



PREVENTION. CARE. RECOVERY.

Te Kaporeihana Āwhina Hunga Whara

EMPLOYERS' GUIDE to HEALTH and SAFETY in Road Transport



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FOREWORD

Workplace injuries are a real cost to the industry, through the cost of time off work, finding replacement workers, paying ACC levies, and of course the harm to the workers themselves. Having a practical, effective health and safety policy to reduce injuries makes good business sense. This guide is designed to help members develop a policy tailored to their business practices and needs.

Good health and safety practice is more than mere “compliance”. It is about creating a safe environment for workers and the industry. Leading the way in promoting best practice is also a better option than waiting for the Government to impose regulations that may not suit individual businesses or the industry generally.

I acknowledge the support ACC offered with the development and production of this guide. It is another example of the good working relationship between the Road Transport Forum NZ and ACC.

The Forum recommends this guide to all members as an important step in promoting industry-led health and safety improvements.



Tony Friedlander

Chief Executive Officer of Road Transport Forum NZ





SECTION ONE

INTRODUCTION



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INTRODUCTION

1. Purpose of this guide

The purpose of this guide is to introduce the main hazards that are likely to arise in a transport business, and some ways for you as an employer to manage these hazards. It is not a code. It is hoped that this guide will give you and your employees the ability to manage your own health and safety requirements.

It is worth noting that officials are taking a much closer interest in health and safety these days. Enforcement protocols provide for the Commercial Vehicle Investigation Unit to work with the Department of Labour (DoL) on road transport safety.

The Health and Safety in Employment Act 1992 (the HSE Act) provides a much easier source of prosecution than, for example, criminal proceedings. It is easier to prove an unsafe environment than other crimes because paper records of things like driver hours and routes and evidence of safety policies and procedures can be easily gathered. In the amendments to the Act in 2002, the vehicle can be considered a place of work if driving the vehicle is necessary to perform the job.

This, coupled with hefty fines, makes health and safety a serious consideration.

2. Scope of this guide

This guide is intended to cover the most common areas where employees work in the road transport industry: service depots, storage points, typical delivery sites, maintenance sites and, of course, road travel.

3. Cost of injuries

The road freight industry registered more than 1,224 new serious injuries with ACC in the 2005/06 year. This does not include road crashes, only “out-of-cab” injuries. These out-of-cab injuries had a direct cost of \$6.9 million, not taking into account personal and social costs. A further 711 people injured in previous years were still receiving ACC support, costing a staggering \$10.8 million in that year.

Direct costs resulting from injury include:

- loss of hours for which a vehicle can be charged
- lost wages (ACC only pays from the second week of injury, and then only 80% of wages)
- medical costs eg. surcharges
- costs of load and vehicle damage.

Indirect costs include:

- the pain and suffering caused by injuries
- the cost to hire replacement drivers
- the possible loss of contracts through driver unavailability
- the psychological effects of the injury
- the cost of insurance, and possible legal fees.

There are a number of common causes of injury within the industry:

- lifting and manual handling of goods, which commonly result in back and shoulder injuries
- objects falling onto people
- slips, trips and falls getting into or out of the cab
- jumping to the ground from the tray or cab instead of using steps.

Of course, these injuries are in addition to the dangers faced by drivers who spend much of their time on the road and around dangerous equipment.

4. Background to health and safety legislation

The HSE Act is about making work activities safe and healthy for everyone connected with them. The Act covers everyone when they are at work regardless of where they or their workplaces are located. This means that if the workplace moves they are covered under the Act.

Individual policies influence the changes in the HSE Act such as: the Health and Safety Strategy; the Transport Strategy to 2010; and Road Transport Strategy; driver education.

The Act seeks to achieve its aim firstly by recognising that:

- constructive employment relationships generate safe and healthy workplaces
- those involved in the work (employers, employees etc) are usually best placed to decide on the particular measures to make their own workplaces safe
- the only sure way is by systematic management of all hazards.

These principles are supported by specific arrangements that:

- reinforce the primary responsibility as being that of the employer or other person in control of the workplace
- acknowledge that employees too have responsibilities to themselves and others
- bringing these two sets of responsibilities together requires good faith cooperation between employers and employees
- have the expectation that employee participation in health and safety issues will bring to bear readily available knowledge on the issues.

The Act does not set out to tell you how to make particular work situations safe and healthy.

Rather, it requires you to approach that systematically but flexibly, with the ability to draw on generalist information in regulations, codes of practice and best practice guidelines, as well as from your workforce and specialist DoL personnel.

The standard you have to achieve is that of having taken all practicable steps to make work safe – what can be reasonably expected given the circumstances, state of knowledge, resources etc. You don't have to deal with things you couldn't possibly have known about or controlled.

5. Taking all practicable steps to make work safe

A key focus of the HSE Act is the requirement that you and others in the workplace take all practicable steps to make work safe.

Because it is so central to the Act, it is worth looking closely at just what is meant by the term “practicable step”.

WHAT IS A PRACTICABLE STEP?

A practicable step is an action taken to enhance workplace safety that is both possible and reasonable.

By “possible”, the Act means that the action is actually capable of being done. And a “reasonable” action is one that takes into account:

- the type of harm that exists, and how severe the harm is
- how likely it is that the harm will occur
- how much is known about the hazard and the ways of controlling it
- what measures are available to prevent the harm, and how much these measures cost.

WHEN MUST YOU TAKE PRACTICABLE STEPS?

The Act requires you to take practicable steps in all situations that you “know about” or “ought reasonably to know about”.

In other words, if you're aware of a particular hazard in the workplace, or you can be reasonably expected to know about the hazard, under the Act you must take practicable steps to eliminate, isolate or minimise the hazard. This makes taking practicable steps an active duty.

The term “ought reasonably to know about” is clearly open to interpretation, but in cases that have gone to court, the courts have generally looked at what is common practice and knowledge throughout the industry.

This means you can't claim you didn't know about a particular hazard or situation if that hazard/situation is widely known to others in the industry. Failure to be aware of or follow “common industry knowledge” may therefore be interpreted as failing to “take all practicable steps”.

IMPACT OF COST ON PRACTICABLE STEPS

When deciding what practicable steps to take in your workplace, you are expected to carefully weigh up the cost and feasibility of a particular preventative action against:

- the risk and severity of harm occurring
- the consequences of not taking preventative action.

This means you can't simply decide against taking a particular preventative action on the grounds that it is too expensive. If the action will help counter a high-risk hazard, or the consequences of not taking the action are significant, any cost associated with the action may be considered reasonable.

WHO IS REQUIRED TO TAKE PRACTICABLE STEPS?

The HSE Act applies to all of the following:

- employers
- employees
- self-employed
- people who control places of work
- principals (ie. people who engage contractors to do work for them).

6. Safer industry

An analysis of ACC injury statistics identified a number of industries with a high number of serious harm injuries and ACC claims. The programme called Safer Industry brings together industry representatives and stakeholders to address the common causes of injury within each group.

To do this, a safer industry group works to:

- identify common processes, work practices and equipment that can cause injuries
- develop industry-relevant action plans and initiatives to reduce injuries
- encourage industry-wide ownership of safety issues
- share knowledge and experience in developing safety management initiatives
- review the effectiveness of the interventions to ensure that long-term solutions are found.

