

1 July 1999

To the Committee Secretary
House of Representatives
Standing Committee on
Communications, Transport
and the Arts
Parliament House
CANBERRA ACT 2600

Email: CTA.Reps@aph.gov.au

Dear Sir/Madam

Please find following the Australian Trucking Association's (formerly the Road Transport Forum) response to the inquiry into Managing Fatigue in Transport.

The Australian Trucking Association, since its establishment, has focussed on the issue of fatigue and its causes as a core component of its work program.

The issue of driving hours and fatigue has in fact been subject of a recent review as a result of over 15 years work by industry and regulators to get Australia's driving hours laws right.

A key it has been identified to managing fatigue is to provide flexibility to drivers and transport management, rather than the traditional prescriptive approach which sees drivers managing their fatigue by sometimes 'fiddling' their log books in order to take rests when they need to, not necessarily when the regulation says.

The following submission outlines the industry's approach and role in addressing this issue in order to move beyond words, in the form of regulation, as the sole means of determining when a driver is tired. This has been pursued through a process of:

- regulatory culture reform
- industry culture reform
- customer culture reform
- community education

The Australian Trucking Association is happy to appear before the Committee to provide more information on the material provided in this submission.

Yours sincerely

MICHAEL APPS
GENERAL MANAGER, GOVERNMENT RELATIONS

**AUSTRALIAN TRUCKING ASSOCIATION
SUBMISSION**

**To
THE HOUSE OF
REPRESENTATIVES
STANDING COMMITTEE**

**On
COMMUNICATIONS, TRANSPORT
AND THE ARTS**

**Inquiry Into
MANAGING FATIGUE
IN TRANSPORT**

JUNE 1999

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INTRODUCTION

The Australian Trucking Association (ATA) (formerly the Road Transport Forum) is the peak national body representing the Australian trucking industry.

The ATA membership is made up of state road transport associations, sectoral representative associations such as the Australian Livestock Association and NatRoad, National transport companies including Finemores, Linfox, Boral, Australia Post, TNT and the Scott Group of companies and the Transport Workers Union of Australia.

The ATA has played a leadership role in the reform of the Australian trucking industry since its establishment in 1992. This has included a priority focus on improving industry safety including addressing the issue of fatigue in heavy vehicle drivers. Our focus in this area along with other national reforms has led to a significant reduction in fatalities including heavy vehicles (over 50% reduction in the last 7 years).

The following submission provides an insight into the Australian Trucking Association's broader reform agenda, the Australian freight task, the industry's improved safety record and the detailed initiatives the industry has undertaken to realistically address the issue of fatigue.

The Australian Trucking Association believes that cooperative actions already in place involving government, community and industry cooperative efforts provide a strong foundation for addressing future fatigue issues in the industry including:

- The recent introduction of a strong legislative base aimed at improving accountability throughout the supply chain in relation to improving safety levels.
- The recent introduction of a three tiered national driving hours regime which incorporate standard, transitional fatigue management and full fatigue management programs which focus on insuring the long distance freight task is performed in a safe and efficient manner.
- The introduction of industry and government driven alternative compliance programs which emphasise the importance of third party audits as well as improved industry accountability.
- Continuing development and implementation of the world first Fatigue Management Program being conducted by Queensland Transport and the Australian Trucking Association which matches freight task needs with stricter safety standards in pursuing longer distance freight movements.
- The continuing development of the Logistics Supply Chain Fatigue Management Trial involving BHP Transport as the model for adoption for major freight providers in Australia.
- Continuing research work such as that currently being conducted by the Federal Office of Road Safety and the National Road Transport Commission aimed at better understanding fatigue and the development of initiatives aimed at better managing fatigue.

THE AUSTRALIAN FREIGHT TASK

Australia is a unique country in world terms due to its geographic size and widely dispersed population.

The tyranny of distance is a reality for Australian industry in order to safely, efficiently and cost effectively carry out the freight task.

