

Presentation Instructions

Who is this presentation for?

The trainer and learners.

What is in this Presentation?

- Course information that matches the Learner Guide content.
- Review questions and model answers.
- Slides contain summarised content, with full notes and information for the trainer, visible when the slide show is shown in "Presenter View" (see instructions on next slide).
- Use this presentation to support and reinforce the training information from the Learner Guide.

What do you need to do before you use it for the first time?

1. Rebrand the presentation.
2. Review the presentation as part of your validation process.

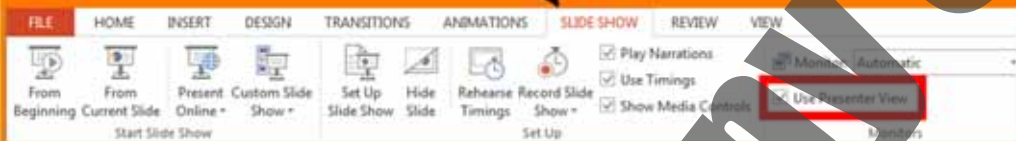
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Instructions for Viewing in Presenter View

NOTE: This view is only applicable when the computer is connected to a second screen or a data projector.

Once the second screen/projector is connected make sure that the "Use Presenter View" box is ticked.

This is found in the "SLIDE SHOW" tab as shown below.



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TIME 2010

APPLY FATIGUE MANAGEMENT STRATEGIES



TRAINING
PRESENTATION

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Training Presentation Sections

Click on a box to go to that section.



Section 1:
Fatigue Management
Legislation and
Regulations



Section 2:
Identify and Respond
to Causes and
Signs of Fatigue

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Section 1:
Fatigue Management
Legislation and Regulations



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1.1 Introduction

These materials are based on the unit of competency **TLIF2010 Apply Fatigue Management Strategies**.

They cover the skills and knowledge required to:

- ◆ Identify and act upon signs of fatigue.
- ◆ Implement appropriate strategies to minimise fatigue during work activities.



These materials are based on the unit of competency **TLIF2010 Apply Fatigue Management Strategies**.

They cover the skills and knowledge required to apply fatigue management strategies in accordance with legislative and regulatory requirements and include:

- ◆ Identifying and acting upon signs of fatigue.
- ◆ Implementing appropriate strategies to minimise fatigue during work activities.

1.1 Introduction

Work activities may include operating:

- ◆ Equipment.
- ◆ Vehicles.
- ◆ Load shifting equipment.
- ◆ Trains.
- ◆ Marine vessels.
- ◆ Aircraft.



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1.1.1 Fatigue

Fatigue is defined as the increasing difficulty in performing mental and physical activities as a consequence of inadequate restorative sleep.

It is an acute or ongoing state of tiredness that builds up, leading to a progressive loss of alertness that ultimately ends in sleep and is a major contributing factor in many accidents.

Fatigue affects workers' performance, safety and health and requires rest or sleep for recovery.



Fatigue is defined as the increasing difficulty in performing mental and physical activities as a consequence of inadequate restorative sleep.

It describes the feeling of being:

- ◆ Extremely tired, even after sleeping.
- ◆ Drained.
- ◆ Exhausted.
- ◆ Weary.
- ◆ Of low energy.
- ◆ Weak.

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1.2 Legislation, Regulations & Codes

Every workplace has to follow laws and rules to keep everyone safe. There are 4 main types:

- ◆ Acts.
- ◆ Regulations.
- ◆ Codes of Practice.
- ◆ Australian Standards.



Every workplace has to follow laws and rules to keep everyone safe. There are 4 main types:

- ◆ **Acts** – These are laws that you have to follow.
- ◆ **Regulations** – These explain what the law means.
- ◆ **Codes of Practice** – These are instructions on how to follow the law, based on industry standards.
- ◆ **Australian Standards** – These tell you what the minimum requirement is for a job, product or hazard.

1.2 Legislation, Regulations & Codes

Information on fatigue can be obtained from a variety of sources, such as:

- ◆ In the workplace.
- ◆ From government and industry associations.
- ◆ Other information sources.