Road transport was identified as a Safer Industry in 2003. A transport industry working group has been formed to reduce the human, social and financial costs of workplace injury and illness by establishing best practice health and safety standards for the transport industry in New Zealand.

Following is the strategy of the Road Transport Safer Industry Strategy Group (TSSG).

Purpose:

The purpose of the Road Transport Industry, Health and Safety Strategy is to sustainably improve health and safety performance over the next ten years.

Goals:

1. Provide a framework to support sustainability improvement.
2. Have industry take responsibility for its health and safety performance through leadership and self governance.
3. Reduce claim costs by 50% over the ten-year period.

The Strategy is not static. It will evolve continually to meet the changing demands of the business and social environments that impact on the transport industry.

ROAD TRANSPORT SAFER INDUSTRY STRATEGY GROUP (TSSG)

TSSG is the core group tasked with developing the industry strategy. Its make-up reflects the best possible representation of industry umbrella groups, technical experts and key stakeholders. The Group will meet quarterly to develop, review and refine the strategy and direction of national initiatives.

TSSG will act as the point of communication for the industry Regional Cluster Groups.

TSSG takes an overview of progress and initiatives to ensure consistency and remove duplication of effort. Local initiatives are viewed and where practical introduced at a national level.

REGIONAL CLUSTER GROUPS

The Regional Cluster Groups are tasked with developing and implementing local initiatives focused on sustainably improving health and safety performance in the road transport industry by:

- identifying “best practice” within the local environment and operators
- communicating local and national initiatives to the local market
- identifying key issues causing accidents and injury
- undertaking projects to rectify identified issues.

The Regional Cluster Groups will establish their own timetables for meetings, but monthly or bi-monthly is recommended. The Groups will provide a report on activities to the TSSG quarterly meetings and where possible have representatives attend.

The meetings will provide a forum to discuss and review national and other local initiatives.

The Cluster Groups will be made up of transport operators, local government agency representatives, associations, Tranzqual, industry suppliers and technical experts where required.

PROJECT TEAMS

From time to time TSSG may appoint project teams to carry out project work in conjunction with or independently of the Regional Cluster Groups. Terms of reference will be drawn up on a case-by-case basis. Industry will be responsible for the implementation of the Strategy and annual operation plans.





SECTION TWO

APPROACHING HEALTH AND SAFETY IN THE WORKPLACE





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APPROACHING HEALTH AND SAFETY IN THE WORKPLACE

In order to manage health and safety in the workplace successfully, you need to work through the following steps:

- accept that you are the employer so health and safety is your responsibility
- look at each area of the business and possible ways people might get hurt or suffer over time. Investigate and learn from all “near misses” and accidents that occur
- research health and safety requirements eg. Internet, industry organisations, government
- develop health and safety policies, procedures and documents
- train staff in the policies and enforce them
- refresh health and safety training
- enforce the policies and compliance.

The next sections take you through the details that you will need to consider to work through these steps.

1. Employers’ obligations

As discussed earlier, the basis of the Act is that employers must take all practicable steps to make workplaces safe for employees. However, the HSE Act does go further to set out what some of these steps should be.

You have a number of general duties in order to provide a safe working environment for your employees. These duties mean that you must:

- provide and maintain a safe working environment
- provide and maintain facilities for the safety and health of employees at work
- ensure systems of work do not lead to employees being exposed to hazards in and around their place of work
- ensure that plant, machinery and equipment in the place of work are designed, made, set up and maintained to be safe for employees
- develop procedures for dealing with emergencies and ensure employees are trained in what they are
- select vehicles that are appropriate for the use to which they are put.

You should note that these are only the general obligations under the Act. You are still required to meet other, more specific requirements such as driving hours, the loading code and vehicle safety.

2. Health and safety management cycle

The Act requires you to take a systematic approach to identifying and managing hazards in the workplace. The advantage of a systematic approach is that it allows health and safety management to be broken up into smaller and more manageable processes, which means that the overall task is much more efficient and hazards are more easily dealt with.

A systematic approach to health and safety comprises a number of steps, as summarised in the diagram below.

Each of these elements is discussed in more detail below.



2.1. Management commitment

The leadership and commitment of management are important parts of the health and safety process. Management is responsible for ensuring that the workplace has appropriate policies and programmes, and adequate resources (both personnel and financial) in place to provide a healthy and safe workplace.

The best way to establish strong management commitment to health and safety is through a written policy. This policy should reflect your commitment to the health and safety of employees and others. A health and safety management plan should say how you are to implement the policy and monitor/audit practices you apply in your business.

The policy should:

- set out the responsibilities of management and employees
- include annual health and safety goals
- be based on an analysis of the strengths and weaknesses of current health and safety programmes
- be built into job descriptions
- include assessments of managers' and supervisors' health and safety performance
- give recognition for positive performance, and include corrective action as appropriate
- be reviewed regularly.

The policy should also reflect the particular hazards faced by workers in the road transport industry.

The final written policy should be signed by management and sent to all workers, so that all workers can read through and understand the policy, particularly their individual responsibilities.

Two examples of a policy statement are included in Section Three.

2.2. Hazard management

Hazard management is the process of identifying hazards in the workplace, working out how much of a risk they pose then putting in place appropriate measures to deal with them.

IDENTIFYING HAZARDS

Hazards can:

- be actual or potential
- be physical, biological or behavioural (including temporary conditions that can affect a person's behaviour, such as fatigue, shock, alcohol or drugs)
- arise or be caused within or outside a place of work.

It can appear difficult to identify hazards within the workplace, especially in the transport industry, where there are a number of high-risk activities. However, the task can be made much simpler by breaking the hazards up into different categories, such as loading/unloading, operating machinery and driver welfare. Hazards can then be identified in a much more systematic and efficient way. (For more detailed information refer to Section Four of this guide.)

You can start by making a list of all the hazards in the workplace. This would include the obvious things like falling objects while loading, but also less obvious hazards that can build up over time, such as repetitive strains, fatigue from long hours, or working off-site. Also be sure to consider the effects of new staff or new equipment.

Methods of hazard identification include:

- physical inspections of the workplace, equipment and work practices
- analysis of tasks and how they are carried out by employees in the workplace
- analysis of processes carried out in the workplace
- analysis of previous injuries and near-miss incidents.

An example of a "Vehicle Start-up and Shutdown Checklist" is included in Section Three. This is only one type of checklist that could be used to physically inspect the workplace.

It is critical that you identify the hazards faced by all people coming into contact with the worksite, not just the drivers or other employees on the worksite. For instance, you need to consider:

- drivers
- cleaners
- contractors
- maintenance personnel
- subcontractors
- visitors
- visiting drivers
- employees working off-site
- customers
- members of the public
- part-time employees

- transport depot employees
- forklift drivers.

Amendments to the Act mean that you are also covered by health and safety legislation when moving from place to place to carry out your work or when the workplace itself moves. Therefore, you are responsible for identifying the specific hazards that relate to mobile workers, such as:

- vehicle safety – are vehicles used for work purposes roadworthy, warranted and registered?
- vehicle use – are vehicles used in a way that’s consistent with their particular capability? (eg. is a vehicle loaded in a way that obscures the driver’s vision?; could the goods carried in the vehicle fall on the driver or someone else?)
- vehicle users – are all vehicle users trained and supervised to perform their work duties safely? (eg. do they have driver licences?; are they capable of driving effectively at the time? – ie. they are not suffering from fatigue etc).