Commercial realities in relation to the manufacturing and production points for Australian industry and consumer demands require a realistic approach to the management of safety and in particular fatigue. This realistic approach must encompass strategies which firstly are safety driven and secondly are flexible in undertaking the commercial imperatives which exist in regard the freight task and Australian industry remaining globally competitive.

The freight transport task in Australia is generally divided between the five main conveyance modes; road, rail, air, sea and pipeline. Although there is sometimes scope for substituting one mode for another, it is generally the case that each mode has its own special area of competence and niche in the freight marketplace.

Road freight transport is mostly used for short hauls. Around half of road freight services are within urban areas, and most are within the state of origin. Rail is generally used for transporting bulk commodities such as coal. Like road freight, it is mainly used to transport goods within the state of origin.

Sea freight, by contrast, is used mainly for transporting bulk goods over long distances, generally interstate or overseas. Air freight, like sea freight, is also used for transporting goods over long distances, with the difference that it is mostly used for transporting valuable or urgent cargo.

Pipeline freight transport is different from all the others, insofar as it is designed specifically for the product it transports. Thus, it is generally used for transporting high volumes of naturally occurring products such as crude oil, petroleum and gas.

Road freight is the dominant freight transport mode in Australia.

The importance of road transport arises mainly from its unique position as the only mode which has the flexibility to provide a point-to-point connection for goods travelling via one or more modes. On the one hand, road freight transport can act as an independent provider of the total service for a shipment travelling between any two points. On the other hand, it can also act as a feeder system, providing access to and between other modes.

According to Transport Information Australia 'Facts on Freight for all Modes', road freight transport moves around 1000 million tonnes of freight a year over an average haul of 90 kilometres. It is the predominant mode of transport for freight over relatively short distances, for priority delivery over longer distances (together with air) and where other alternatives are not readily available. Its competitive advantage is driven by its door-to-door capabilities as well as its high levels of customer service and reliability.

THE INDUSTRY'S SAFETY RECORD

The Federal Office of Road Safety has identified a dramatic improvement in the on-road safety performance of Australia's trucking industry over the last decade.

Since 1989 fatalities involving articulated trucks has been reduced by 50.5%. This has occurred during a period when the freight task for road has increased by 54% and the total number of vehicles on our roads has increased from 9,361,014 in 1988 to 10,691,907 in 1999 - a growth of 1,330,893 or 14%.

According to the New South Wales Roads and Traffic Authority, in the last ten years in NSW alone, fatigue related truck accidents fell 73%, fatal truck accidents fell 40% and fatalities involving trucks fell by 44%.

Interestingly, this has occurred at the same time as all other road users have reduced their involvement in fatal accidents by 29%.

A further statistic of note in relation to fatal accidents involving heavy vehicles is that FORS have identified that in 84% of cases involving more than one vehicle the accident was caused by the driver of the other vehicle.

These dramatic improvements can in some part be credited to the leadership role the Australian Trucking Association has played in the reform of the industry. The development of industry initiatives such as TruckSafe Accreditation aimed at raising industry levels of safety and professionalism and world leadership in addressing the issue of fatigue has seen the industry acknowledged by governments and the community as one which today is taking responsibility for its own actions.

AUSTRALIAN TRUCKING - A LEADER OF REFORM

The Australian Trucking Association has taken a leadership role in the areas of:

- a) Regulatory reform
- b) Industry culture reform
- c) Community education

A) Regulatory Culture Reform

The Australian Trucking Association was a key driver in the establishment of the National Road Transport Commission (NRTC) in 1992 and the development of the NRTC's national reform package.

