

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

27 June, 2019

SUBMISSION to “Effective Fatigue Management”

The following points are often been repeated by many drivers. These are the main points what makes drivers feel the most discontentment towards lawmakers and work diaries.

1/ Work hours, work diaries and mandatory rest breaks in the current format can and does increase fatigue in particular circumstances.

Delays creates havoc with work diaries. A 4hr delay may lead to drivers being out of work hours and not be able to sleep. The current rules do not take into account for Power naps. A power-nap in the middle of the day extends fatigue time, hence when the driver MUST stop, they are often not fatigued or sleepy.

This also leads into drivers pushing themselves to reach way points, enforced by camera surveillance, in order to meet schedules the following day.

Most BFM drivers actually work AFM hrs anyway.

Recommendation 1/ scrap BFM and make AFM the standard for Fatigue Accredited drivers

2/ Rule 255 must be made a standard option and is a critical tool for flexibility.

I often use rule 255 as a balance of rest and schedules. When delays occur, this split break option solves 99% of my issues.

In my decades of driving, the split break is used everyday.. despite work diary rules, my fatigue management comes down to the split break.

The split break provides for all recognised sleep patterns. 7hrs is the average, but this fixed 7hr, can actually be a negative for drivers, whereas splitting the rest as required by each individual solves many problems currently being experienced.

If drivers use the power-nap mid shift, they would find alertness must higher than a continuous shift, but often the schedule doesn't allow for it due to current rules.

We do it any way and have done for years, lets make it standard procedure and learn from the experienced drivers.

Recommendation 2/ Rule 255 to be a standard option

3/ 24hr rest break after 72-84hrs. I do not know many drivers who feel refreshed after a mandatory 24hr break away from home. Furthermore, there is nothing worse than being grounded at a truck stop or an unfamiliar town for 24hrs. Even after 84hrs of work, a 12hr rest will provide sufficient rest to fully recover.

These 24hr breaks also flip your body clock. when at home, we want time with family. I believe the truck crash stats immediately after a 24hr break confirm my comments.

Delays for return loads can easily disrupt schedules, which may impact your ETA on the trip home. If your hours have finished, you get grounded....you are locked down, essentially under house arrest. Personally, this does my head in...

This is one way to annoy drivers and has caused good drivers to Quit and leave the industry.

Only Sleep cures fatigue, not a full day of sleep and then frustration of being away from your family.

Studies show a 7 hour sleep on average is enough rest for most humans to function normally for 7 days a week, 52 weeks a year...To suggest this 72-84 hour working week is fatiguing is totally unfounded. Long distance truck driving is not an energy intensive activity. This point alone demonstrates how the HVNL discriminates against truck drivers.

Most long distance drivers just want to do their run and get home. Sometimes that run might last 8 days. During which time, the driver has had 7hrs of quality sleep each 24hr period. Alert levels are high, but has no remaining Work time, so they are forced to stop, for the other reason than out of hours.

My fatigue monitoring device (Readiband ©) can support this position.

The science based algorithm clearly shows a 12hr sleep returns alertness to full. Readiband © has been tested against sleep clinic machines with a 92% accuracy rate....I believe this device is accurate in accumulative fatigue monitoring.

Most drivers I know who lie and cheat in work diaries, do so purely to better manage their Fatigue.

Recently this rule forced me to drive into the early AM, when had I ignored this rule, I could have been at my destination, asleep by 11pm.

Control the schedulers NOT the drivers.

Recommendation 3/ Reduce the Mandatory 24hr rest break to 12hrs.

4/ Night Rest Breaks – For drivers working mostly night-shift, this rule discriminates and negatively impacts Night shift drivers. If freight is not available for these drivers at the right time of day, they lose income.

Fresh produce for example, is mostly a night time job and to say a person can only work 8 days a fortnight is discrimination...no other worker is subject to these rules.

For drivers with a properly setup sleeper berth, consistent night shift work is easy to manage. It's the HVNL that causes the problems.

This change from night- shift to day-shift flips the drivers body clocks, thus inducing greater fatigue levels.

Recommendation 4/ Scrap the night rest break requirements.

5/ Truck drivers only work when the schedulers allocate work.

The rule always was 12 hrs work, 2hrs non driving work.

Now schedulers can schedule 14 hours work. Loading and Unloading is additional work. So we are now seeing schedules of 17hrs, because the drivers can be lawfully

resting at times and this is not recorded in work diaries. Drivers can also be allocated a split shift to meet freight appointments, which may total 17hrs.

Resting is NOT sleeping. This rest time can be a power-nap, then this impacts the driver later. Resulting in drivers being out of work time, but not tired for your scheduled 7hr sleep, before reloading for the next shift.

The boss then says, you shouldn't be tired, you just had a 7hr break.

Additionally, many drivers do loading and unloading activities unpaid. The Relevant Modern Award allows this loophole to exist. Therefore schedulers exploit this loophole and have drivers essentially "on-call" but lawfully resting.

I have tried to convince drivers that a 20hr day is unlawfully scheduled and this practice is unsafe.. If witnesses wont speak up, what else can you do?

Control the schedulers NOT the drivers.

Recommendation 5/ Schedulers to be restricted to setting 12hr schedules.

Whilst the current rules have achieved the goal of no more 48hr shifts and most drivers are sleeping each 24hr period. The strict prescriptive nature of the HVNL has created problems with stress and mental health, along with increasing fatigue in certain circumstances.

My recommendations come from 15yrs of incident free, Long Distance driving (3million kms) in high risk sectors of Overnight express, fresh produce and cold chain supply, with 10years of local area driving.

I have been vocal about NHVL problems since 2008 and These recommendations would greatly reduce, if not totally solve the stress of balancing freight demands and current HVNL rules, so I could complete the tasks required with the most flexibility possible.

Having been on Transport Industry social media for many years, my submission would reflect most flexibility issues drivers have complained about.

After all, This law is supposed to be about Fatigue mitigation,

Yours Faithfully
Trevor Warner

thedriversadvocate@gmail.com