ASSESSING THE SIGNIFICANCE OF THE HAZARDS

After identifying the possible hazards, the next step is to determine whether they are “significant”. A hazard is significant if it is an actual or potential cause of:

- serious harm (note that serious harm has its own definition¹)
- harm (being harm that is more than trivial), the severity of whose effects on any person depends (entirely or among other things) on the extent or frequency of the person’s exposure to the hazard
- harm that does not usually occur, or usually is not easily detectable, until a significant time after exposure to the hazard.

To explain this very legalistic definition of “significance”, let’s look at an example under each point:

- serious harm: think of an injury that requires medical attention and causes loss of working time
- harm due to extended or frequent exposure: think of hearing loss. The noise harms the person over time
- harm only detectable much later: think of asbestosis or chemical poisoning.

It is apparent from the above definition that it will not be immediately apparent whether a hazard is significant. However, in making this consideration, the following factors will be relevant:

- is it what the law calls significant?
- how serious could the illness or injury be?

It is a good idea to begin by dealing with the hazards that can cause serious harm.

Some activities, such as working above three metres and working with hazardous materials, have mandatory requirements that must be met.

1. Refer to the definition on page 27.

Hazards can change or new hazards arise at any time when new equipment or processes are used. It is therefore important that you communicate these changes to staff and seek their feedback. This underlines the importance of continuing staff involvement in the hazard management process.

CONTROLLING THE HAZARDS

The legislation requires you to follow a priority process for controlling hazards. The first option must be to eliminate the hazard; if that is not possible, you must isolate the hazard; and if that is not possible, you must minimise the likelihood of harm.

For instance, if the hazard is a noisy piece of machinery that could cause harm to workers' hearing:

- **eliminating** the hazard would mean getting rid of the machinery
- **isolating** the hazard would mean putting the machinery in a separate room
- **minimising** the likelihood of harm would mean supplying your workers with earmuffs and reducing exposure times.

HAZARD REGISTER

All this information must be recorded on a hazard register. This document is very important and should be made available to all people who are or could be exposed to any of the hazards – both your own staff and visitors/contractors.

A number of important pieces of information must be recorded on the register. It largely documents the process described above – and has to have at least the following:

- a description of the hazard
- whether it is a significant hazard or not
- what control(s) is/are taken ie. eliminate, isolate or minimise
- the detail of each control
- the frequency and method of monitoring.

A hazard register provides a reference for reviewing your health and safety policy and management practices.

An example of a hazard register that meets the minimum requirements is included in Section Three.

2.3. Training

Training is an essential component of health and safety management because employees who perform tasks when they have not been adequately trained can cause serious injuries or even death.

You should therefore inform and train all employees on health and safety issues in your workplace. There should be a particular focus on specific knowledge about hazards to which they are exposed at work.

Supervising employees (especially new and less skilled employees) to make sure they work safely should back up this training. Consider the benefits of assessing driver skills prior to employment.

The types of thing you should consider are:

- introduce (or induct) new staff to your workplace to help them feel comfortable and be safe and more productive. The industry-specific training programme DriverSafe may be appropriate
- involve key people in the induction eg. supervisors, health and safety representatives and other employees
- pace the induction so the employee doesn't get too much information at once
- show (as well as tell) the employee how to perform work tasks
- encourage the employee to ask questions – consider the language, culture and literacy needs of the employee
- go over things that may seem common sense to you. You can't assume that prior knowledge, training or experience is enough because your workplace, equipment, tools and work practices may be different
- ensure that the new employee is supervised while they perform new tasks, until they demonstrate that they are competent
- check that the employee understands what they have been told or shown
- record the induction and training given.

Follow up with visits, demonstrations and training sessions as needed, particularly throughout the employee's first year of work.

- Consider ongoing use of peer driver skills re-assessment.
- Provide further training to employees to refresh and advance driver skills.

2.4. Emergency preparedness

When an emergency occurs it is too late to decide who will do what, and what equipment you need. With your staff, plan how you will manage emergencies that might arise in your workplace.

Possible emergencies:

- natural: earthquake, earth movement/slip, flood, heavy snowfall
- man-made: robbery, vehicle theft, chemical spill, fire, gas leak, injury, power failure, vehicle accident.

The sorts of question that your emergency planning needs to address are:

- have you and your staff identified the types of emergency situation to which your business could be exposed eg. fire, explosion, chemical spill, flood, medical emergency?
- have you and your staff developed procedures to cover the safety of employees, contractors and other visitors in the event of an emergency?
- have those in charge of emergencies (wardens) been appointed and trained?
- are evacuation plans and emergency phone numbers on display?
- are exits well marked and clear at all times, and do doors open easily from the inside?
- have you held an emergency evacuation drill in the past six months and kept a record of this?
- do you and your staff regularly check and maintain emergency equipment (eg. smoke detectors, sprinkler systems, fire extinguishers, emergency lighting)?
- have health and safety duties under the Hazardous Substances and New Organisms Act 1996 when handling and transporting hazardous substances been considered?

2.5. Duties of persons selling or supplying plant for use in a place of work

Plant used at work can be a major safety risk if it is poorly designed, made or maintained. For this reason, the HSE Act sets out specific duties for anyone who:

- sells or supplies plant that can be used in a place of work
- hires, leases or loans plant that can be used in a place of work.

WHAT IS PLANT?

The definition of plant in the Act is very broad. It includes, but is not limited to, any:

- appliance
- equipment
- fitting
- furniture
- implement
- machine
- machinery
- tool
- vehicle.

The term “plant” also includes any part of the plant, its controls or anything connected to it.

WHAT ARE THE DUTIES?

Sale and supply of plant

Anyone who sells or supplies plant that can be used in a place of work must ensure the plant is designed, made and maintained so that it's safe.

The seller/supplier must also ensure the plant is appropriate for any intended use they know about, or could reasonably expect to know. If they don't, they could be held liable under the Act for a breach of duty.

For example, if a woodcutting saw supplied to a woodworking shop is used to cut metal and fails, it's unlikely the supplier will be liable. This is because the task for which the saw was used was not one the supplier could reasonably have been expected to know about.

If, however, the saw is supplied to a metalworking shop and fails, the supplier may be liable.

Hire, lease or loan of plant

Anyone who hires, leases or loans plant that can be used in a place of work must find out from the user:

- whether the plant will be used in a place of work
- what the plant will be used for.

If the plant will be used in a place of work, the person hiring, leasing or loaning the plant is responsible for ensuring it is designed, made and maintained so it's safe for its intended use.

Installing or arranging plant

Anyone who installs plant that they have sold, hired, leased, loaned or supplied is responsible for ensuring the plant is installed safely for its intended use.

Plant sold “as is”

The duties outlined above do not apply to plant that is sold second-hand and “as is” ie. without a warranty or any claims about the plant’s quality, durability or fitness.



2.6. Contractor management

It is important to remember that you are responsible not only for your direct staff, but also for anyone else who you hire or who might come into your workplace.