These reforms identified key areas required for a nationally consistent operating scheme for the trucking industry which provided safety, productivity and environmental benefits for the community and the industry (the NRTC's 1st and 2nd package of reform are at Attachment 1)

Some of the key safety reforms that have thus far been implemented or are currently being addressed are:

1. National Operating Environment
2. Chain of Responsibility
3. Alternative Compliance
4. Smart Compliance
5. Speeding Trucks Legislation

1. NATIONAL OPERATING ENVIRONMENT

As mentioned above, the Australian Trucking Association has been a key driver in the establishment of the National Road Transport Commission and the development of the first and second package of reforms.

The objective of this process has been to create, within Australia, an efficient and safer national operating environment for the heavy vehicle industry.

By that, we mean that the previous state-by-state focus which previously ham-strung the industry due to varying and differential regulatory requirements should be replaced by a seamless national operation which goes beyond state boundaries.

In order to best achieve the most efficient and cost effective road transport sector for all Australian industries, the Australian Trucking Association has worked with the National Road Transport Commission and state road authorities in order to put in place a national regulatory framework. These initiatives have removed a large percentage of red tape which previously existed whilst at the same time putting in place an operational environment which allows transport companies to manage their day-to-day work practices with confidence, no matter where they are in Australia, and clearly understand the requirements of national road transport law.

Whilst this process has taken some time since the establishment of the National Road Transport Commission in 1992, steady progress has been made in many areas.

Fatigue Management has formed a key component of the national reform work program that the NRTC has been pursuing and is a key area in which a national and consistent approach is required so that the management of fatigue can take place no matter where a trucking company is operating.

2. CHAIN OF RESPONSIBILITY

The Australian Trucking Association has been a key driver with the National Road Transport Commission in developing Chain of Responsibility principles to be enacted within all road transport law. Chain of Responsibility principles are aimed at providing enforcement agencies the powers to apportion blame throughout the entire supply chain where breaches of road transport law have taken place.

Traditional regulatory responses have been orientated to enforcement rather than compliance and have tended to be overly reliant on legislative solutions such as increasing the maximum penalties. Chain of Responsibility principles are aimed at enhancing compliance by encouraging a better understanding of the problem by industry, the judiciary and the community in general.

Most importantly, Chain of Responsibility principles take the focus away from purely on-road enforcement where the driver has traditionally borne the brunt of enforcement through fines or imprisonment to investigating and identifying all players within the supply chain from manufacturing point to point of delivery who may have contributed to the offence occurring.

The make-up of the supply chain in relation to the transportation of goods is further discussed in the section under "industry culture reform".

The key point in relation to Chain of Responsibility is, however that the due diligence and duty of care responsibilities of all players within the supply chain will provide a greater enforcement focus. This will assist in ensuring that all players are meeting their regulatory obligations and not applying undue pressure on the transportation task at the management and driver levels as currently exists.

The Australian Trucking Association believes that giving road transport law 'real teeth' in this area in line with industry programs and initiatives will be a key driver in addressing fatigue related incidents.

3. ALTERNATIVE COMPLIANCE

The Australian Trucking Association has adopted a philosophy of providing "industry solutions to regulatory problems".

To this end, the industry's own accreditation program, TruckSafe (which will be discussed under industry "Culture Reform") was developed and subsequently led to the evolution of what are known today as 'alternative compliance' programs.

Through the NRTC process, the Australian Trucking Association has played a lead role with state road authorities in the development of alternative compliance programs in the areas of:

- Vehicle Roadworthiness
- Mass Management
- Fatigue Management

These schemes have been designed to provide trucking companies the option to introduce an audit based scheme within their company to prove compliance to regulation in an alternative manner to the traditional on-road enforcement approach to compliance.

The aim is to ultimately develop a National Heavy Vehicle Accreditation Scheme (NHVAS).

4. SMART COMPLIANCE

Conventional compliance has traditionally been based on a criminal punishment model of regulation where a sanction is applied once a person has been held legally liable for a breach.

This however has not provided or allowed for the required culture change within the trucking industry to raise levels of compliance and in turn see improved levels of safety and ultimately a level playing field to ensure future industry viability.

