

BLACK & WHITE CABS



Fatigue Management Policy

1.0 BACKGROUND

Different legislation across multiple jurisdictions provides the legal obligations and responsibilities associated with safe use of a vehicle for work purposes. Workplace Health and Safety (WHS) obligations are owned by several persons, including employers, workers and persons in control of workplaces. A workplace includes a vehicle used for work related purposes.

A person conducting a business or undertaking has an obligation to ensure the WHS of their workers and any other persons, is not affected by the conduct of the business or undertaking. The obligation is discharged if each of the employer's workers and any other persons are not exposed to risks to their health and safety arising out of the conduct of the business or undertaking.

Discharging this obligation includes but is not limited to:

- Providing and maintaining a safe and healthy work environment
- Ensuring safe systems of work
- Providing information to ensure health and safety.

Applied to the taxi industry, the obligations of the operator may include providing drivers with information about:

- The safe use of vehicle
- Safety features of vehicles and instruction how to use them
- The causes and effects of fatigue
- Safe maintenance of the vehicle
- Requirements of road safety laws

Taxi drivers and operators have obligations under the WHS legislation as self-employed persons:

- A self-employed person has an obligation to ensure the self-employed person's own workplace health and safety in the conduct of the self-employed person's business or undertaking.
- A self-employed person has an obligation to ensure other persons are not exposed to risk to their health and safety arising out of the conduct of the self-employed person's business or undertaking.
- A person who conducts a business or undertaking has an obligation to ensure the health and safety of each person who performs a work activity for the purposes of the business or undertaking.

Applied to the taxi industry, a driver's duties would include:

- Holding a current, valid driver's licence
- Abiding by all the road rules (e.g., speed limits, alcohol consumption)
- Refraining from driving impaired by tiredness or medication
- Reporting any incidents required by law or by the operator's program
- Carrying out routine vehicle checks required by the driver

Both taxi operators and drivers have duties to each other and to others (the passengers) who might be affected by the work they undertake. In the case of the taxi industry, this includes other road users, passengers and people at locations where the driver stops to carry out work.

2.0 CHAIN OF RESPONSIBILITY

A common requirement for legislation across all state jurisdictions in which Black & White Cabs operate is the concept of a chain of responsibility.

Under this chain of responsibility, the Booking Network and the Taxi Operator have wide ranging responsibilities to ensure safety for patrons and the wider public who interact with their affiliated or operated taxis. One of these is a shared responsibility to oversee and monitor driver fatigue and ensure that drivers are always fit to drive whilst in control of a commercial passenger vehicle.

With Fatigue monitoring, the Network and Operator share the responsibility with drivers to take all reasonable steps to ensure the driver of the Taxi does not drive whilst in a fatigued state that puts anyone (including themselves) at risk.

In each respective state's legislation, you will find the legal obligations of each participant in the personalised transport supply chain, with a strong focus on improved safety outcomes.

A general overview of the obligations, whilst wording will differ from state to state is covered below.

THE CHAIN OF RESPONSIBILITY INCLUDES

- booking networks (BEAH, BSP, TSP & ODBS)
- local nominees of foreign booking entities.
- operators
- licence holders
- drivers
- registered operators of vehicles

REQUIREMENTS OF BOOKING NETWORKS

The responsibility of booking Entities under the chain of responsibility include:

- monitoring to assist drivers to comply with driver fatigue management requirements.
- monitoring that drivers hold and maintain Driver Authorisation
- training drivers to government-set standards in relation to disability awareness, anti-discrimination (including sexual harassment) and the provision of wheelchair accessible services.
- facilitating approved security camera downloads on behalf of operators
- monitoring that all vehicles are licensed and compliant.

REQUIREMENT OF TAXI OPERATORS

- meeting driver fatigue management requirements
- ensuring that drivers hold and maintain Driver Authorisation
- ensuring drivers are trained to government-set standards in relation to disability awareness, anti-discrimination (including sexual harassment) and the provision of wheelchair accessible services.
- ensuring personalised transport services operate under a taxi, limousine or booked hire service licence
- vehicle maintenance
- ensuring safety requirements.

