



NZ TRANSPORT AGENCY
WAKA KOTAHI

GUIDELINES AND STANDARDS FOR PREPARING AN ALTERNATIVE FATIGUE MANAGEMENT SCHEME APPLICATION

The Transport Agency may only approve an AFMS when it is satisfied the approval will not significantly increase road safety risk.

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Terms used in this document

ACC	Accident Compensation Corporation
AFMS	Alternative fatigue management scheme approved by the Transport Agency that permits drivers working for a licensed transport operator vary the period of work or rest time they must take during each cumulative work day.
Approved flexible rest time limits	AFMS flexible rest time limits approved by the Transport Agency in accordance with section 30ZA of the Land Transport 1998
HSE	Health and safety in employment, essentially compliance with the Health and Safety in Employment Act
Normal limits	Work time limits contained in section 30ZC of the Land Transport 1998
Transport Agency	The NZ Transport Agency

Introduction

The Transport Agency may charge a fee for processing your AFMS application. Contact us for details.

The application process

An application approval to operate an Alternative Fatigue Management Scheme (AFMS) must be made on the application form provided.

What is an AFMS?

An AFMS:

- Is a risk management programme through which driver fatigue is proactively managed.
- Gives licensed transport operators the opportunity to manage working and rest time in a way that addresses the specific needs of their business while ensuring.
- May permit variations to allowable rest breaks or an extension of a cumulative work day.
- Is designed and managed by individual transport operators.

The operation of an AFMS must be approved by the Transport Agency prior to its use by the operator. In seeking Transport Agency approval, operators are required to undertake a full hazard analysis which includes documenting how they will manage those factors that contribute to fatigue.

Benefits in operating an AFMS?

Operating an AFMS can provide a number of benefits. These include:

- Taking a proactive approach to workplace fatigue management; assisting towards compliance with the workplace health and safety and meeting duty of care responsibilities.
- Improving business efficiency:
 - The ability to manage planned work that may exceed those prescribed in the law, eg operators running vehicles between Auckland and Christchurch being able to plan for these trips by having appropriate countermeasures in place
 - The ability to manage unplanned delays, eg stock trucks being delayed in delivering stock to a freezing works
 - Improving utilisation of vehicles and plant.

Setting up an AFMS

Setting up an AFMS can be quite a task although some operators may have systems and process in place that could make the task simpler.

It is recommended that any operator thinking about applying to operate an AFMS consider this step by step.

Step 1

Appoint a project manager to lead the development and management. This person should be somebody who understands:

1. The importance of preventing driver fatigue,
2. Your systems and processes for scheduling and rostering,
3. How your business operates,
4. and who has the time to manage the AFMS processes.

Step 2

Review your current operational systems and processes against the AFMS standards shown in this guide.

Step 3

Define the operational limits and counter measures

- a. Aim for normal operating limits where possible
 - Normal operating limits should apply to most trips most of the time and based on normal work schedules and patterns.
 - They will be specific to your business.
 - They should be used to reduce the potential for fatigue to develop in planned and foreseeable situations.
 - They may be less than the current legal limits but must never exceed them.

- b. Flexible operating limits
 - Flexible operating limits allow drivers to exceed the prescribed (legal) work time limits to deal with special circumstances provided the AFMS standards are met and the fatigue related risk is appropriately managed.
 - Flexible limits may also be used for specific, pre-planned trips, which cannot reasonably be completed within normal operating limits.
 - Flexible limits should be used sparingly.
 - Risk must be assessed and countermeasures applied to ensure the fatigue risk is managed whenever the flexible range is used.
 - The maximum flexible operating limit that is likely to be approved is 15 hours work time in any cumulative work day.

