

Ref: WC01848/10

Mr Russell Grove
Clerk of the Legislative Assembly
Office of the Clerk of the House
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000



Dear Mr Grove

I refer to your correspondence regarding Report No. 4/54 of the Joint Standing Committee on Road Safety, entitled "*Report on Heavy Vehicle Safety*", dated September 2010, together with a schedule listing the Report's recommendations.

Recommendation Nine is the only recommendation relevant to my portfolio, which states:

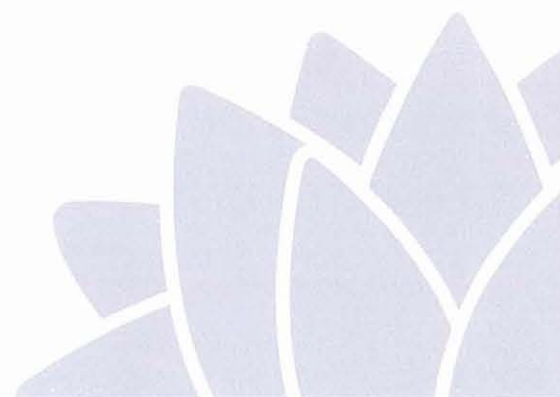
"The Committee recommends that the RTA and WorkCover NSW ensure that all strategies employed to educate and inform drivers and all others involved in the supply chain about safety issues and regulatory requirements be conducted after comprehensive consultation and in conjunction with appropriate peak transport industry bodies, as well as consignors and consignees."

I can advise that for many years, WorkCover has played a lead role in improving safety for long distance truck drivers. Outlined below are several WorkCover initiatives geared towards strategically targeting and implementing an effective mix of intervention strategies to drive compliance and improve safety outcomes in the road freight transport industry. These initiatives are aligned to the requirements of Recommendation Nine of the Report.

Road Freight Industry Safety Forum

Arising from the 2002 New South Wales Safety Summit, WorkCover sponsored a Road Freight Industry Safety Forum held in November 2003. More than 100 delegates attended the Forum from all sections of the road freight sector including employer and industry associations, unions, government agencies and the National Transport Commission. The forum provided an opportunity for the sector as a whole to discuss and agree on actions that could be taken to improve safety for long distance truck drivers.

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Fatigue Regulation Amendment – Promotional Activity

The *Long Distance Truck Driver Fatigue Regulation 2005* came into effect on 1 March 2006 following a period of public consultation. WorkCover conducted numerous workshops across New South Wales and interstate focusing on the Regulation's intent and requirements. A range of fact sheets and publications, including the *Driver Fatigue Management Plan Verification Tool* and the *Driver Fatigue Management: A Guide to Long Haul Trucking*, were developed to provide practical guidance on the application of the roles and responsibilities of employers, head carriers, consignors and consignees, and drivers. The fact sheets were developed in consultation with the Transport Workers Union and National Transport Commission.

Verification Activity

WorkCover also developed a multi-phased verification program. Stage one commenced in August 2006 and focused on small to medium long distance truck driver employers and operators. The second stage focused on consignors, consignees and operators.

This program was undertaken in conjunction with the Office of Industrial Relations to ensure transport operators had the required Driver Fatigue Management Plans in place. The program targeted truck driver employers and operators from small to medium sized companies and consignors and consignees in large organisations. A total of 350 workplaces were contacted and reminded of their responsibilities, as well as the intent of the verification program. Of the 350 workplaces, 195 businesses were selected and visited. Eighty per cent of those businesses had Driver Fatigue Management Plans in place.

Other Transport (Trucking) Industry Programs

In 2009, WorkCover participated in the Heads of Workplace Safety Authorities National Intervention Campaign – Delivering Goods Safely. Approximately 130 workplace visits were undertaken as part of the campaign focusing on manual tasks in the road freight transport industry.

WorkCover is also a member of the New South Wales Road Freight Advisory Council's Five Star Safety Sub-Committee, established in May 2010, which is developing a "Five Star Heavy Vehicle Accreditation Scheme".

The Five Star Scheme is a rating system developed with industry to highlight operators who develop and adopt safe work practices.

Interagency Agreement between WorkCover, Roads and Traffic Authority, NSW Police and Department of Environment, Climate Change and Water

The existing Interagency Agreement between WorkCover, Roads and Traffic Authority, NSW Police and Department of Environment, Climate Change and Water aims to promote cooperation and collaboration between government agencies with regulatory interests in long distance and heavy vehicle trucking and road safety.

A review of the Interagency Agreement has commenced. Key areas of improvement sought in the review include:

- improved notification of incidents to WorkCover;



- improved response time (provision of reports and/or information) from NSW Police; and
- refinement and verification of the roles of the Roads and Traffic Authority and WorkCover.

Key Stakeholders Interactions

The Transport Workers Union has raised concerns on a number of occasions that larger organisations may be flaunting current laws. WorkCover has met with the Union and provided a briefing on its long distance trucking and heavy vehicle incident response procedures and protocols. Designated contacts were also established to simplify and expedite interactions between both parties.

WorkCover regularly meets with the Australian Trucking Association and Owner Drivers Association to clarify WorkCover's role and its involvement in incident investigations. It also keeps them informed about current and proposed WorkCover initiatives geared towards improving safety in the road freight transport industry.

All key stakeholders have been encouraged to advise WorkCover, through agreed contact arrangements, of any matters that they become aware of which may be indicative of a failure of a party to meet their legislative obligations.