REQUIREMENTS OF DRIVERS

Drivers' responsibilities include:

- be affiliated with an authorised booking entity to provide personalised transport services
- hold and maintain the appropriate driver authorisation
- be trained to government set standards in relation to disability awareness, anti-discrimination (including sexual harassment) and the provision of wheelchair accessible services
- the first line in fatigue management is that drivers meet fatigue management requirements.

For all details relating to the chain of responsibility in each state please refer to the relevant legislation from each state.

3.0 BLACK & WHITE CABS POLICY

TAXI BOOKING NETWORK (BEAH, BSP, TSP & ODBS)

Black & White Cabs controls access to dispatch facilities. By setting time limits, Black & White Cabs can determine how long a driver is permitted to access bookings from their platform. Given that there is no way Black & White Cabs can determine the fatigue level of any driver at any time, the best effort will be by ensuring mandatory working limits in any 24-hour period.

Black & White Cabs dispatch system will perform round the clock checks on all drivers logged into the dispatch equipment. The system will not allow any driver access to the system for more than 16 hours in any 24-hour period. Once the driver has accumulated 16 hours, the system will become inaccessible.

It is anticipated that drivers will have sufficient other breaks during a shift when waiting for jobs and having self-monitored breaks to ensure that fatigue levels will be maintained at satisfactory levels.

Drivers are required to accept a number of Terms and Conditions prior to signing into the dispatch equipment. These conditions include a number of requirements to ensure the driver confirms their condition is sufficient to drive safely.

Any driver who has not exceeded 16 hours in any 24-hour period, will be given permissions by the system to log into the dispatch system on the condition they acknowledge and accept the Terms and Conditions. One of the requirements deals specifically with a self-analysis of their state of fatigue and is worded as follows:

I have considered my fatigue levels and I am 100% sure I am fit to drive. For further information please refer to the company webpage - blackandwhitecabs.com.au/company-policies

Black & White Cabs will provide a suite of Fatigue Management tools to assist operators and drivers appropriately manage fatigue. This information can be found on the [Black & White Cabs Website](#)

OPERATORS

Operators hold a responsibility to ensure driver safety and driver fatigue are closely monitored. There are several things that an Operator can do to ensure drivers are aware of their obligations under law. These include:

- If you run multiple cars, consider, toolbox talks and team meetings relating to safety topics associated with the taxi industry and operations highlighting issues and strategies to mitigate risk.
- Road rule knowledge tests and quizzes undertaken in a friendly non-threatening manner to educate personnel on road rules and updates. Possibly focus on a road rule of the week.
- Monitoring rosters and sign-in times of drivers and ensuring that drivers are taking regular breaks and having days off at regular intervals.
- Safety alerts can be used as a communication knowledge improvement or reminder mechanism in response to a recent incident within the taxi fleet. For example, reminders about processes to ensure safety while reversing in response to a recently reported reversing incident.
- Driver assessment could be undertaken using a qualified driving training provider to conduct an in vehicle driving assessment and education program for drivers.
- Driving safety workshops and seminars could be scheduled to implement behaviour and attitude change programs.
- Fact tip sheets can be developed to highlight issues and solutions and put up on notice boards or kept in cabs.

Operators should also consider introducing a pre-shift Fatigue Template for drivers to complete and hand in at the commencement of any shift.

DRIVERS

Drivers have the ultimate responsibility for their fatigue levels as they are the only ones who truly know if they are fatigued or not. Regular breaks including getting out of the vehicle to stretch will assist drivers in battling any fatigue issues.

Drivers should not work tired and if they are feeling the effects of fatigue, must cease work and rest until they have sufficiently restored their energy levels. This is a condition of a driver operating a Black & White Cab and is displayed to the driver on the MTI dispatch system at the Terms and Conditions screen as per below:

I have considered my fatigue levels and I am 100% sure I am fit to drive. For further information please refer to the company webpage - blackandwhitecabs.com.au/company-policies

A Driver must understand that they are accountable for their own actions and whilst Black & White Cabs will attempt to make them understand what they need to do to ensure risk of fatigue is minimalized; the ultimate responsibility sits with them.