Countermeasures

- You must develop and document countermeasures to be used every time a driver operates in the flexible range.
- The Transport Agency must be satisfied that the countermeasures you propose will be effective in managing fatigue. Once agreed, you will be audited against the use of your countermeasures in your AFMS.
- It is important to recognise that fatigue can still occur when operating within normal limits. All activities therefore require careful management and may require the use of appropriate countermeasures.
- The general rule is where you reduce the opportunity for sleep or rest in one period this must be balanced by increased opportunities in the next period. The greater the flexibility, the more stringent the relevant countermeasure(s) will need to be.
- Your AFMS proposal must include at least one countermeasure for each operating parameter.

Example - Countermeasures and Operating Limits

Prescribed hours in cumulative work day	Work time Extended by (hours)	Total work time in a cumulative work day (hours)	Next rest break extended by (hours)	Next work period reduced by (hours)	Comment
13	1	14	1	0	1. Where the work starts or finishes between midnight and 6am or the period of work includes work during this period the rest required before the next work period commences must be extended by an additional hour to that shown in the table. 2. Does not apply if the rest break immediately following the extended work period is at least 24 hours in duration.
13	2	15	1	1	

Step 4

Consult with driver representatives

- It is a requirement of the Land Transport Act that you consult with representatives of your drivers, for example the unions or the drivers and contractors themselves. This consultation must be documented.
- Having a consensus on the schedules and rosters that make up your AFMS will give a better chance of your AFMS being approved.

Step 5

- Complete the AFMS application form

The Transport Agency reserves the right to exclude a driver or drivers from participating in your AFMS. This could happen if the driver's safety record indicates a history of non-compliance and/or a potential to be a risk to road safety.

Joint Management application

There is the ability to have other operators (TSL holders) with whom you have contracts (other than employment contracts) to operate under your approved AFMS via a Joint Management provision.

When you complete your AFMS application you need to tell the Transport Agency that you give permission for these operators to work under your AFMS.

The contractors will each have to apply to use your operating limits and countermeasures while they are providing transport services for you. It is expected that the management of the AFMS will be undertaken by you on behalf of the contractor.

The contractor will only be able to use the AFMS approval when providing transport services to you (the holder of the scheme).

Further information to support your application

When considering your application the Transport Agency may ask you to provide further information or make changes to your application and resubmit it.

The Transport Agency may also ask you to make an oral submission in support of your application to assist understanding how your company is operated and how an AFMS will work for you. The Transport Agency will not contribute to any costs you incur in making this oral submission.

An entry review of your policies and procedures associated with the AFMS may also be carried out by the Transport Agency or a person acting on behalf of the Transport Agency. This review is to ensure that you have robust systems and processes in place to manage your AFMS. The Transport Agency will be able to provide you with assistance and advice on any matters that need more work.

Approved or declined?

The Transport Agency will assess your application and advise you in writing if your application is approved or declined.

If you are declined the Transport Agency will tell you why your application was declined. You may appeal the decision to the District Court.

Related documents

- AFMS application form
- Preventing driver fatigue, A guide for supervisors and dispatchers
- Preventing driver fatigue in the commercial road transport industry, A good practice guide

Fatigue Management Standards

What is a standard?

A standard is a means to ensure consistency of quality and safety outcomes. It is often expressed as good practice. Good practice is used instead of best practice as it implies that the process is always evolving and improving. Best practice implies that the process has reached a stable state where little improvement is possible.

Good practice is based upon the principle that there is a technique, method, process, activity, which is more effective at delivering a particular outcome than any other technique, method or process. The principle being that with proper processes, checks, and regular planned reviewing, a desired and consistent outcome can be delivered with fewer problems and unforeseen complications.

These standards

These standards are those that an operator seeking approval to operate an AFMS must show evidence of prior to approval of their AFMS by Transport Agency. If approved, operators must continue to maintain these standards.

Transport Agency is likely to audit the operator's use of their AFMS against these standards as well as against any additional conditions imposed when their AFMS is approved.

PERFORMANCE STANDARD 1- Operator commitment and management of AFMS

1. Standard

The operator is able to demonstrate an active and consultative commitment to the management and operation of workplace health and safety, this includes fatigue prevention.

Employees participating in the AFMS are aware of their delegations, responsibilities and duties and carry these out accordingly.

