

Work time and logbooks

and ferry variation

Clause 2.2(1) of the Work Time and Logbooks Rule permits a driver to count as a rest break a scheduled vehicle ferry trip that is more than 1 hour in duration.

At the end of a ferry trip a vehicle may be driven to a place of storage or a safe parking location – even if in doing this the driver’s work time for that cumulative work day will be exceeded, provided:

- >> the additional period of work time does not exceed 1 hour from the arrival time of the ferry, **and**
- >> a continuous rest break of at least 10 hours is taken immediately afterwards.

This variation allows for the transporting of freight that cannot be parked for extended periods without special attention, for example dangerous goods and livestock. It also allows drivers to drive to a location with comfortable facilities so that they can have quality rest.

Recording requirements

- >> The departure and arrival time of the ferry must be noted in the driver’s logbook as the start and end of the rest break as well as all other legal requirements.
- >> The extended cumulative work day must be recorded in the driver’s logbook and form part of the continuous record for that cumulative work period.
- >> Time on the ferry is to be recorded as rest and the additional time spent driving recorded as work time. This may extend the 24-hour recording period onto a second page.

Ferry departure and arrival time

- >> **Departure** is the time the ferry departs its berth. It is not the time the vehicle is driven onto the ferry or the time the driver arrives at the ferry terminal.
- >> **Arrival** is the time the ferry arrives at its destination and is cleared to discharge vehicles. It is not the time the vehicle is driven off the ferry.

➤ Example 1. **When ferry variation can be used to extend cumulative work day**
(Work time expires after boarding the ferry)

The use of the ferry variation in this situation increases the length of the cumulative work day beyond 24 hours.

Day 1				Day 2
5am	7pm	10pm	11pm	9am
Cumulative work day starts (after minimum 10-hour break)	Driver completes 13 hours work time + two 30-minute rest breaks after driving onto the ferry (14 hours) Starts 3 hours travel on ferry	Completes 3 hours* travel on ferry and then drives 1 hour to place of rest <small>*3 hours is an example only. Length of ferry trip can vary between 1-10hours</small>	Arrives at place of rest and commences minimum 10-hour rest break* <small>*This rest break can be extended to compensate for accumulated fatigue arising from the lengthened cumulative work day.</small>	Extended cumulative work day ends and new cumulative work day starts
14 hours at work 5½ hours work, ½ hour rest, 5½ hours work, ½ hour rest, 2 hours work		4 hours 3 hours on ferry, 1 hour driving to rest place	10-hour rest break	
Cumulative work day extended to 28 hours (24 hours + 4 hours)				

➤ Example 2. **When ferry variation cannot be used to extend cumulative work day**
(Work time expires prior to driving onto the ferry)

While waiting to drive onto a ferry a driver completes 13 hours work time (14 hours, including two 30-minute breaks). They must take a 10-hour rest break before driving the vehicle onto the ferry.

Day 1			Day 2
5am	7pm	7pm	5am
Cumulative work day starts (after minimum 10-hour break)	Driver completes 13 hours work time + two 30-minute rest breaks before driving onto the ferry (14 hours)	Starts 10-hour rest break (Day two: 5am, completes 10-hour rest break)	New cumulative work day starts and can then drive onto the ferry
Cumulative work day (cannot extend beyond 24 hours)			

➤ Example 3. **When ferry variation cannot be used to extend cumulative work day**
 (Work hours expire after disembarking from the ferry)

After driving onto a ferry a driver has used 8 hours out of that cumulative work day.
 Work must cease at 7pm to ensure a 10-hour rest during that cumulative work day is taken.

Day 1			Day 2
5am	1pm	4pm	5am
Cumulative work day starts (after minimum 10-hour break)	Driver drives vehicle onto the ferry 7½ hours work time, (including time spent driving onto ferry + 30-minute break) Starts 3 hours travel on ferry (can be counted as rest time)	Completes 3 hours travel on ferry Can only work, includes any driving, until 7pm, then must start 10-hour break Work day must end at 7pm in order to complete 10-hour break no more than 24 hours after starting that cumulative work day Ferry variation cannot be used	New cumulative work day starts
8 hours at work 5½ hours work, ½ hour rest, 2 hours work		3 hours travelling on ferry can be counted as rest, but cannot extend cumulative work day	
Cumulative work day (cannot extend beyond 24 hours)			

Important notes

The additional hour provided in the ferry variation must follow the arrival time of the ferry. It does not cover any period prior to a ferry sailing nor does it cover driving a vehicle onto a ferry prior to a sailing.

Rest time taken on the ferry and the additional hour allowed to drive to a place of storage or safe parking **cannot** be combined towards meeting the 10-hour rest break requirement. The 10-hour rest break starts when the vehicle has arrived at the place of storage or safe parking. Drivers must have a minimum 10-hour continuous rest break to reset the cumulative work day clock.

Best practice fatigue management recommends that for every hour worked in excess of 13 hours in a day the rest break should be increased by at least 1.5 hours for each additional hour worked. When work includes the period midnight to 5am the rest time should be increased by at least 2 hours for each additional hour worked.

A responsible driver will ensure that they have a minimum of 6 hours of continuous quality sleep during their 10-hour rest period.

For more information ...

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*This information is provided as a general guide only, and does not cover everything in the law.
It is not the source of the law.*