Conventional compliance based largely on on-road enforcement has also been affected by the continuing reduction in enforcement resources being directed at the heavy vehicle sector.

Conversely governments, in cutting back budgets, have more and more seen already limited enforcement resources having to deal with ever-increasing levels of traffic.

The Australian Trucking Association believes that on-road enforcement and conventional compliance are a key part of any strategies in relation to ensuring compliance to the regulatory framework for heavy vehicles.

This however has dramatically declined resulting in those willing to flout the law taking advantage of the reduced on-road presence.

This situation has been addressed by the Australian Trucking Association through the adoption of a 'Smart Compliance' philosophy.

To develop a Smart Compliance framework the Australian Trucking Association, the National Road Transport Commission and the NSW Roads and Traffic Authority coordinated a National Enforcement, Viability and Safety Workshop in March 1999.

This workshop was designed to investigate the relationship between enforcement, viability and safety in the trucking industry. It identified key ways in which industry, regulators and the community could better work together to ensure higher levels of industry compliance which will result in improved road safety performance and ultimately, improved viability for industry.

This workshop identified the need to think "outside the square" and take a 'Smart Compliance' approach.

The key findings and issues from the workshop, which involved representatives from 6 jurisdictions (both police and road authorities) the Federal Office of Road Safety and industry, were:

A) CONSISTENT NATIONAL LAW

The principle of consistent national law must underpin any proposal which is looking into the issue of compliance and enforcement.

Just as importantly however, there is a need to ensure that in line with national and consistent law there is also a national and consistent interpretation of road transport law on our roads.

This, the Australian Trucking Association believes, requires the need for a national and consistent approach to training and competencies of enforcement officers and perhaps the development of a national curriculum which is dedicated to the training of enforcement officers.

National consistent law must also involve the adoption of technology which will support the concept of improved compliance. Technologies such as Safe-T-Cam must be adopted in a standardised manner on a national basis to ensure consistency of enforcement and in the interpretation of our laws and the information collected.

B) ACCREDITATION

The concept of alternative compliance through programs such as the TruckSafe Industry Accreditation Program or other accreditation schemes is a key plank in any strategy aimed at improving industry compliance.

Such programs have been developed over the past several years in order to place greater responsibility on industry to prove compliance through an auditable process.

To this date however, such programs have not been universally recognised as an adjunct to enforcement and in many cases, are not understood in relation to the role such schemes can play to achieving improved compliance to road transport law.

In some instances, those participating in accreditation schemes such as TruckSafe have received benefits from state governments for their participation and their ability to show and prove compliance.

A key aspect of future improved compliance is greater recognition by state governments, state road and traffic authorities and all enforcement officers of the workings of these schemes and the benefits they can provide in relation to improved compliance and the better utilisation of limited enforcement resources in the longer term.

Alternative compliance is ultimately about providing the opportunity for state governments and state enforcement agencies the ability to target their enforcement to those on our roads who continue to flout the law.

Alternative compliance programs such as TruckSafe due to the auditable trail which forms the basis of such schemes allows for 365 days per year compliance to road transport laws and a system by which this performance can be measured.

C) CHAIN OF RESPONSIBILITY

As outlined at Point 2 earlier.

D) HEAVY PENALTIES

The Australian Trucking Association believes that heavy penalties should be applied throughout the supply chain whether it be in the form of a financial penalty, imprisonment or other means in order to more clearly provide a commercial disincentive to break the law.

Chain of Responsibility plays a key role in this process however the penalties must be also designed around this process to ensure that the fine or penalty fits the crime that has been committed.

5. SPEEDING TRUCKS LEGISLATION

The issue of speeding trucks had long been a curse for the industry as operators willing to flout the speeding laws for commercial advantage had tarnished the industry's safety record and image.

The Australian Trucking Association instigated the need to reform speeding laws for trucks and put in place a true 'commercial disincentive' to discourage operators from speeding.

