

NATIONAL TRANSPORT COMMISSION  
Level 3, 600 Bourke St  
Melbourne Vic 3000

Submission to NTC on "Effective Fatigue Management". 9<sup>th</sup> August 2019

We operate One truck in a Two Up- Standard Hours owner driver operation travelling between Melbourne and Sydney. My partner has been on the road for over 32 years, I have been on the road for 10 years.

Regarding the work and rest requirements of the work diary, I firmly believe there should only be one set of rules, so either a maximum number of hours in any set period OR a minimum rest period in any set period NOT both, as whilst we are required to comply with both sets of rules we are also trying to complete a job and it can create a sense of "I've got to reach destination by X time so I can have my X rest break" when it would have been preferable to have more flexibility with managing our own fatigue whilst getting the job done. I feel having One set of rules, Not Both would make a huge difference. Many times you hear "I can't move until X time" when drivers feel fine to drive but can't because the work diary restricts them from doing so.

For us trying to operate within a set of rules that were written for the Ultra Long Distance operators, such as Perth or Darwin (as per your Heavy Vehicle Driver Fatigue Two Up Policy Proposal in 2006 ) we are averaging less work than a truck with only one driver, as having to have a stationary 10 hour break every second night on Melbourne - Sydney is unproductive and stressful to say the least.

The 10 hour break is every second night! It feels like a real balancing act between our starting time and when the next 10 hour break is required, we feel like, with a 42 hour window we have to rush up and back, as we need to get in as early as possible to start a 10 hour break so that it finishes at a reasonable time in the morning, not nearly lunchtime, but when we have delays that are outside of our control, it simply means we cannot do enough work. Between delays waiting behind other trucks unloading and loading and multiple deliveries and pickups, or delays at sites who are in no hurry to work, it can be say 2.00am when we arrive at destination, we then have to wait until 12.00pm lunch time before we can start work for the day, this is just ridiculous, what sort of time is that to start work for the day? By not being able to start the next day until so late now either means, having to drive later into the next night through the higher risk times if we feel fit to do so, or stop again that night and not make the next destination in time to get unloaded, subsequently losing another day which we are not financially compensated for.

By the time we have done two trips for the week, we are having to assess the likelihood of being able to complete the third trip and make it home, or whether we are going to run out of hours to arrive home before our 24 hr break is due, also having to take into account when the next 10 hr break is due, as one can run into the other, we can be due to be off the road for a 10 hr break at 2.00 am but then also due to be off the road at 9.00 am for our 24 hr break so in effect, if we are not home by 2.00 am we are now stuck on the highway for a 24 hr break, so when we are behind to start with we simply do not do the 3rd trip, we just start again on Sunday hoping for a better run next week, the same thing happens week after week, we consistently only average 4 round trips per fortnight with an extra round trip

approximately once a quarter so we are not even earning the industry standard and we are two people. For us, if the requirement to have a 10 hour continuous stationary break in any period of 52 hours was removed from the Standard Hours Two – Up Drivers we could achieve the Five per fortnight and a Massive stress would be removed, 4 trips per fortnight is a financial struggle and not really sustainable. We prefer to make destination for a number of reasons, such as avoiding city traffic in peak times, better quality of sleep knowing we are at our destination, balances the work load out as opposed to feeling like we haven't finished yesterdays trip yet.

At the end of the day we don't try to do any more work than 1 driver on BFM but it's a pretty bad state of affairs when 2 people can't even do the same amount of work as 1 driver on BFM. A Solo driver only has to have a 7 hr break, so why is it that we need 10 hrs to recoup? Even if after 42 hours we had to have a 7 hour stationary break, 7 hours would be ok, but 10 is just way over the top and creates a massive reduction in productivity and a huge amount of stress. Again we would like to see 1 set of rules removed and only have 1 or the other, if that's not possible we would like to see that 10 hr break be reduced to an absolute maximum of 7 hours, preferably 6 hours, that in itself would be a massive improvement, surely it must be a benefit to have two drivers in the one truck so if one wants to take a break the other one can take over. Having a rolling 24 hrs with a min 5 hr break tends to make you operate 5 and 5, there are times you want to swap earlier but you hold off because whilst one is working the 5 hours the other one is generally resting for 5 hours, there is no incentive to have a short break, as you're trying to have 5 hrs off after working for 5 so that you are constantly complying with the rolling 24 hr rules.

Whilst our issue is the 10 hr break, I believe the Solo drivers have the same problem with their 7 hr break, I firmly believe that if we had only one set of rules that we could manage our own fatigue a damn site better than what we are doing now abiding by the current rules, I understand the rules are written to try to enforce safety, however we just feel that it has the opposite effect, we are all different with our fatigue with what we can and can't do, even the same week mirrored we can feel different, there is NO flexibility in the rules to allow for that.

We don't believe BFM or AFM are the solution for us, as BFM still has a 10 hour break, (not to mention the costs involved) and AFM is way too complicated.

I did approach the NHVR seeking a solution, I initially asked for a variation to the 10 hour break asking that only 5 hours of it had to be stationary, subject to it only applying on our Melbourne Sydney run. I tried to negotiate with the NHVR fatigue specialist over a period of 12 months back and forth with different options, even if 7 hours of the 10 were stationary or even if we could apply the solo standard hours rules and have a stationary 7 hour break every single night to alleviate the 10 hour requirement, I basically got nowhere and my last calls and emails were not responded to, so I gave up, NHVR thought I was trying to gain a commercial advantage when in fact I was trying to remove the commercial disadvantage that this rule has created for us. NHVR should have the power to negotiate solutions. I then contacted the NTC who told me this review would be undertaken in due course, so I appreciate being able to have my say now Thankyou.

I am happy to be contacted if you would like to clarify anything further or if you would like more detailed information of what our weeks looks like.

Kind Regards  
Suzy Maisey  
ASG Transport P/L