Information on fatigue can be obtained from a variety of sources, such as:

- ◆ In the workplace:
 - ◆ Managers and/or supervisors.
 - ◆ Work Health and Safety (WHS) officers.
 - ◆ Workplace policies and procedures.
 - ◆ Record keepers.
 - ◆ Operations managers, schedulers.
- ◆ From government and industry associations:
 - ◆ Government WHS bodies, e.g. general information on fatigue management.
 - ◆ National Transport Commission, e.g. Guidelines for Managing Heavy Vehicle Driver Fatigue.
 - ◆ Australian Maritime Safety Authority (AMSA), e.g. Great Barrier Reef pilotage fatigue risk assessment tool.
- ◆ Other information sources recommended by:
 - ◆ Your workplace or organisation.
 - ◆ Medical or health professionals.
 - ◆ The health and safety regulator for your state/territory.

1.2.1 Legislation & Regulations

The key act and regulations that relate to fatigue management are the Work Health and Safety (WHS) Act and regulations.

WHS laws say that all companies and workers need to keep themselves and other people safe while they work - a duty of care.



The key act and regulations that relate to fatigue management are the Work Health and Safety (WHS) Act and regulations.

WHS laws set out the responsibilities for everyone to make sure the workplace is safe. WHS laws say that all companies and workers need to keep themselves and other people safe while they work. This is called a duty of care.

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1.2.1 Legislation & Regulations

Most states/territories adopted the model WHS Act and Regulations in 2012 but Western Australia and Victoria did not. If you are operating in either of these states make sure you follow the correct laws.

Of the states/territories that have adopted the Act and regulations there are some aspects that vary between the jurisdictions.



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1.2.1 Legislation & Regulations

Each state and territory will also have acts and legislation relating to road use.

Depending on the specific industry you are working in there may also be other regulations, codes or guidelines that you should make sure you are familiar with and follow.



Each state and territory will also have acts and legislation relating to road use. These laws generally cover the duties of road users, vehicle standards, state/territory specific road rules and licence and registration requirements as well as the penalties for breaking or breaching any of the laws.

Depending on the specific industry you are working in there may also be other regulations, codes or guidelines that you should make sure you are familiar with and follow.

1.2.1 Legislation & Regulations

Acts and regulations relating to fatigue management in the different sectors of the transport and logistics industry include:

- ◆ For the road transport sector: Heavy Vehicle National Law (HVNL) and regulations.
- ◆ For the rail transport sector: Rail Safety National Law and regulations (except in Queensland).



Acts and regulations relating to fatigue management in the different sectors of the transport and logistics industry include:

- ◆ For the road transport sector: Heavy Vehicle National Law (HVNL) and regulations, in particular the Heavy Vehicle (Fatigue Management) National Regulation.
- ◆ For the rail transport sector: Rail Safety National Law and regulations (except in Queensland).

1.2.1 Legislation & Regulations

Western Australia and the Northern Territory have not adopted the HVNL act or regulations and therefore there are different rules to follow in these regions.



Western Australia and the Northern Territory have not adopted the HVNL act or regulations and therefore there are different rules to follow in these regions.

Knowing the requirements of relevant laws will help make sure the workplace is safe for everyone and that WHS and fatigue management requirements are being met.

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1.2.1.1 The Chain of Responsibility

In the HVNL the Chain of Responsibility (CoR) is the system that makes sure every person in the supply chain is held responsible for making sure that breaches of the law and its regulations do not occur.

There are many different people involved in the Chain of Responsibility.

Each person, or party, will have different responsibilities depending on their role.



Similar to duty of care in WHS laws, in the HVNL the Chain of Responsibility (CoR) is the system that makes sure every person in the supply chain is held responsible for making sure that breaches of the law and its regulations do not occur.

This means that anyone who has a role in the supply chain, not just the driver or operator, can be made legally liable for any offences that occur.

There are many different people involved in the Chain of Responsibility. Each person, or party, will have different responsibilities, also referred to as a 'duty', depending on their role.

1.2.1.1 The Chain of Responsibility

The following are the different parties involved in the Chain of Responsibility:

- ◆ Employers, prime contractors and operators.
- ◆ Drivers/owner drivers.
- ◆ Consignors and consignees.
- ◆ Loading managers.
- ◆ Loaders.
- ◆ Packers.
- ◆ Schedulers.
- ◆ Parties in the extended liability provisions of the HVNL and/or applicable law and regulations.



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- ◆ Packers.
- ◆ Schedulers.
- ◆ Parties in the extended liability provisions of the Heavy Vehicle National Law (HVNL) and regulations or applicable state/territory law and regulations.