2. Criteria

Requirements:

- a. There is a documented workplace HSE policy in place that includes fatigue prevention and which is authorised by the current Chief Executive Officer or other delegated senior management representative of the organisation.
- b. The policy outlines duties of management and individual employee responsibilities for HSE including fatigue prevention.
- c. All management and employees involved in the AFMS are made aware of any delegations, responsibilities and duties they must undertake as part of the AFMS and agree that they are willing to do so.
- d. Records that demonstrate compliance with, and effective operation of, the HSE policy and AFMS compliance are identified, collected, stored and reviewed at regular (planned) intervals.
- e. An internal review system is in place to verify that all activities comply with HSE and AFMS standards. Non-compliances are identified, investigated, reported and appropriate corrective action is taken.

3. Evidence

Compliance with criteria can be demonstrated by:

- a. A HSE policy that includes fatigue prevention with appropriate signature(s).
- b. Managers, operations staff and drivers who can explain HSE and AFMS management practices, responsibilities and their respective involvement (eg consultation).
- c. Documentation confirming that management, operations staff and drivers are aware of their responsibilities for HSE and AFMS and accept these responsibilities.
- d. Records and requirements of participation in the AFMS that are maintained as required by the respective standards.
- e. An internal review system with documented procedures that detail the frequency of reviews, how HSE and AFMS standards reviews are conducted, who will conduct them and how these are reported and recorded.

PERFORMANCE STANDARD 2 - Information, training and supervision

1. Standard

All personnel involved in the AFMS including managers, operational staff and drivers, are provided with relevant training on HSE and the operator's AFMS.

2. Criteria

Requirements:

- a. There is appropriate recruitment, selection and induction training for new employees and drivers transferring into the AFMS environment.
- b. There is identification of HSE and AFMS training needs in relation to the specific role, tasks or area of work that will be undertaken by the employee.
- c. Communication and consultation processes are in place for the exchange of information between staff, drivers and management about HSE and AFMS.
- d. All HSE and AFMS information and training is delivered so that the key messages are clearly understood.
- e. HSE and AFMS information specific to the workplace is available to all employees involved in the AFMS and is refreshed from time to time.

3. Evidence

Compliance with the criteria may be demonstrated by:

- a. A procedure that describes the operator's training practices including:
 - recruitment, selection and HSE induction training for new employees and drivers transferring into the AFMS environment
 - identification of training needs for specific roles, tasks or areas of work.
- b. A process to determine that HSE and AFMS information and training has been understood.
- c. Personal records that indicate training attended or delivered, the subjects covered and the outcomes of any knowledge tests, assessments undertaken.
- d. Access to further information related to HSE and AFMS is available in the workplace, eg staff feedback, posters, signs, training, intranet, briefings, meeting schedules or similar.

PERFORMANCE STANDARD 3 - Driver fitness for duty

1. Standard

Drivers are fit to perform required duties.

2. Criteria

Requirements:

- a. Drivers to be fit for duty is included in the AFMS Policy.
- b. Processes for assessing driver's fitness for duty are documented together with processes to be taken if a driver is assessed as unfit.
- c. Encouragement for drivers to consider the impact of out of work activities (such as a second job, recreational activities, sport, insufficient sleep and stress-related situations) on their state of fatigue, especially cumulative fatigue, and capacity to drive safely.
- d. Drivers are trained to assess their own fitness to complete a task against the known causes of fatigue prior to and during work.
- e. Drivers advise the operator if they are unfit for duty for any reason (including any lifestyle, health or medical reason) prior to or whilst at work.
- f. Supervisors and dispatchers are trained to assess a driver's fitness to complete a task prior to and during work and actions to take if they consider the driver to be unfit.