At the same time, the industry realised that drivers should not bear the full brunt of increased penalties when in some instances they may have been pressured by their employer to do so, for whatever reason.

To this end, a 'three strikes and your out' legislative approach was encouraged and eventually adopted by most state jurisdictions.

The 'three strikes and your out' legislation involves exceeding the speed limit by 15km/h or more above the 100km/h limit - the sanctions model introduced is:

Strike One	-	The Owner and operator receives a warning
Strike Two	-	The vehicles speed limiter will need to be recalibrated
Strike Three	-	Registration of the vehicle suspended for one month

Fourth and subsequent times will see registration suspended for three months.

These sanctions are in addition to the penalties incurred by the driver.

B) INDUSTRY CULTURE REFORM

Background:

The Road Transport Forum, now Australian Trucking Association (ATA), was formed at the beginning of the 1990's as a direct result of the major transport accidents which occurred in the late 1980's. The industry at the time was at a particular flash point, with no coordinated approach to:

- * Safety
- * Regulatory Reform
- * Industry Representation
- * Industry Direction

The ATA was formally launched in 1992, and had the direct support of industry associations, state and federal transport ministers, the TWU, and small and regional transport operators. It was agreed that one of the fundamental platforms of the ATA was to improve the safety, health, fatigue and professionalism of the industry. It was recognised that driver health and safety had to improve, and the transport operators responsibility for driver health and safety had to become part of their mainstream due diligence, not just a time to time afterthought.

This meant a dramatic 'industry culture' change was required. Industry for too long operated on the 'Ned Kelly Syndrome' where doing the wrong thing and breaching the law was heralded in many corners of the industry. It was in this environment that the Australian Trucking Association began its Industry Culture Reform process in 1989.

Industry Accreditation:

An industry accreditation program was designed that looked at four key not negotiable elements:

- * Driver Health
- * Vehicle Maintenance
- * Driver Training
- * Management

A model was designed under these headings, with the key focus being put on driver health, as this was the newest concept to the industry, and in some respects the most needed yet culturally foreign to transport operators and drivers.

In 1993 major research and investigation was initiated by both the ATA and people working closely with the ATA. These included:

- * The ATA doing its own driver health evaluations on drivers via professional consultants
- * Ann Marie Feyer and Anne Williamson on behalf of Worksafe Australia conducting Fatigue Research and causes
- * Prof Lawrence Hartley in WA focussing on Fatigue Causes
- * The NRTC working group on Fatigue Management
- * Dr Philip Swan at VicRoads looking at fatigue management strategies

All this was used to help identify the current problems, facts and issues in driver health and fatigue within the industry. There were no surprise outcomes of this research, which has been publicly available for many years, the key question became how do you turn the culture and mindset around from one of accepting this as part of the industry, to one of managing and improving the risks.

A pilot group of 29 operators were selected to trial an industry accreditation scheme which would dramatically reduce the risk and improve the health and fatigue of drivers on an ongoing basis. The 29 operators were selected across a cross section of Australia, covering off the size of operators, geography and location and type of freight carried. These pilot operators were given 10 months to implement the industry accreditation model.

After the initial 29 operators and some modifications to the model, 200 operators from across the country were asked to then implement the revised model and standards, and become the first accredited operators in the country, which could demonstrate meeting minimum standards in all of the four key categories identified. Each operator would be audited by a third party external auditor, which would then be reviewed and accepted or rejected by the newly appointed accreditation council, chaired by Professor Michael Coper, Dean of Law at the Australian National University and a member of the National Driving Hours Group formed under the auspices of the Australian Road Transport Advisory Committee which instigated the work which led to the development of the national log book system and the Fatigue Management program.