1.2.1.1 The Chain of Responsibility

All parties in the CoR and any agents of any of these parties:

- ◆ Have a general duty of care to influence the conduct of drivers/operators to manage fatigue.
- ◆ Are required to take all reasonable steps to manage the fatigue of drivers/operators in the workplace.
- ◆ Have responsibilities to prevent driver/operator fatigue.
- ◆ Have responsibilities to comply with the legal work/rest hours.



All parties in the CoR and any agents of any of these parties:

- ◆ Have a general duty of care, consistent with WHS laws, to influence the conduct of drivers/operators to manage fatigue through their actions, inactions or demands.
- ◆ Are required to take all reasonable steps to manage the fatigue of drivers/operators in the workplace, including managing the causes of fatigue.
- ◆ Have responsibilities to prevent driver/operator fatigue.
- ◆ Have responsibilities to comply with the legal work/rest hours.

1.2.1.1 The Chain of Responsibility

CoR includes the responsibilities of corporate entities, directors, partners and managers and their accountability for ensuring that the actions or inactions of people under their control are in line with the HVNL and do not cause breaches or influence anyone in the chain to break the HVNL.

A job title does not decide whether a person is a part of the chain of responsibility – it is whether they perform any of the duties or hold any of the responsibilities.



CoR includes the responsibilities of corporate entities, directors, partners and managers and their accountability for ensuring that the actions or inactions of people under their control are in line with the HVNL and do not cause breaches or influence anyone in the chain to break the HVNL.

For example, a scheduler could be held responsible if a driver is found to be operating a vehicle while fatigued if the scheduler did not include appropriate rest breaks in the driving schedule.

Some people may take on more than one area of responsibility, for example a driver may also have the role of scheduler for their work. In all situations each person needs to be aware of the responsibilities for every role they carry out.

It is important to remember that a job title does not decide whether a person is a part of the chain of responsibility – it is whether they perform any of the duties or hold any of the responsibilities.

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1.2.2 Codes of Practice, Guidelines & Standards

Another way you can make sure you are working safely and meet the requirements of the laws is to follow the information and processes set out in Codes of Practice, guidelines and Standards.



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1.2.2 Codes of Practice, Guidelines & Standards

Codes of Practice and guidelines provide detailed, practical information on how to meet the requirements in acts and regulations.

The details in codes or guidelines usually vary between states and territories.



Codes of Practice and guidelines (or guides) provide detailed, practical information on how to meet the requirements in acts and regulations. They are usually produced by government or industry bodies and the details in codes or guidelines usually vary between states and territories.

Examples of codes and guidelines that relate to fatigue management and WHS include:

- ◆ How to Manage Work Health and Safety Risks – Code of Practice (except Victoria).
- ◆ Fatigue Management – A Worker's Guide (produced by Safe Work Australia).
- ◆ Road Transport Fatigue Management Code of Practice (NT).

In the maritime sector there is the Fatigue Risk Management Plan – The Default Plan (FRMP). This plan is relevant for pilotage providers and licensed pilots.

The plan details minimum rest break requirements as well as leave

requirements.

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1.2.2 Codes of Practice, Guidelines & Standards

Standards set out procedures or guidelines to follow or specifications to be met.

A standard relating to fatigue management and ensuring a safe workplace for everyone is:

- ◆ AS/NZS ISO 31000:2009 – Risk management – Principles and guidelines.

This standard sets out how to manage risks in the workplace.



Standards set out procedures or guidelines to follow or specifications to be met. Some standards are only relevant to Australia, some to Australia and New Zealand and others are international standards.

A standard relating to fatigue management and ensuring a safe workplace for everyone is:

- ◆ AS/NZS ISO 31000:2009 – Risk management – Principles and guidelines.

This standard sets out how to manage risks in the workplace, including processes to follow to identify possible risks or hazards and how to control them.

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Section 1 Review Questions

1. List 5 sources of fatigue information from within your workplace.



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Section 1 Review Questions



1. List 5 sources of fatigue information from within your workplace.

- ◆ Managers and/or supervisors.
- ◆ Work Health and Safety (WHS) officers.
- ◆ Workplace policies and procedures.
- ◆ Record keepers.
- ◆ Operations managers, schedulers.

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