If you hire a contractor or subcontractor (eg. a builder, owner/driver, serviceperson, office help, courier), you must take all practicable steps to ensure the contractor and subcontractor and their employees are not harmed while at work.

Naturally, you are responsible only for hazards and activities you can directly control. Generally, this would mean informing contractors and subcontractors about any hazards specific to your business.

If a contractor or subcontractor employs others to work on your contract, they have all the duties of an employer. This means they are responsible for carrying out work in a manner that will not endanger themselves, their employees or anyone else on the property.

The Act also requires that any person who is in control of a place of work must ensure that people in the place of work, or in its close vicinity, are not harmed by any hazard that arises from that place of work. A “person in control of a place of work” could be the owner, occupier, lessee, contractor, subcontractor, or anyone else with control of the property, plant or equipment.

2.7. Incident investigation

While your health and safety programme aims to reduce the likelihood of injuries occurring, there may be times when things go wrong and people are injured. When this happens, you should:

- investigate incidents and injuries to find all the factors that contributed, then take action to prevent similar incidents happening again
- involve health and safety representatives and committee members in the process of reporting and investigating incidents and injuries.

Workplace injuries are often not the result of a single immediate cause but of a chain of decisions and events leading up to that point.

To ensure this, ask yourself the following questions:

- do staff tell you when they have an injury, workplace illness or a near-miss incident, and is this recorded on a form or in a book?
- are incidents/injuries investigated to find out what happened and how similar events can be prevented in the future?
- are the findings of investigations acted on eg. are hazards identified and dealt with?
- are serious harm injuries/illnesses reported to Occupational Safety and Health (OSH)?
- what near-miss reports and minor vehicle damage incidents have offered the opportunity for remedy before a serious accident occurs.

To be able to manage and learn from previous incidents, you should have in place a system for reporting and investigating all on-road vehicle crashes and off-road safety-related incidents. This system should set out:

- instructions on how and when accidents should be reported
- who should carry out investigations (it should be someone independent)
- timescales for reporting and how the results will be recorded
- how corrective action should be taken if deficiencies or non-compliance are identified
- who is responsible for modifying the policy and systems to avoid future risk
- how to document the process so that it does not happen again.

Investigations should be conducted by someone who is competent to do so. Competence could be achieved by attending an accident investigation course run by an expert in the area.

Some industries have found that investigations by experienced, competent investigator staff who work across a range of operating companies provide much more robust investigation and education outcomes. This helps to remove the problem of an investigation conducted by the company or manager leading to fault-finding; the focus is on improving the system.

An investigation report should set out:

- the results of the investigation
- any non-compliance with safety policies
- any deficiencies in procedures or systems that could be fixed.

You should note that the investigation process should be undertaken for any workplace incident, not just a vehicle accident.

An example of an incident investigation form is included in Section Three.

REPORTING SERIOUS HARM

Whenever a person suffers serious harm in the workplace, it must be reported to DoL as soon as possible (verbally/fax/phone etc) and in writing within seven days. Serious harm carries a specific definition under the Act.

Serious harm

- Permanent loss of bodily function, or temporary severe loss of bodily function.
- Amputation of body part.
- Burns requiring referral to a specialist registered medical practitioner or specialist outpatient clinic.
- Loss of consciousness from lack of oxygen.
- Loss of consciousness, or acute illness requiring treatment by a registered medical practitioner, from absorption, inhalation or ingestion of any substance.
- Any harm that causes the person harmed to be hospitalised for a period of 48 hours or more commencing within seven days of the harm's occurrence.

2.8. Injury management

You have a legal obligation to rehabilitate injured employees. The Injury Prevention, Rehabilitation, and Compensation Act 2001 puts an onus on you to take all practicable steps to assist injured employees in vocational rehabilitation, where the employees are able to return to the same jobs.

Injury management also helps your business by:

- holding on to employees
- reducing lost work time due to injury
- avoiding costs of recruitment and retraining
- reducing compensation costs associated with long-term disability
- reducing the risk of being prosecuted for a breach of the Human Rights Act.

A good injury management system includes:

- demonstrating concern for employees
- facilitating an early, safe and lasting return to work for injured employees. This includes having modified work tasks available and a gradual or graded return to work for employees. This helps them return to work as soon as possible
- ensuring that line managers understand their part in the process of maintaining an early, safe and lasting return to work for injured employees
- involving employees in any rehabilitation/injury management process and ensuring that they understand the benefit of an early, safe and lasting return to work
- addressing health and safety and injury prevention issues identified in the injury management process.

A modified work task could mean a change in the task itself – or how long it is done for – but the change is made with the intention that it is not permanent and the person will return to full duties. Other terms commonly used include alternative, reduced, transitional and light duties.

A gradual or graded return to work could mean gradually increasing the hours at work each day – or attending for normal hours but working intermittently, say every second hour, for a while.

A worksite assessment by a trained professional will help you identify aspects of work that need to be modified to prevent re-injury and will enable the employee to return to work on modified work tasks. Worksite assessors come from a range of backgrounds but should be registered or certified members of their chosen fields, have ergonomic expertise and be skilled in working with injured people.

More detail on this process is available on the ACC website at:
www.acc.co.nz/claimsandcare/foremployersandagents/manageinjuredemployees/returntowork.

2.9. Employee participation

Health and safety legislation requires you to allow employees a reasonable opportunity to participate in the improvement of health and safety at work. Employees have the best knowledge about the hazards to which they are exposed and can therefore offer a great deal to improve workplace safety. This is particularly true in the transport sector where drivers will be exposed to off-site hazards of which you may not be aware. There are a number of ways of involving staff, such as:

- a forum (eg. health and safety committee) that facilitates communication between managers and employees about health and safety matters
- team meetings for small workplaces, where health and safety should be discussed regularly
- involving and consulting staff on health and safety matters, including hazard management, health and safety planning and emergency readiness.

In some cases, there must be a formal process of employee participation. You, your employees and any relevant union must work together to develop a formal employee participation system if:

- your workplace employs 30 or more workers, or
- your workplace employs fewer than 30 workers and one of those employees (or a union representing them) makes a request for an employee participation system.

A formal employee participation system may include whatever the parties agree on, but the Act gives some examples of matters that could be included:

- electing health and safety representatives, and deciding whether they should act individually or as part of a health and safety committee
- developing processes for ensuring regular and cooperative interaction between you and your employees on health and safety issues.

A practical part of the system may be about employees' role in hazard identification.

The last section of this document sets out some of the ways that you can begin identifying and managing common hazards within the road transport industry.

2.10. Planning and review

In order to maintain an effective policy, you should formally review your health and safety policy on an annual basis. This should involve checking that the results and activities comply with the policies, procedures and instructions set down by the policy. The review process should be defined to include:

- clear instructions for conducting the review, and a checklist
- who should conduct the review (preferably someone independent of the function)
- instructions for taking corrective action
- how results of the review and any corrective action are recorded.



3. ACC incentive programmes


ACC offers a range of incentive programmes to large, medium and small employers. Each programme offers a levy discount when the employer meets criteria specific to each programme. There is a range of discounts offered. Please go to the ACC website to find the programme that best suits your situation: www.acc.co.nz/LeviesandCover/Employers/.