3. Evidence

Compliance with criteria can be demonstrated by:

- a. A documented policy that describes the operator's fitness for duty assessment practices including:
 - Guidance for managers, supervisors, dispatchers and drivers on assessing fatigue and fitness for duty - includes easy access to information on the causes and symptoms of fatigue, methods of fatigue prevention, recovering from fatigue and the health factors that can contribute to fatigue.
 - Written assignment of responsibilities for fitness for duty assessments.
 - A requirement for drivers to inform their manager if they are not fit for duty together with a procedure for doing this.
- b. Managers, staff and drivers who can respond to questions about driver fitness for duty assessment practices and their responsibilities.

PERFORMANCE STANDARD 4 - Scheduling and rostering

1. Standard

Trip scheduling and rostering assist drivers and operators to prevent fatigue.

Trip scheduling and rostering takes into account and provides for:

- the time required to perform the total transport task safely including loading and unloading
- the rest periods required to recover from the fatigue inducing effects of work and out of work activities
- the cumulative effects of fatigue over several days
- the effects of time of day and quality of sleep
- the effects of changes to shifts and sleep patterns
- consultation with drivers when setting schedules and rosters.

2. Criteria

Requirements:

- a. Work time limits are documented and all relevant managers, staff and drivers are aware of these limits. Schedules and rosters that minimise the onset of fatigue are planned around these limits.
- b. No schedules or rosters are planned to extend beyond work time limits.
- c. Policies are documented regarding the use of work time limits, scheduling and rostering. Managers and driver responsibilities are clear.
- d. Drivers are provided with flexibility to alter trip schedules to maximise rest opportunities and minimise fatigue risk.
- e. Records of driver's actual work and rest times are kept and are available for audit.
- f. Rosters and schedules that include working to the work time limits are recorded, monitored and reviewed with input from managers, staff and drivers.

3. Evidence

Compliance with criteria can be demonstrated by:

- a. Documented procedures that describe the operator's scheduling and rostering practices that include:
 - how compliance with normal work time limits will be ensured
 - use of good practice procedures for scheduling and rostering so as to minimise fatigue
 - defined manager and driver responsibilities for managing scheduling and rostering to ensure normal are not exceeded
 - procedures for reviewing work and rest times to ensure compliance with approved conditions and to report non-compliance to the Transport Agency
 - procedures for setting and reviewing schedules and rosters that include consultation with drivers

and feedback from managers and effected staff

- operations staff and drivers who can describe work time limits and their respective involvement
- b. Information to verify compliance with normal work time limits is available to the Transport Agency for audit. Information includes logbooks, pay records, driver and vehicle expense records, freight consignment notes and any other relevant information.

PERFORMANCE STANDARD 5 - Workplace conditions

1. Standard

Workplace environments and conditions, including vehicles, assist in the prevention of fatigue.

2. Criteria

Requirements:

- a. The design of the vehicle cabin is safe and suitable for the driving task.
- b. Depots provide safe and suitable facilities that are appropriate to the operation and promote good practice fatigue prevention.
- c. Vehicles and equipment meet applicable vehicle safety requirements at all times.
- d. Vehicles are maintained and pre-trip checks are carried out to ensure that vehicle defects do not compromise safety and minimise breakdowns.
- e. A process that assesses and actions reported faults and which includes feedback to drivers who report them.
- f. Vehicle service history and maintenance records are reviewed for recurring problems.
- g. Certificate of Fitness (CoF), recheck rates are reviewed and corrective actions are taken to reduce the instances of these.

3. Evidence

Compliance with criteria can be demonstrated by:

- a. A Policy/Procedures Manual for managers, staff and drivers that describes workplace condition practice including:
 - vehicle maintenance and pre-trip check practices and driver feedback
 - minimum criteria for vehicle cabs and depot facilities that meet HSE requirements and encourage good practice fatigue prevention
 - procedures for reporting concerns related to a vehicle or depot with appropriate feedback.
- b. Operations staff and drivers can describe company HSE and AFMS workplace condition practices and their respective involvement in maintaining these.
- c. Records that indicate depot and vehicle problems/faults are reported and inspections/repairs are carried out.
- d. Vehicle service history and maintenance records that are thorough and kept up to date.