To assist in monitoring fatigue, the following system rule have been enabled:

1. Drivers will only be able to access the dispatch system for a maximum of 16 hours in any 24-hour period.

Once the 16-hour limit has been reached for the 24-hour period, the system will automatically lock you out and not allow you to log in until you have had sufficient break time.

Naturally, if a driver is tired, they should not drive a cab.

SMALL FLEETS/CALL OUTS

For those smaller fleets where the Network may be required to call vehicles out to cover bookings and the driver has exceeded their working hours the following process will apply.

1. The Call Centre will ask the driver if he is able to complete the job and that the driver is comfortable that he or she is not fatigued.
2. The Call Centre will grant an extension of the working hours for the time it would take the driver to cover the relevant booking.
3. Once the booking is complete the driver will not be able to stay out or remain logged in.

5 or Less Vehicle Fleets

For fleets with less than 5 vehicles, who are responsible for monitoring their own bookings, the login work hour settings mentioned in this policy will not apply to these fleets. Drivers will be required to report to Black & White Cabs via an online form of their actual working hours as opposed to logon hours. Black & White Cabs will monitor the accuracy of this reporting by conducting audits of car movements by these fleets.

PROCESS FOR MANAGING DRIVERS

The System will automatically logout a driver after 16 hours of log on. Drivers will also be monitored in the event of a substantiated complaint outlining behaviours detailed in Section 5 of this policy, will be considered in breach and corrective action will be taken in line with normal disciplinary procedures.

All breaches will be documented internally on the ServiceDesk system and the drivers personal file.

4.0 DRIVER FATIGUE – RISK IDENTIFICATION

Driver fatigue or drowsy driving is a safety hazard for the Taxi industry. Fatigue can be caused by a number of reasons, and it is important our drivers are aware of the signs of fatigue.

When you have been awake for an extended period, a chemical called adenosine is produced telling your brain to go to sleep. You also have a 90-minute body clock that affects you when you are awake. If you are engaged in a strenuous activity, such as driving, you will feel very tired if you do not take a break for at least 30 minutes at least every 2 hours of driving.

Driver fatigue is a term sometimes used to describe the experience of being sleepy or tired. Fatigue is not just a problem for drivers on long trips as any driver can suffer from fatigue even on short trips. The effect of fatigue is both physical and mental experience and can severely impair judgment when driving. Driver fatigue can cause lapses in concentration that may prove fatal (TMR, 2017).

One of the main problems with fatigue is that it slowly develops, and drivers do not realise they are too tired to drive safely (TMR, 2017). There are warning signs a driver may be fatigued and not capable of driving safely. Another problem is that individuals are often not reliable judges of their level of fatigue. That is why it is also the responsibility of the booking entity and/or operator to identify the signs of fatigue and ensure a driver is prohibited from driving while their driving ability is impaired by fatigue.

Considering the risks associated with driver fatigue, it is clear there is a need for risk management processes.

ASSESSMENT AND EVALUATION

LIKELIHOOD: Fatigue is particularly dangerous because it can affect anyone, even very experienced drivers. Fatigue is involved in up to 30% of fatal crashes and severe injuries (CARRS-Q, 2015).

CONSEQUENCES: The severity of consequences from a crash, ranges from injury, permanent disability and potentially death. These outcomes are associated with high financial, operational and social costs.

RISK LEVEL: Prior research has shown the taxi industry in Queensland does have general fatigue management procedures; however, fatigue was considered a considerable and ongoing risk within the industry, with drivers that drive taxis as a second income considered a high risk (Wishart et al., 2016). Universally, driving fatigued is a risk to the driver, passenger(s) and public safety in general.