Under the ACC Partnership Programme, you take over responsibility for your employees' work injury claims. This includes the delivery of all statutory entitlements, such as weekly compensation for lost earnings.

The Workplace Safety Management Practices programme encourages medium employers to create and maintain safer workplaces. In return for putting in place systems and processes for managing and improving workplace safety, you can receive discounts on your standard ACC Workplace cover levy.

Workplace Safety Discounts are a great way to save 10% on the work levy for some small businesses and self-employed people who can show sound health and safety practices. Currently the programme is available in agriculture, construction (residential), fishing, forestry (logging and silviculture), motor trades and road transport.





SECTION THREE

**EXAMPLES OF
STANDARD FORMS**

SECTION THREE

EXAMPLES OF STANDARD FORMS

This section has examples of templates that could be used to record the basic activities discussed in this publication.

The following four templates are included:

1. Two typical health and safety policy statements.
2. A standard hazard register.
3. An example of a vehicle inspection checklist.
4. An incident investigation form.

Example one

Health and Safety Policy Statement

Smalls Ltd is committed to providing a safe and healthy environment for all personnel, contractors and visitors to the company's site.

Management will:

- identify and assess all hazards in the workplace
- control all significant hazards
- be proactive in controlling new hazards
- provide health and safety training and supervision
- give staff the opportunity to elect health and safety representatives and be involved in the hazard management process
- support injured staff to return to work safely as early as possible.

Employees will:

- actively contribute to hazard identification and management
- participate in health and safety training
- adopt safe work practices
- encourage others to do the same
- report injuries promptly and accurately
- participate in a return-to-work programme if applicable.

Date

Signed

Andy Small, Managing Director

Example two

Health and Safety Policy Statement

The management of _____ is committed to providing and maintaining a safe and healthy working environment for its employees, visitors and all persons using the premises as a place of work.

To ensure a safe and healthy work environment, management will develop and maintain a Health and Safety Management System. Specifically, management will:

- set health and safety objectives and performance criteria for all managers and work areas
- annually review health and safety objectives and managers' performance
- actively encourage the accurate and timely reporting and recording of all incidents and injuries
- investigate all reported incidents and injuries to ensure all contributing factors are identified and, where appropriate, plans are formulated to take corrective action
- actively encourage the early reporting of any pain or discomfort
- provide a treatment and rehabilitation plan that ensures a safe, early and durable return to work
- identify all existing and new hazards and take all practicable steps to eliminate, isolate or minimise the exposure to any hazards deemed to be significant
- ensure that all employees are made aware of the hazards in their work areas and are adequately trained to enable them to perform their duties in a safe manner
- encourage employee consultation and participation in all matters relating to health and safety
- promote a system of continuous improvement, including the annual review of policies and procedures
- meet our obligations under the Health and Safety in Employment Act 1992, the Health and Safety in Employment Regulations 1995, Codes of Practice, and any relevant Standards or Guidelines.

Every employee of the company is expected to share in the commitment to health and safety.

- Every manager, supervisor or foreperson has a responsibility for the health and safety of those employees working under their direction.
- Each employee is expected to play a vital and responsible role in maintaining a safe and healthy workplace through:
 - observing all safe work procedures, rules and instructions
 - the early reporting of any pain or discomfort
 - taking an active role in the company's treatment and rehabilitation plan, to ensure an "early and durable return to work"
 - ensuring that all incidents, injuries and hazards are reported to the appropriate person.

The Health and Safety Committee

The Health and Safety Committee includes senior management representatives and union and other nominated employee representatives. The Committee is responsible for the implementation, monitoring, review and planning of health and safety policies, systems and practices.

Signed by CEO/General Manager

Date

HAZARD RECORDED FOR

DATE

HAZARD

SIGNIFICANT?

ACTION

REVIEW

Hazard and harm

Where or what task

Significant Yes/No

Does the action eliminate, isolate or minimise the risk?

Action

How often action is monitored

Date of last review

Hazard and harm	Where or what task	Significant Yes/No	Does the action eliminate, isolate or minimise the risk?	Action	How often action is monitored	Date of last review

Vehicle Start-up and Shutdown Checklist

Company name:												
Driver name:					Inspection date:							
Speedometer reading:					Hubometer reading:							
Registration number:					Trailer number:							
If a vehicle isn't safe it shouldn't be driven												
Action required:					Action by:							
1.					1.							
2.					2.							
3.					3.							
4.					4.							
5.					5.							
Comments												
Vehicle Start-up – Pre-movement Check												
Under-bonnet Check					Yes		No		Fix		Report	
Oil level												
Coolant level												
Belts												
Hoses												
Mounts												
Windscreen washer reservoir												
Safety-related Components					Yes		No		Fix		Report	
Indicators												
Headlights												
Stop lights												
Tail light												
Brakes (foot)												
Parking brake												
Horn												
Mirrors fitted, secure and clear												
Windscreen clear/clean												
Windscreen wipers												
Windscreen washers												
Connection Check					Yes		No		Fix		Report	
Towing eye												
5th wheel												
Other												
Lubrication Check					Yes		No		Fix		Report	
5th wheel pin												
Towing connection												
Other lubrication points												
Vehicle Tools					Yes		No		Fix		Report	
Available												
Compatible for vehicle												
Suitable for task												
Body Damage Check					Yes		No		Fix		Report	
Passenger's side (off road)												
Driver's side (road side)												
Front												
Rear												
Fuel Level					Yes		No		Fix		Report	
Check fuel levels												
Engine Start												
Start the engine												
Allow it to run up to recommended operating temperature while the remainder of the check is carried out												
Steering Check					Yes		No		Fix		Report	
Steering wheel												
Tyre Check					Yes		No		Fix		Report	
Wear												
Tread depth												
Walls												
Inflation correct												
Lifting Equipment					Yes		No		Fix		Report	
Controls												
Hoses												
Hydraulics												
Extension arms/legs												
Pads												
Legal Vehicle Signage					Yes		No		Fix		Report	
GSL name on door												
DG/OD etc as required												
Vehicle Documentation					Yes		No		Fix		Report	
Registration (current & valid)												
CoF (current & valid)												
RUC (current & valid)												
Loading certificate												
Optional Electronic Equipment					Yes		No		Fix		Report	
Check optional electronic equipment												
If a vehicle isn't safe it shouldn't be driven												

Continued ...