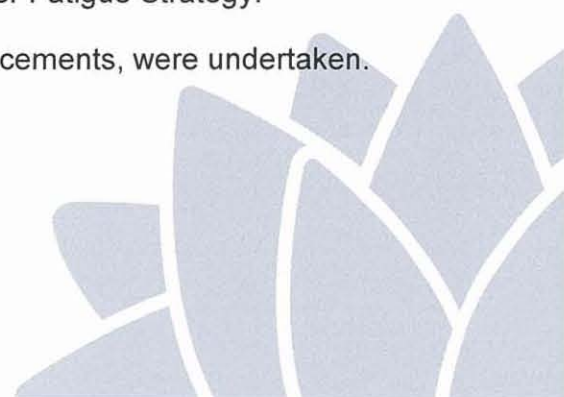
Funding from WorkCover

With the exception of 2009/10, the Transport Workers Union has been successful in receiving funding for each year of the WorkCover Assist Grants Program. Two of the projects undertaken were joint initiatives with the New South Wales Road Transport Association and the Australian Road Transport Industrial Organisation. Since 2006, the Union has received over \$600,000 in funding for programs directly related to heavy vehicle safety.

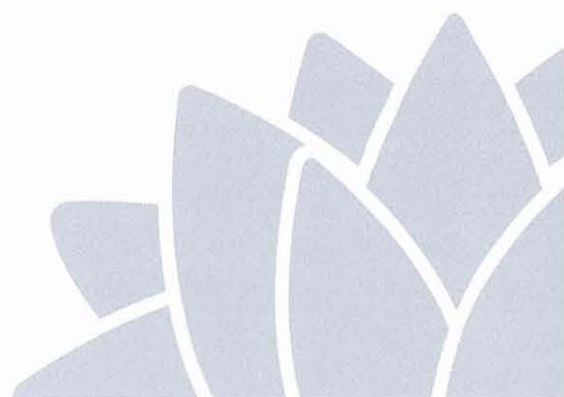
Long Distance Truck Driver Fatigue Management Program

In May 2010, WorkCover launched the Long Distance Truck Driver Fatigue Strategy, encompassing short and long-term initiatives focused on addressing a range of issues associated with long distance road freight. The key elements of the Strategy include:

- Consignor/Consignee Verification Program
 - WorkCover Inspectors are undertaking 80 workplace visits across New South Wales to high freight movement organisations, and distribution and receiving depots. The audits focus on the obligations of consignors and consignees in the supply chain, particularly the systematic management and application of the Driver Fatigue Management Plan.
- Communication Activities
 - In May 2010, I launched the Long Distance Truck Driver Fatigue Strategy.
 - Media releases, including Ministerial and CEO announcements, were undertaken.

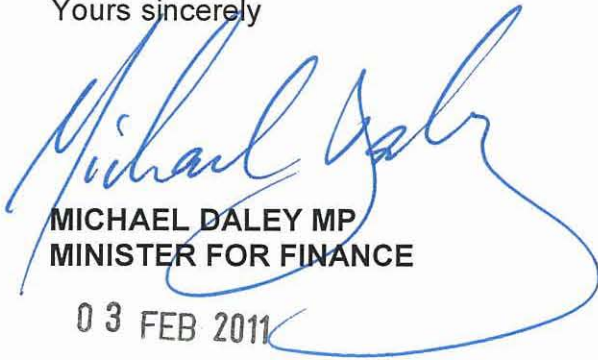


- The '*Tunes for Truckin'*' compact disc for truck drivers, featuring popular music interspersed with safety messages has been developed and handed out on Driver Awareness Days.
- A Truck Driver Fatigue Management Kit was developed and launched. This kit consists of fact sheets and tools designed to help employers, drivers, head carriers, consignors and consignees to meet their basic responsibilities around long distance truck driver fatigue.
- An extensive mail out of guidance material to over 9,000 businesses engaged in road freight transport, on how to reduce fatigue risks and meet regulatory obligations targeting consignors, consignees, head carriers and industry associations has been undertaken.
- Articles have been placed in WorkCover News, Truckin' Life and Big Rig magazines.
- Coverage appeared on NBN television in August 2010, with on-camera interviews.
- Awareness posters have been placed on the back of toilet doors in various truck stops throughout the State.
- Driver Awareness Activities
 - WorkCover and Roads and Traffic Authority are hosting Driver Awareness Days to raise awareness of fatigue management responsibilities of all parties in the supply chain.
 - The Owner Drivers Association representative has attended these events, where possible.
 - Seven joint events have been successfully undertaken at high traffic Roads and Traffic Authority truck stops across New South Wales, since I launched the campaign.
 - Two further confirmed events are scheduled in November and December 2010.
- Intelligence Improvement Strategies
 - WorkCover and Roads and Traffic Authority are working in partnership with a view to gathering intelligence on high freight movement organisations that may be placing their employees and others at risk.
 - Additionally, WorkCover is investigating the possibility of utilising truck stops visits and other mechanisms to obtain direct feedback from drivers on industry relevant issues including good and bad practices.



WorkCover will continue to work closely with government agencies with regulatory interests in long distance and heavy vehicle trucking and road safety, and the trucking industry, to secure safe workplaces for truck drivers.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Michael Daley", written over a large, stylized blue scribble that extends across the signature and partially over the text below.

**MICHAEL DALEY MP
MINISTER FOR FINANCE**

03 FEB 2011

