planning trips and schedules, training drivers and schedulers and checking records – can schedule up to 14 hour shifts.

### Work and Rest

Table 2 sets out the minimum rest and maximum work hours for BFM. Work time refers to all driving and any other tasks related to the operation of a heavy vehicle. All other time is counted as rest.

Under BFM a driver can work up to 14 hours in 24 hours. Drivers must also have a seven hour continuous rest break in 24 hours.

Drivers are required to have 2 x 24 hour break (the first after maximum 84 hours work) and at least four nights rest (two nights consecutive) in each 14 day period (this can include a 24 hour continuous rest).

There is also a restriction on the amount of night work and long shifts which a driver can work in any seven day period (see Table 3).

**Table 2: BFM hours (Solo drivers)**

| Time                 | Work   | Rest  |
|----------------------|--|---|
| In any period of.... | A driver must not work for more than a <b>MAXIMUM</b> of ... | And must have the rest of that period off work with at least a <b>MINIMUM</b> rest break of ...   |
| 6 ¼ hours            | 6 hours work time  | 15 minutes continuous rest time   |
| 9 hours              | 8 ½ hours work time  | 30 minutes rest time in blocks of 15 continuous minutes   |
| 12 hours             | 11 hours work time   | 60 minutes rest time in blocks of 15 continuous minutes   |
| 24 hours             | 14 hours work time   | 7 continuous hours stationary rest time <sup>1</sup>  |
| 7 days               | 36 hours long/night work time <sup>2</sup>                   |   |
| 14 days              | 144 hours work time  | 24 continuous hours stationary rest time taken after no more than 84 hours work time <u>and</u> 24 continuous hours stationary rest time <u>and</u> 2 x night rest breaks <sup>3</sup> <u>and</u> 2 x night rest breaks taken on consecutive days |

<sup>1</sup> Stationary rest time is the time a driver spends out of a regulated heavy vehicle or in an approved sleeper berth of a stationary regulated heavy vehicle

<sup>2</sup> Long/night work time is any work time in excess of 12 hours in a 24 hour period or any work time between midnight and 6 am (or the equivalent hours in the time zone of the base of a driver)

<sup>3</sup> Night rest breaks are seven continuous hours stationary rest time taken between the hours of 10 pm on a day and 8 am on the next day (using the time zone of the base of the driver). These breaks can be part of a 24 continuous hours stationary rest break.

## Combining Long Shifts and Night Work

When working under BFM, a driver can only work up to 36 'long and night' hours in any seven day period.

A long hour is any hour worked over 12 hours in 24 hours. The time is calculated in 15 minute periods. For example, a driver works a full 13 hours in 24 hours, the additional hour worked counts as long hours (see Table 3). If the driver worked 13 hours and 30 minutes, this is counted as 1.5 long hours.

A night hour is any hour worked between midnight and 6 am (see Table 3). As for long hours, time is calculated in 15 minute periods.

Table 3 summaries a 14 day work period for a driver. Night and long hours worked on various days count towards the 36 hour limit in **any seven day period**. For simplicity, it is assumed the driver has not worked in the seven days before.

Night and work are added across (highlighted in red). On day one the driver worked a total of 13 hours, including five night hours and one long hour. The five night hours and one long hour are added together to give six accumulated long/night hours. On day two the driver worked a total of 14 hours, including six night hours and two long hours to give eight accumulated long/night hours.

To calculate the total accumulated long and night hours you must always count back seven days. For example, to calculate your total long and night hours from day 11, you must count back seven days to day five. The numbers highlighted in green show this seven day period (days five to 11). In this example the driver reaches a total of 32 accumulated long/night hours in a seven day period.



**Table 3: 14 day work period ‘36 hour’ example**

| Day | Hours worked in one shift | Hours worked in one Shift (showing night and long hours) |  | Accumulated night and long hours worked in any 24 hours | Total accumulated night and long hours worked in a 7 day period |
|-----|---------------------------|--|--|---|---|
|     |                           | Night hours worked (Midnight to 6am)                     | Long hours Worked (hours worked over 12 hours in 24 hours) |   |   |
| 1   | 13                        | 5  | + 1  | = 6   | 6   |
| 2   | 14                        | 6  | 2  | + 8   | 14  |
| 3   | 13                        | 5  | 1  | + 6   | 20  |
| 4   | 13                        | 5  | 1  | + 6   | 26  |
| 5   | 13                        | 5  | 1  | + 6   | 32  |
| 6   | 13                        | 3  | 1  | + 4   | 36  |
| 7   | Day/Night Off             |  |  | + 0   | = 36  |
| 8   | Day/Night Off             |  |  | 0   | 30  |
| 9   | 13                        | 5  | 1  | + 6   | 28  |
| 10  | 14                        | 6  | 2  | + 8   | 30  |
| 11  | 14                        | 6  | 2  | + 8   | 32  |
| 12  | 13                        | 5  | 1  | + 6   | 32  |
| 13  | Day/Night Off             |  |  | + 0   | 28  |
| 14  | Day/Night Off             |  |  | + 0   | = 28  |

## Accreditation Standards

### Scheduling and Rostering

The operator must plan, document and review driver schedules and rosters to ensure they comply with the operating limits under the new regulations.

### Fitness for Duty

The operator must put in place a program to ensure drivers are in a fit state to perform work duties and also have required medical assessments.

### Fatigue Knowledge and Awareness

All managers, supervisors and drivers taking part in BFM must demonstrate they are competent in managing driver fatigue.

### Responsibilities

All responsibilities and duties identified for BFM must be up-to-date, clearly defined and all staff must understand and carry out their duties.

## Internal Review

Operators must have a system to identify non-compliances and verify that the activities comply with the BFM standards and the operator’s fatigue management system. Incidents must be identified, investigated and reasonable steps must be taken to manage any problems. Internal audits must be undertaken at least every 12 months.

## Records and Documentation

Operators must develop policies, procedures and instructions covering all activities required to meet BFM standards and keep records to provide evidence of compliance. These could include work hours records (eg work diaries, rosters, schedules), a review of the fatigue management system in place and compliance checks. All managers, supervisors and drivers taking part in BFM must demonstrate they are competent in managing driver fatigue.



## Work Diary

A new work diary has been designed for drivers replacing the log book.

The work diary must be used and carried at all times if the driver is working standard hours and works more than 100 km from work base, or accredited under BFM or AFM.

Drivers who operate within 100 km from their base are still required to comply with the work/rest hours limits and keep records of their driving hours.

For further information on record keeping procedures refer to VicRoads Fact Sheet 8 – *'What Records You Need to Keep: A guide for record keepers'*.

## General Duty

Under the new laws a 'general duty' (similar to OH&S laws) requires all parties take all reasonable steps to prevent the fatigue of heavy vehicle drivers. For example, this means that:

- drivers must stop if feeling tired or fatigued;
- operators and schedulers must plan when drivers rest;
- a loading manager must take steps to ensure queuing is managed properly; and
- contracts that require a driver to break the law are illegal.

All parties, except the driver and operator, have a reasonable steps defence for fatigue related offences.

## More Information

Those operating under BFM should also see VicRoads:

- Fact Sheet 8: What records you need to keep: A guide for record keepers; and
- Fact Sheet 9: How to use and complete your new work diary.

This fact sheet does not explain all of your obligations under the new laws. For further information on fatigue contact VicRoads on 1300 360 745 or visit the VicRoads website:

**[www.vicroads.vic.gov.au](http://www.vicroads.vic.gov.au)**

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