



NATIONAL ROAD FREIGHTERS ASSOCIATION INC.



Current Fatigue Laws

Pre-amble.

TRUCKING OPERATORS PROVIDE SERVICE TO ALL INDUSTRIES

Confusion and misinterpretation of ambiguous legislation by both the drivers and enforcement has created an environment of entrapment, it is to a large extent criminalising hard working people, and it's obvious that the people who drafted these laws will never be subject to them themselves.

Three levels of Fatigue management adds to the total confusion of compliance, add to that two enforcement agencies monitoring the scheme with no sympathy of the requirements regarding the validity of the breaches.

06/05/2019 NRFA: Fatigue Position

This document is to outline the position of the National Road Freighters Association [NRFA] on Fatigue policies.

The NRFA Supports Safe Driving with Sensible Fatigue Regulations incorporating Flexibility

The NRFA is committed to improving the life style and public image of those who provide this crucial service to our society.

Education in the understanding of the circadian rhythm be a requirement of all those wishing to obtain any drivers license

Ultimately it is expected that fatigue management will become more competency orientated as opposed to regulatory

There is a requirement for the standard to be followed in so far as is practicable. In practice it means that it may be varied but only in circumstances where the variation is minor, is not a regular occurrence, is reasonable, and does not increase the risk of fatigue. Schedules should be organised to comply with the standard but it is accepted that there may be situations where drivers are delayed and the schedule may need to be adjusted.

For example if a commercial vehicle driver is due for a long break and delays meant that a road house with facilities was in a short distance it may be reasonable for the driver to exceed the hours permitted under the operating standard to continue to the road house where a longer and more comfortable rest break can be taken However if the driver has difficulty of keeping his or her eyes open or there were other signs of sleepiness it would not be reasonable and the driver should stop and rest as required by the standards. The need to build an allowance in schedules for unexpected contingencies is an important part of establishing work schedules.

NRFA acknowledges the WA code of practise as a guiding Template.



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DEFINITIONS AND STANDARDS.

1. ALL DRIVERS are allowed to drive 14 hours in a 24 HOUR PERIOD.
2. A 24 HOUR PERIOD: begins at the end of a prior long rest break
3. LONG REST BREAKS: at least 7 consecutive hours.(unless Split rests)
4. SPLIT REST BREAKS: any combinations of hours adding to 8. The minor portion cannot be no less than 2 hours and taken in 2 portions (these must be completed within the 24 hour period). The following 24 hour period will commence at the conclusion of 8 hours split rest it is possible to have two 24 hour periods running concurrently. This is not considered an issue owing to the inherent flexibility of the position.
5. SCHEDULED: a plan of a trip or series of trips. No Driver to be scheduled to within 10% of the maximum 14 hours, i.e. 12.6 Hours. This principle be applied to all scheduled Runs irrespective of time expectation.
6. CHANGE OF ACTIVITY: Any activity that is not driving. Checking load security, checking of vehicle is acceptable as changes of activity.
7. CONTINUOUS DRIVING: Maximum continuous driving should be no more than 5 hours.
8. AFTER 5 HOURS: a driver is expected to take a change of activity that should be a minimum of 30 minutes. However this could be taken in 2 X 15 Minute breaks. The idea is to both stimulate the senses and to be more proactive in load security and vehicle maintenance. A double barrel safety initiative
9. MAJOR REST BREAK. A 24 hour rest period. 2 major rest breaks must be taken in a 14 days period. However 1 of these major rest breaks can be split into 2 x 12 hour over night breaks. These must start approximately between the hours of 7pm and to 10 pm.
10. The 14 day period is designed with the life style of the long haul operator in mind. While the NRFA advocates an allowance of 14 hours per day, over a work period, this is considered excessive if worked to the maximum. The NRFA consider a maximum of 12 hours per day and advise that these be primarily during daylight.



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Consequently sleep will be taken during the ideal night hours. It is considered that long haul operations should allow a driver more scope to work within fatigue parameters. The extension beyond the “standard” six hours is purely designed to allow truck drivers some semblance of the same family relationships as is available to other occupations as of right. There also needs to be scope to accommodate those operators who have done short hauls earlier in the week and then to do a longer run later in their work cycle. This option thereby eases the absurdity of being forced to stand down for 24 hours away from home and Family

11. OVER NIGHT BREAK: 12 hours starting between 7.00 pm and 10pm.
12. EWD: should not be mandated rather optional.
13. MAJOR REST BREAKS (12-24 hours or more), are expected to incorporate the 7 hour long rest and not in addition to 7 hours.
14. ALL WORK must be recorded irrespective of time / distance that the driver proposes to be absent from driver base. However to avoid duplication, such record can be in the form of business work sheet providing the standards are adhered to. A vehicle whose gross weight is 12 tonnes and above are required to record - irrespective of whether that gross is achieved via a single vehicle or a vehicle in combination.
15. NO objection to keeping the work diary as it stands simply as a working tool.
16. ROAD SIDE OVERSEERING OFFICERS. Operation outside normal parameters to be noted by overseeing officers on relevant diary pages. 2 minor variations in operating outside prescribed standards in 1 week would be considered fair. We would suggest that a period of 60 minute during the day and 30 minutes during the night, beyond the operating prescribed standards would be minor and not unreasonable.
17. CIRCUMSTANCES TO PERMIT MINOR VARIATIONS: Could include unavailability of rest areas or proximity to rest areas or home base, road works, accidents, weather conditions etc.
18. A FACILITY be available to retrain persistent non conformers rather than prosecution. With the setting up of a competent training regime, referral back to such regime would suffice. National Road Freighters Association does not envisage any new industry for this but may be an online question and answer format.



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19. BOBTAIL: National Road Freighters Association has a position that operators having major rest breaks away from home base be free to drive bobtail prime movers or body trucks to attend to domestic requirements and social commitments just as they may legally do in a light vehicle without penalty of incurring loss of rest entitlement hours.