RISK MITIGATION AND TREATMENT

For **booking network/operators** the risk can be reduced by:

- Taking responsibility and being accountable for fatigue management and not driving fatigued
- Making scheduling and rostering a priority for driver(s)

- Provision for realistic rosters with adequate rest breaks and some flexibility with the management of fatigue

For **driver(s)** the risk can be reduced by:

- Not driving while tired and disclosing issues that may affect fatigue levels
- Stop on a regular basis, at the very least once every two hours or when you feel you need one to take a short break. The break can include walking around, doing some light exercise or some breathing exercises.
- Do not rely on quick fix 'stay awakes' such as double dose coffee, energy drinks or tablets
- Getting plenty of sleep between shifts
- Use the car's air conditioning to increase your comfort level
- Do not drive longer than 14 hours per shift
- Eat healthy food, avoid fatty or high calorie food and drinks
- Have regular health checks to ensure you do not have a sleeping disorder.

5.0 SIGNS OF FATIGUE

A driver must not drive a fatigue-regulated heavy vehicle on a road while impaired by fatigue. Drivers may be impaired by fatigue even when complying with work and rest limits. It is important to spot the signs of fatigue and take a break.

Common signs of fatigue are:

- A lack of alertness
- Inability to concentrate
- Making more mistakes than usual
- Drowsiness, falling asleep or micro-sleeps
- Difficulty keeping your eyes open
- Not feeling refreshed after a sleep
- Excessive head nodding or yawning
- Blurred vision
- Mood changes
- Changes to personal health or fitness

Common signs of fatigue while driving your taxi are:

- Near miss or incident
- Yawning (Sleepiness)
- Blurred vision
- Can't keep your eyes on the road
- Nodding your head
- Not maintaining a constant speed
- Not keeping a single lane
- Poor turning
- Daydreaming
- Imagining objects that are not there
- Slow Reaction times including overshooting a sign or line
- Poor gear changes

6.0 CAUSES OF FATIGUE

- Causes of fatigue can be work related, personal or a combination of both. They can also be short term or accumulate over time.
- Work causes of fatigue might include:
 - prolonged or intense mental or physical activity
 - sleep loss and/or disruption of your internal body clock
 - organisational change
 - travel
 - exceptionally hot or cold working environments
 - work scheduling
 - excessively long shifts
 - not enough time to recover between shifts
 - strenuous jobs
 - long commuting times.
- Some workers are at a high risk of fatigue because their work typically involves some or all these factors, for example:
 - shift workers
 - night workers
 - fly-in, fly-out workers
 - drive in, drive out workers
 - seasonal workers
 - on-call and call-back worker
 - emergency service workers
 - medical professionals and other health workers.

7.0 IMPACTS OF FATIGUE IN THE WORKPLACE

Fatigue in the workplace doesn't only impact on workers' mental and physical health, it can also impact on the health and safety of those around them.

Fatigue can result in a lack of alertness, slower reactions to signals or situations, and affect a worker's ability to make good decisions. This can increase the risk of incidents and injury in a workplace, particularly when driving a taxi.

8.0 MANAGING FATIGUE IN THE WORKPLACE

Everyone in the workplace has a work health and safety duty and can help to ensure fatigue doesn't create a risk to health and safety at work.

Examples of identifying factors that may cause fatigue in the workplace include:

- consulting workers—managers, supervisors and health and safety representatives—about the impact of workloads and work schedules, including work-related travel and work outside normal hours
- examining work practices, systems of work and worker records, for example sign in-out sheets
- reviewing workplace incident data and human resource data.

Examples of control measures for fatigue risks that could be considered include:

- work scheduling
- shift work and rosters
- job demands
- environmental conditions
- non-work related factors
- workplace fatigue policy.

Providing information and training to workers about the factors that can contribute to fatigue and the risks associated with it will help them to not only do their job, but also implement control measures to minimise the risk of fatigue in the workplace.

Training about fatigue and relevant workplace policies will be developed and made available to all persons in the Chain of Responsibility.

Once control measures are implemented, they will be monitored and reviewed to make sure they remain effective.

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