The Team 200 model, has now evolved into TruckSafe, which is the current model in place today, with some optional add-on's including Mass Management, Workers Compensation, Animal Care and the like. Over 300 transport companies have achieved TruckSafe Accreditation with another 300 currently undertaking the program. This has seen a huge cultural improvement in the trucking industry, not the least being drivers being treated as an asset, and the most important link in the delivery of an efficient, safe and professional transport industry.

Driver Health:

During the driver health process, it became clear that the level of driver health and fatigue was a direct response to the environment in which he lived and worked. Trends and themes started to emerge.

- * One in five drivers were exhibiting the clinical symptoms of fatigue
- * Employers were struggling to cope with and manage fatigue
- * Drivers were taking medication as a last resort risk management tool
- * Customers did not care about or think about driver fatigue
- * Marketing departments of customers and supply chains never gave any thought to the transport component when promoting offers to the market place
- * Families and drivers were genuinely concerned about health and fatigue
- * Log books did not manage fatigue
- * There is no ongoing driver health support network on the road. Truck breakdowns were supported by a 24-hour 1800 number, but there was no "emergency assist" for drivers
- * Freight forwarders and receivers never considered the driver fatigue component in the decision making of their work practices and policies.
The starting point was to support the drivers, to ensure that a medical health process would be perceived and received as a support to them not a threat. An annual

medical process was created which screened for driver risk factors which included cardiovascular disease, sleep disorders, family history, current symptoms, disease screening, and preventative health issues based on age, freight task, and the like. All drivers were screened in line with the NRTC Driver health standards which the ATA participated in and endorse.

Doctors were screened by the drivers and operators and selected on the basis of their experience, availability and enthusiasm to perform the medicals. The empanelling of doctors was a joint initiative between drivers and management, that way, the doctors could play a truly professional and impartial role, and focus on supporting drivers and managing risk factors.

Because of the high number of sleep disorder symptoms, a 24-hour referral service was established for drivers to sleep disorder specialists. That way treatment could be pursued quickly, and drivers would be able to better cope with the freight task.

Driver health promotion initiatives focused on the home, and regional programs, that way it would better target behaviour changes, and create a greater cross section of promotional activities. The key focus for driver health promotion activities has been:

- * Stop Smoking
- * Weight Loss
- * Improved diet
- * Manual Handling
- * Exercise
- * Cancer Prevention (skin, prostate, other)
- * Cardiovascular health

The Driver Health program is the largest preventative men's health program in the country.

Driver Fatigue:

From our research it was evident that the proper management of driver fatigue, did not just start by having minimum levels of driver health, the causes of driver fatigue were not just driver related, it had to also cover off the other key stakeholders:

- * Management
- * Scheduling
- * Pre & post trip minimum requirements
- * Prescriptive formula to driving hours
- * Loading & unloading
- * Managing rest

A world wide review of literature and delegations to view fatigue management strategies around the world was undertaken, all of which suggested that a "greenfields" exercise would need to take place to address the issue of the proper management of driver fatigue.

A joint venture was established with Queensland Transport to design, trial, research and come up with an industry Fatigue Management Program (FMP) which could be properly viewed, audited and accounted for.

A national steering committee was established which represented every transport agency in Australia, FORS, Worksafe, NRTC, ATA, Insurance Industry, Operators, and police from all

states. The steering committee oversees all activities of FMP, and takes recommendations to the heads of each transport agency and ultimately the Ministers for approval.

It was recognised that log books do not manage fatigue and that another system had to be developed that managed fatigue in a more flexible yet more accountable manner. The focus had to move from counting hours to managing rest. The research was clear; the more rested a driver, the greater the likelihood that fatigue could be managed. The more flexibility there was in scheduling, the greater the likelihood that fatigue could be managed.

The project was broken into two phases:

- Phase 1: To design and trial the standards and FMP framework
- Phase 2: To research the effectiveness of the standards and framework

Five operators were asked to participate in phase one (including an owner-driver), with the prerequisite that they needed to have successfully implemented TruckSafe. It was decided, and later proved, that this was necessary for operators because FMP is a culture change program, and TruckSafe was an excellent preparatory step, especially the driver health and vehicle maintenance standards.