Vehicle Start-up and Shutdown Checklist *continued*

Trailer Pre-check									
Lighting Check	Yes	No	Fix	Report	Tyre Check	Yes	No	Fix	Report
Sidelights					Inflated				
Indicators side (if fitted)					Tread				
Indicators rear					Size				
Tail lights					Roadworthy				
Brake lights									
Body Damage Check	Yes	No	Fix	Report					
Passenger's side (off road)									
Driver's side (road side)									
If a vehicle isn't safe it shouldn't be driven									
Vehicle Shutdown									
Body Damage Check	Yes	No	Fix	Report	Vehicle Standing	Yes	No	Fix	Report
Passenger's side (off road)					Ensure the park brake is applied				
Driver's side (road side)					Empty all air tanks (as required)				
Steering Check	Yes	No	Fix	Report	Connection Check	Yes	No	Fix	Report
Steering wheel					Towing eye				
Refuel	Yes	No	Fix	Report	5th wheel				
Refuel the vehicle					Other				
					Security	Yes	No	Fix	Report
					Secure the vehicle, trailer and keys				
If a vehicle isn't safe it shouldn't be driven									

Incident Investigation

Date of incident:	Time:	Place:
Serious harm? Yes <input type="radio"/> No <input type="radio"/> Report serious harm to OSH		
Injured person(s): _____ _____		
Damaged property? Yes <input type="radio"/> No <input type="radio"/>		Near miss? Yes <input type="radio"/> No <input type="radio"/>
Description: _____ _____		Description: _____ _____
Health monitoring Does the nature of this incident or injury warrant post-event health monitoring to monitor the short-, medium- or long-term effects of this incident/accident on all staff involved (not only injured staff)? Yes <input type="radio"/> No <input type="radio"/>		
If yes , ensure this health monitoring is undertaken.		
Description of what happened: _____ _____ _____ _____ _____		
Information collection. List all the information available about the incident. Use additional pages if required.		
Factual/Documented information	Testimony of witnesses	Scene/Environment inspection
List all the causes and contributing factors to this incident. (Consider the culture, systems, task and actual event.) Analyse these and list all the hazards that contributed to the incident.		
Causes and contributing factors	Hazards involved	
1.	1.	
2.	2.	
3.	3.	
4.	4.	
5.	5.	
6.	6.	

Continued ...

Incident Investigation continued

Was the incident or injury caused by:		Could be both known and new hazards	
<ul style="list-style-type: none"> • Known hazards already listed on the hazard register? • Previously unknown/new hazards not listed in the hazard register? 		Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/>	
If known hazards , did any of the current controls fail and how can the current controls be improved to eliminate, isolate or minimise the hazard? Update the hazard register accordingly.			
1.			
2.			
3.			
4.			
5.			
If new hazards , ensure the hazards involved in this incident or injury are fully identified and analysed and proper controls developed to control the hazards. Give a short description of new hazards identified and controls. Update the hazard register.			
Hazard	Significant?	E/I/M?	Control
1.			
2.			
3.			
4.			
5.			
6.			
Follow-up: What follow-up is required to ensure that all practicable steps are now taken to control the identified hazards and that the effects on the health of injured persons and staff in general are properly monitored?			
1.			
2.			
3.			
4.			
5.			
6.			
Review: This analysis and action plan has been reviewed and approved by me, and I accept responsibility for follow-up to completion.			
Signed _____		Position _____	





SECTION FOUR

INDUSTRY- SPECIFIC HAZARDS AND CONTROLS





SECTION FOUR INDUSTRY-SPECIFIC HAZARDS AND CONTROLS

This section deals with the sorts of topics that are likely to be of relevance to the road transport industry. Each section provides a series of points that should be considered, and should act as a primer for you to develop your own thinking.

The sections covered are:

- drivers
- vehicle roadworthiness
- in-cab safety
- journey management
- facility management
- loading and unloading
- fall prevention.

1. Drivers

DRIVER MANUAL

Every driver should be issued with a manual that sets out practical instructions for carrying out a typical workday, along with information on how to meet safety requirements, such as:

- how to report vehicle defects and suggestions for safety improvement
- how to identify health/welfare issues
- how to deal with road crashes, complete records and report as unfit for work
- how to handle infringements and law enforcement situations.

Drivers should be given a copy of the manual and be trained in its use. Receipt of the manual should be recorded, and drivers should be required to have access to the manual at all times.

DRIVER TRAINING

Drivers must be trained for all the tasks they perform, and this is not limited to driving. Individual training for all employees, including subcontractors and contractors, may be needed depending on the training needs of each person.

You should assess the training needs of:

- new drivers
- other drivers annually
- drivers involved in crashes or with poor safety records.

Driver files should record their qualifications and training when it has been completed.

A good place to start with training is the Certificate of Competence, and first aid certificates should be held where relevant. The DriverSafe industry-specific safety programme will enable employees and even subcontractors to contribute positively to reducing injuries and should be considered seriously.

DRIVERSAFE

DriverSafe is an introductory health and safety training programme specifically developed for the road transport industry. It mainly concentrates on hazards around a stationary vehicle – “out-of-cab” hazards.

Out-of-cab hazards result in a significant number of incidents each year. DriverSafe is appropriate for drivers, supervisors, forklift operators and any person who works around trucks being loaded and unloaded.

The training covers the following topics:

- how to identify hazards and assess them
- how to develop methods to control and monitor hazards
- how to respond to incidents and report them
- specific out-of-cab hazards in the road transport industry and how to control them.

For more information, please contact the road transport industry training organisation at Tranzqual 04 494 1582 or www.tranzqual.org.nz.

DRIVER HEALTH AND WELFARE

You should adopt policies to assist drivers with maintaining good physical health and wellbeing, both at work and at home. This could include:

- health screening at regular intervals (with the results recorded confidentially)
- using employment restrictions and/or rehabilitation as appropriate for any ill health
- ensuring employees are not employed for any duty for which they are medically unfit
- using replacement drivers if a driver is unfit to drive
- ensuring drivers have first aid certificates
- providing information on proper diet, exercise and recuperation
- monitoring the attitude and behaviour of drivers to detect problems at work or at home that affect employee welfare.

ACC CLAIM HISTORY

With an applicant's written authority, you as a potential employer can contact ACC and request claim history information. It is suggested that you ensure that you ask the right questions. You should limit the claim information to the types of injury that would interfere with an applicant successfully performing the job for which they are applying. Ask if a person has had a claim for a specific type of injury eg. shoulder, back, knee and for specific information such as date of injury, diagnosis, how long the claim was open, and whether the person received weekly compensation, which means that the person was off work for more than one week, hence the injury was more serious in nature. If there are claims of concern, it is recommended that you discuss this with the potential applicant and ensure they are medically released to work.

STRESS

Stress is the result of interaction between a person and their work environment, leading to a negative emotional response when they cannot cope with workplace demands.

Changes to the Act now mean that stress is a workplace hazard, even if the workplace is not the source of the stress. Events or circumstances that cause stress are not limited to the workplace, and can include shift work, danger, temperature, rest time, home life and personal factors. In addition, stress affects everyone differently so it can be difficult to assess.

You are not responsible for non-work stress, but you are responsible if that stress compromises workplace safety. You therefore need to be looking for the signs of stress. However, you will only be responsible for what you can reasonably be aware of. This places a corresponding duty on your employees to inform you if they feel stressed.

Broadly, workplace stress can come from two sources: the context of the work and the content of the work. Some examples of stress arising from these sources are:

Work context:

- poor workplace communication
- non-supportive culture
- uncertain role in the organisation
- poor career path

- physical isolation
- interpersonal conflict or violence.

Work content:

- lack of variety
- under-utilised skills
- high workload
- shift work
- inherently hazardous work
- inflexible work schedule.

FITNESS FOR DUTY

You should have in place written procedures to ensure that all employees, but particularly drivers, are fit for duty.

Drivers need to be aware of the impact of other activities on their ability to drive (eg. second job, sleep, recreation, drugs, alcohol) and, where they are not fit to drive, should be given support and the opportunity to report as unfit for duty.

The fitness-for-duty procedures should also include a drug/alcohol policy and fatigue management.

