

Inquiry into Managing Fatigue in Transport

Submission by Brisbane Marine Pilots Pty Ltd

Pilotage, as part of the marine section of the transport industry, recognises the need to address fatigue as it affects its pilots and operational staff.

Each pilotage company within Australia operates within its own unique environment. The needs of the wider community, the port users, Port Authority and the regulatory body are met by the individual pilotage company, operating at the service level required by the port.

The pilot company therefore has to support an individual operational structure with elements such as manpower, rostering system and an allocation system which will support the service level required.

Having established the operational structure, the pilot company will then have to ensure, under its Workplace Health and Safety obligations, that its pilots are adequately rested prior to undertaking a pilotage act.

This obligation therefore is both part of a wider obligation to ensure the health and safety of its employees and also indicates that the company must tailor its operations to suit its individual needs.

A fatigue management plan should be developed by individual pilotage companies. Fatigue is an identifiable risk and as such, pilotage companies should assess the risk within their own operating structure.

Currently there are no standards directly applicable to pilotage. However, IMO are addressing the issue with a mind to include pilotage in the relevant fitness for duty sections of the STCW '95 Code. The Code is an internationally recognised document and as such has certain prescriptive measures which are enforced throughout the world's fleet of ships. It would be appropriate to recognise the contents of these prescriptive measures which have been debated within an international forum.

Pilotage companies, under Workplace Health and Safety legislation, have an obligation to minimise risks to their employees. Fatigue is accepted as an identifiable risk within the workplace.

However, ultimately there is a cost which has to be recognised. In minimising the risk, there is a balance between risk reduction costs and the potential consequences. Cost is what can be supported by the community, and the consequences, as a measure of risk, is the value or importance the community place on those potential outcomes. Absolute

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safety is very expensive. A “perfectly” safe delivery service between points A and B will be at a relatively high cost which may be reflected in the end user’s retail price. However the consumer may accept a higher risk to achieve a lower cost structure.

Invariably, society will determine what level of costs, either actual price based or social costs, they will accept for any function within society.

The same is true for the transport industry. A series of truck accidents and the deaths of innocent families is both newsworthy and emotive. Society will react and demand action is taken to reduce or eliminate driver fatigue. There is both a recognised social cost that is unacceptable and also an identifiable risk that can be tackled. Thus we come to the crux of how to reduce risk without imposing escalating costs.

In answer to this question we would rule out a regulatory enforcement agency which can only add costs onto the industry. Rather, we would suggest:

- Make part of the pilotage contractual obligations to have a Fatigue Management Plan
- Get insurance companies to require such plans or else put a loading onto premiums.
- Incident investigations to look at organisations and determine if Workplace Health and Safety legislation has been applied, look for demonstrable practices and, if necessary, WH&S legislation penalties.

We believe that self regulation is the correct environment for the issue of fatigue management.

Prescriptive measures can only provide restrictive measures and do not permit the operational flexibility that is demanded in port pilotage.

Competition within any industry relies on a competitive advantage. This does not have to mean a low cost structure. It could be a more efficient operation, customer service, etc.

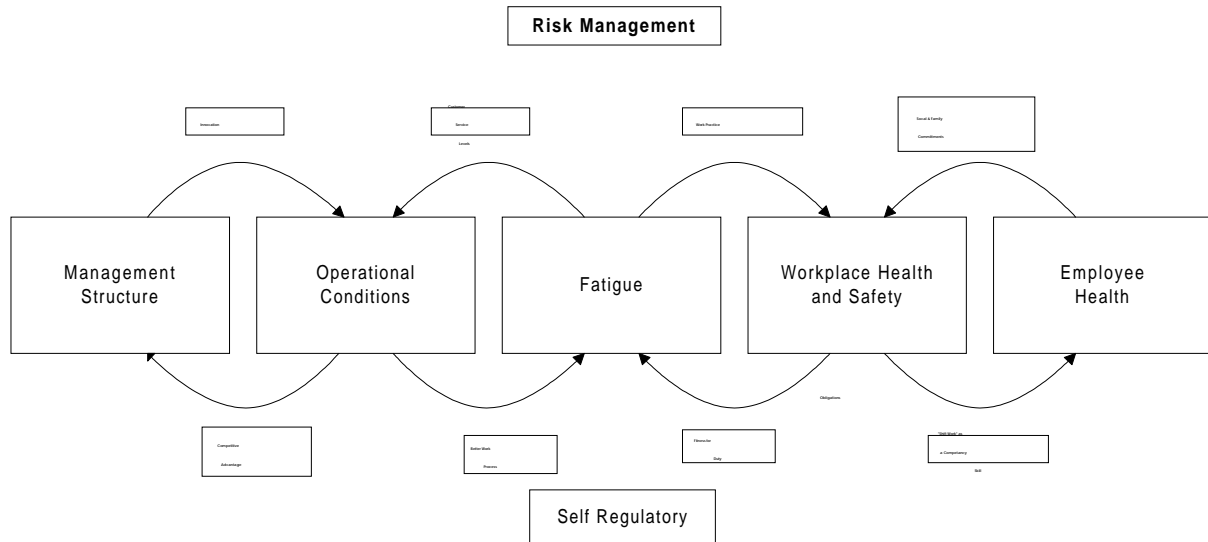
Fatigue is both a risk and an issue, but it is not a sole issue. It cannot be legislated away, wrapped up and put to rest. Fatigue must be incorporated into a broad plan going beyond just hours of work/rest.

The flow chart diagram shows just a part of the linkage between numerous facets of an individual organisation’s operating environment and how fatigue management can be viewed within that environment.

House of Representatives Standing Committee on Communications,
Transport and the Arts

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The answer may well be to start at either end of the diagram when addressing the control issue of fatigue. In doing so, you are beginning to develop your individual Fatigue Management Plan and hopefully achieve a safer working environment for your company.

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