An FMP model was designed which looked at core and non-core items depending on the operator and freight task undertaken. These included:

- * Rostering
- * Scheduling
- * Unloading/loading
- * Pre trip preparation
- * Driver selection
- * Driver training
- * Driver health
- * Definitions of time at work / time not at work / time not working / rest
- * Driver diaries
- * Vehicle standards and maintenance requirements
- * Rest facilities (on and off road and depot's)
- * Driver fatigue symptoms
- * Breakdown procedures

Phase one concluded in 1997, with agreement that we now have a workable model and framework to trial. A Phase two has now been established with 15 operators throughout Australia agreeing to trial the model and undergo research to establish the effectiveness of the model, comparing a prescriptive regulatory regime (log books), to a more flexible yet accountable approach (FMP).

Phase 2 is half way through its life span, with research results aiming to start to become available at the end of this year.

During the conduct of the pilot there has been no fatigue-related accidents reported, and since the introduction of TruckSafe, the participants have had a marked decline in:

- * Fatigue related accidents
- * Accidents generally
- * Driver sickness

- * Injuries and accidents overall

Western Australia have used the FMP framework and introduced a code of practice for operators in Western Australia. This is a particularly useful exercise as it helps promote the message and methodology for managing fatigue in an environment that has no prescriptive regime and vast distances over extreme geography and climate needs to be covered.

C) CUSTOMER CULTURE REFORM

FMP Logistics Management:

Whilst implementing the FMP Model phases one and two, it became clear that of the 11 elements that directly impact on the cause of fatigue to drivers, only 4 were exclusive to drivers and operators, the rest was significantly contributed by other members of the supply chain. Specific reference is made here to:

- * Scheduling
- * Queing
- * Loading procedures and work practices
- * Unloading procedures and work practices
- * Rest facilities
- * Delivery promises
- * Receiving windows and timelines
- * Trip planning
- * Freight movements for a week
- * Seasonal peaks and troughs
- * Senior Management Commitments and accountability
- * Supply chain breakdowns and business interruptions

Operators and drivers alone cannot address or fix these major causes of fatigue without the support and cooperation of all supply chain members. In 1997 a joint initiative was developed between the ATA and BHP to target one of its key supply chains and create an FMP Logistics Management Model. It was agreed a two-phased program would be developed:

- * Phase one design the model and framework
- * Phase two trial the model and framework and measure its effectiveness

The Tin Mill at Port Kembla was established as the phase one model, and has called in the following supply chain members:

ATA, BHP Steel, BHP Transport, BHP Marketing, Toll Holdings, Mayne Logistics, National Can, Amcor Food Cans

Three sets of trial standards have now been created:

- * FMP Supplier Standards
- * FMP Transport Standards (as per FMP Phase 2)
- * FMP Receiver Standards

These are currently being implemented which will be ready for auditing in August of this year, and by the end of October, the aim is to then target another 5 supply chains across Australia,

to then trial and measure the effectiveness of the FMP Logistics Management Framework – the timing of this depends largely on available ATA funds.

It is this initiative which ultimately fundamentally change the culture of transport in Australia from one of accepting fatigue as part of the industry, to managing fatigue as a business imperative. Soon major contracts and tenders for transport in Australia will have as a not negotiable feature (regardless of size), a requirement that all concerned can demonstrate that fatigue is being effectively managed.

The management of driver fatigue cannot be effectively controlled or pinpointed to one exclusive area, it requires total commitment and cooperation from all members of the supply chain, and as we have learnt along the way, a preparedness for transport agencies, regulatory bodies, Ministers and police to actually change and move with the times.

Fatigue as we have learnt starts with the “market offer” and finishes when a consumer actually purchases the finished product. For too long drivers have been held accountable, fined and in some cases jailed for the ineffective management of fatigue. The community wants its merchandise transported quick, cheap, and out of eyesight.