FATIGUE MANAGEMENT

The problem of fatigued drivers has become increasingly important, as research is now suggesting that fatigue is a contributing factor to a significant proportion of road crashes.

A key way to manage fatigue is to ensure that drivers comply with the driving hours and logbook requirements outlined below.

Driving hours

A driver must:

- not drive for more than 5½ continuous hours
- have at least a half-hour rest after 5½ hours' driving, before doing any more driving.

Over any 24-hour period, a driver:

- must not spend more than 11 hours **driving**
- must not spend more than 14 hours **on duty**
- must have at least nine continuous hours **off duty**.

Note: The Work Time and Logbooks Rule (62001) will amend these hours (expected late 2007). Please go to www.landtransport.govt.nz for the implementation timetable.

Logbooks

Unless exempted by the Act or Notice, drivers must record their driving, on-duty and rest hours in an approved-style logbook.

The logbook enables a driver's work activity to be recorded, and also allows enforcement officers to check compliance with legal driving hours' requirements.

Other ways to manage fatigue

Meeting driving hours' requirements is just part of the solution when it comes to managing fatigue. A driver may be fatigued before they reach the end of their driving hours' allowance, or even before a shift has begun.

So it's important to adopt a broader approach to managing fatigue.

Fatigue is different for every person, and depends on a range of factors. This makes it impossible to develop hard and fast rules for when a driver becomes fatigued. However, factors that can lead to fatigue include:

- long periods of time awake
- an inadequate amount or quality of sleep
- inadequate rest breaks
- disruptions to normal patterns of sleep/work
- mentally/physically demanding work
- environmental stresses (such as heat, noise and vibration)
- recent work history (rosters, hours, shifts)
- personal factors (age, experience, health, sleep, lifestyle)
- trip characteristics (length, breaks, time of day, driving conditions, queuing).

Some basic principles for managing fatigue:

- plan schedules to maximise sleep and rest when they are most needed and when they are most effective (eg. night shift workers will take longer to recover than day workers)
- in trip planning, make allowances for delays
- have at least one day off work a week to prevent fatigue building up
- compensate for the lack of night sleep on a regular basis, with breaks that allow for at least two consecutive nights' sleep
- compensate for a shorter sleep opportunity one day by providing a longer rest the next day
- balance a long shift one day with a longer rest at the end of the day and a shorter shift the next day
- regardless of any balancing of shifts, you should not continually compromise the seven hours' minimum sleep per day
- use short breaks, naps and, to a lesser degree, food, water and exercise as short-term energisers
- remember that personal awareness is no substitute for proper rest and work patterns
- remember that schedules should take into account daily life (such as eating, family commitments, and driving to and from home)

These principles should be reflected in the schedules to which drivers are expected to work. For example:

- written notice (ie. of schedules and rosters) is given to drivers of expected start and finish times that make allowance for rest breaks, vehicle breakdowns, meals and legal requirements (logbooks and speed)
- significant roster changes are advised at least 24 hours in advance
- schedules, rosters and logbooks are kept for a minimum of 18 months
- dispatchers are aware of driving hours' requirements, and are aware of management policy that they not cause drivers to breach these requirements
- drivers are not paid on a mileage basis (this can encourage drivers to drive further and for longer than they can do safely).

A significant step in managing fatigue is giving drivers the ability to identify whether they feel they are becoming fatigued. It may be appropriate to provide driver training so that they know how to recognise when they become tired. But always bear in mind that it is far better to prevent fatigue than have to rely on recognising fatigue when it occurs. Signs of fatigue include:

- forgetfulness
- being fixated
- poor decision-making
- slowed reaction times
- lethargy
- reduced vigilance
- moodiness
- not communicating well
- nodding off.

It is critical that drivers are encouraged to report themselves as unfit for duty if they are fatigued, and have the ability to pull over and rest if they become fatigued during a trip. Where available, drivers should be encouraged to use vehicle sleep bunks for short rest periods.

You should note that for best results a short nap should be up to 40 minutes. Naps longer than 40 minutes can leave you feeling groggy and disoriented (called sleep inertia). If sleep is not possible, lying down will also help.

However, an adequate fatigue management policy would only see roadside naps as a last resort.

DRIVER ON-ROAD PERFORMANCE

An important part of fitness for duty is the ongoing monitoring and recording of driver on-road behaviour and licence status. You cannot knowingly allow an unlicensed or unsafe driver to operate a heavy motor vehicle. A system for monitoring on-road performance should ensure:

- drivers' licences are valid and have the correct endorsements for the vehicles used by each driver

- information on licences, convictions and infringements is recorded
- details of new drivers are checked with Land Transport New Zealand and recorded – you can obtain licence statuses at www.drivercheck.govt.nz
- new drivers have a training schedule put in place
- there is a compliments and complaints system (eg. an 0800 number on the backs of trucks) to monitor performance on public roads
- schedules, instructions or demands do not require a driver to speed or exceed driving hours
- drivers' performance and training needs are assessed annually or after a probationary period or after an incident
- each driver signs the on-road performance policy.

Another usual tool for monitoring driver performance is periodic (possibly annual) peer evaluation of in-service driver practices and behaviour. This can help highlight driver faults in personal driving habits that may not otherwise be apparent to you.

DRIVER DISTRACTIONS, INCLUDING MOBILE PHONES AND TWO-WAY RADIOS

A driver has to deal with a number of hazards on the road while driving, and the ability to respond to these can be impeded by distractions within the cab itself.

There is an ongoing debate on whether the use of mobile phones should be banned while driving. Regardless of the outcome of this debate, few people dispute the fact that it is often the loss of concentration on top of the holding of the phone that increases the risk of causing a crash. If you are driving and your phone rings, let the person calling leave a message and call them back when you are able to park safely.

Furthermore, the anecdotal evidence around mobile phone usage is only part of a wider issue of driver distraction. For instance, drivers will be distracted when eating, drinking, adjusting the radio or attempting to fill in a logbook while driving. All of these activities have the potential to distract the driver and reduce reaction time. If these activities take place on a work-related trip, both the driver and you could be liable under the Act (in addition to careless/reckless driving charges).

As a responsible employer you should limit the potential for drivers to be unnecessarily distracted. In most cases this can easily be achieved by giving meal or smoko breaks so that drivers do not have to do these things in the cab. You may also consider implementing a company policy against phone or radio use while driving.

2. Vehicle roadworthiness

Maintaining vehicles in a safe condition is a key part of health and safety management in the road transport industry. However, this is more than simply passing Certificate of Fitness (CoF) tests when they come up or fixing major faults. In terms of the Act, plant, machinery and equipment must be designed and kept safe for employees at all times.

Accordingly, maintenance must be planned and must be preventative. Some guidelines are below.

DAILY CHECKS

You should have procedures for performing and recording the roadworthiness of vehicles on a daily basis and a procedure for identifying faults, with the ability to take urgent action for safety-related faults.

The daily check policy should:

- ensure every driver does a pre-trip inspection of every vehicle
- ensure the person who undertakes the inspection knows they are certifying the vehicle as roadworthy (to the limits of the inspection)
- deal with all faults to ensure faults are assessed appropriately. Faults are recorded and records kept for 18 months
- set out minimum inspection requirements
- ensure every driver is responsible for preparing a post-trip inspection report at the end of each working day. This should cover the same areas as the daily check, and outline whether action is required.