Drivers attempt to do the right thing, and soldier on, because that is the culture, and have been historically encouraged to do so by all concerned. What we are now seeing is a shift of culture from one of denial to accountability. Fatigue management is good business, because as we have learned from all our initiatives it is the classic win/win for all. FMP Logistics Management is all about improving planning, communication and relationships within a supply chain, and hence reducing waste.

The entire process has been a green fields exercise from day one and something which can be transferred to other related industries. We have already done some exchanges with the medical profession, coal industry clothing and textile industry.

This approach has been led by industry to more effectively manage fatigue on our roads, improve the industry’s safety performance and raise levels of industry professionalism.

D) COMMUNITY EDUCATION

The Australian Trucking Association, since its establishment, has, as part of its overall work program, placed great priority into raising the level of understanding of the community in regard the role the trucking industry in Australia plays in its economic wellbeing educating the community in relation to the realities of the Australian freight task and making the community aware of the safety factors they need to understand and be aware in relation to issues such as management of fatigue and sharing the road with heavy vehicles.

These community awareness programs have included:

1. Road Transport Awareness Week
2. National Drive for Safety
3. Safety Education Trailer
4. Sharing the Road Campaigns

The Australian Trucking Association, through each of these programs, has attempted, and succeeded in raising the awareness of trucking issues in the communities mind with the aim of them better understanding and being more accepting of the important role this industry plays.

All too often, one-vehicle accident is portrayed in the media and to the community as typical of the industry's safety record, when in fact the opposite is the truth in relation to the industry's safety performance on our roads.

Whilst the issue of fatigue remains a high priority on the Australian Trucking Association work program, all too often the community views the industry as "juggernauts being driven by drivers who are fatigued and are safety risks to them".

The Australian Trucking Association will continue to work towards a greater empathy for the industry in the role it plays in the Australian economy and every persons daily lives.

The Australian Trucking Association believes that the work outlined in this submission in relation to the regulatory framework and the cultural reform that this industry has undertaken needs to be conveyed, not only to the community, but to politicians and the media and sets a framework for other industries and the community to also learn from.

RECOMMENDATIONS

The Committee acknowledge:

1. The ongoing work being carried out by industry and regulatory authorities to address the management of fatigue rather than driving hours for drivers in the trucking industry.
2. The ongoing work being carried out to raise awareness of the issue of fatigue throughout the supply chain.
3. The need for all players in the supply chain to be aware of and take responsibility for their due diligence and duty of care obligations in respect of the management of fatigue.
4. The importance of 'Chain of Responsibility' principles within road transport law as a key to the future management of fatigue.
5. The need for Chain of Responsibility principles to be underpinned by a strong will and inclination by enforcement agencies to pursue wrongdoing throughout the supply chain.
6. The need for Federal Government financial support to assist industry in running a pilot Fatigue Management - Logistics Management program and its roll out to users of trucking services.
7. The key role that the TruckSafe industry accreditation scheme and other alternative compliance models play in the better management of issues such as fatigue.
8. The unique freight task as it exists in Australia and the need to have in place a system of managing fatigue which will keep Australia globally competitive.
9. The important role the National Road Transport Commission has and is playing in developing a national and consistent operating environment for the trucking industry.
10. The need for a national and consistent approach to the enforcement of national transport law, particularly for heavy vehicles.
11. The need for greater resources and liaison between state road authorities, police and enforcement agencies to achieve a national and consistent approach to heavy vehicle enforcement, perhaps through a joint Transport and Police Ministers Ministerial Council.
12. The world leadership being exhibited in Australia by regulatory authorities and industry in pursuing a better understanding of fatigue issues as well as initiatives to address fatigue.
13. The review of driving hours which has just occurred through the NRTC process and industry's involvement in getting Australian driving hours laws right over the past 15 years.