Minimum inspection requirements are:

- cab free from debris and loose material
- wheels and tyres
- tyre pressure and tread
- wheel security
- lights and reflectors
- windscreen, wipers and mirrors
- windows and mirrors checked for security, damage and grime
- wipers and windscreen washers providing clear vision
- structure and body work
- trailer connection/coupling
- all panels and visible structures secure
- no leaks of any kind
- brakes
- brake failure indicators
- pressure/vacuum gauges
- drain air tanks
- load restraint
- all restraining devices and load anchorage points
- fire extinguisher(s), spare fuses, warning devices for stopped vehicle.

DEFECT CATEGORISATION

Land Transport New Zealand has recently introduced a system for categorising heavy vehicle defects based on their risk to the safe operation of the vehicle. It will help provide consistent, transparent and improved guidelines for the detection of heavy vehicle defects during audits and roadside/weigh station inspections. The system is based on a five- to 15-minute walk-around inspection.

All the categories of defect have been published, so it is easy for you to apply the standards to your own vehicles. The best way to do this is by having a pre-trip inspection for every vehicle to check that the vehicle satisfies the basic safety test.

For more information see the Land Transport New Zealand website for *Heavy Vehicle Selection Guide*: www.landtransport.govt.nz/commercial/.

VEHICLE FAULT RECORDING AND REPORTING

Faults should be recorded as soon as possible after detection, or whenever the truck or trailer is reconfigured. Any new drivers must be made aware of vehicle faults prior to use.

Fault recording and reporting should ensure:

- faults found in the daily check are recorded in the vehicle fault report, which is kept in the truck or trailer
- faults found during or after the journey are recorded in the same way
- all safety-related faults are recorded, reported and assessed for seriousness before trucks are taken on the road. Other faults are recorded as soon as possible.

PLANNED MAINTENANCE AND SAFETY INSPECTIONS

Planned maintenance should ensure:

- all vehicles have been certified to legal requirements and have current CoFs
- maintenance schedules provide for periodic maintenance and safety inspections after the relevant time, distance or hours of service. The schedules should outline relevant maintenance tasks and inspection items, and tolerances and wear limits for inspection, along with pass/fail criteria
- intervals between inspection are frequent enough to keep vehicles roadworthy and minimise the chance of serious defects occurring
- inspection items include those listed in the Land Transport New Zealand *Heavy Vehicle Inspection Guide*, and the pass/fail criteria are at least as strict as those for the CoF
- maintenance and safety inspections are performed according to the schedule, not operational needs
- only suitably qualified people undertake maintenance
- all records of maintenance, inspection, CoFs and repairs are kept for 18 months.

VEHICLE FAULT REPAIR

Reported faults should be assessed and repairs undertaken according to priority, with faults only deferred if they are not safety related. Accordingly:

- faults should be assessed as to their nature and then priority given. Safety faults should be repaired straight away, and the vehicle may be placed out of service in the meantime if it is unsafe to drive

- any decision to defer repairs should only be made by an authorised person and the decision recorded
- any decision to monitor a fault should be recorded
- following maintenance and repairs, all vehicles should be assessed and verified as roadworthy.

SAFETY INSPECTION, MAINTENANCE AND REPAIR FACILITIES

You must ensure that facilities and equipment used for safety inspection, maintenance and repair are suitable for the types of activity undertaken. If the facilities are not under the control of management there should be written agreement with the provider about health and safety standards.

Company policy should specify the standard of facilities and equipment to be used. Facilities and equipment should include the provision of:

- undercover facilities for all-weather repair
- tools and equipment appropriate for the size and nature of the fleet
- under-vehicle inspection facilities
- adequate lighting, workspace etc
- instructions for assessing facilities and equipment
- instructions for maintaining facilities and equipment, record keeping, calibration etc
- instructions for reporting any deficiencies.

MAINTENANCE RECORDS AND DOCUMENTATION

Records need to provide evidence of the effective operation of safety inspection and maintenance management, and should therefore include evidence of:

- daily checks
- on-road faults detected
- repairs undertaken
- vehicles receiving safety inspections and maintenance
- inspections and repairs being carried out by qualified people
- reviews of maintenance processes
- facilities and equipment being assessed prior to use.

MAINTENANCE/SAFETY INSPECTIONS – TRAINING AND EDUCATION

People who carry out repairs, maintenance and inspections should be trained in the maintenance and safety requirements of management. They also need to be aware of the specific installation/use/repair etc requirements for the types of equipment and machinery used in the business.

Training could include:

- individual training for people involved
- refresher training when non-compliance becomes evident.

Records should be kept of all training.

3. In-cab safety – specific vehicle considerations

VIBRATION AND CABIN SEATING

The driver of a vehicle absorbs vibration from the seat pan, seat back, pedals, wheels etc. The level of vibration depends on the engine, load and road surface. Exposure to vibrations can create health risks, such as elevated heart rate, blood pressure and respiration, or difficulty in reading instruments. It also contributes to what is commonly known as “Occupational Overuse Syndrome” (OOS) and lower back pain. Prolonged exposure can also build up fatigue. Factors to consider include:

- the seating and cabin suspension
- the axle suspension
- the effects of power steering
- pedal positioning and the force required to use them
- the suitability of tyres
- the type and nature of the road surface.

SEATING AND CONTROLS

The positioning and design of seating and controls can create problems for the driver. These problems are likely to build up over time due to repeated exposure. The problems associated with seating and controls include:

- spinal stress from lack of back support
- postural problems and fatigue
- shoulder and back strain from reaching for controls
- strained neck.

Accordingly, the following points should be taken into account:

- the seat should be adjustable
- the seat suspension should be adjusted for the height and weight of the driver
- drivers should be encouraged to take breaks to avoid long periods of sitting
- frequently used controls should be at a comfortable position and be easily reachable
- mirrors should be positioned to avoid strain
- other controls should be within the main visual view and within reach.

ACCESSING TRUCKS

Getting in and out of truck cabins can create hazards, especially with larger trucks. Access may require stretching or awkward postures and this should be avoided where possible. Risk factors are:

- wet or slippery hand/fooholds
- different designs for each truck
- the first step being too high
- subsequent steps being too high
- a swinging first step
- no or poorly located handholds
- hidden/recessed stairways.

Injuries can be reduced by not jumping out of trucks. The driver must always maintain at least three points of contact when entering or exiting the cab.

A good way to address this problem is to encourage drivers to raise any safety concerns that they have and to implement improved design in response.

NOISE

Noise is dealt with specifically under health and safety regulations. The regulations require you to take all practicable steps to eliminate hazardous noise levels. If noise is above the specified level, hearing protection must be provided and signage erected.

The maximum noise limit is Laeq 8h of 85 dB(A) and Lpeak of 140 dB (A). This is roughly the noise that would require you to raise your voice to be heard by someone one metre away.

Signage must set out that the level of sound is hazardous, that hearing protection is required and the location of hearing protection.

Prolonged exposure to noise can cause stress and hearing damage. Drivers are exposed to many sources of noise – wind, exhaust, traffic, engines etc.

A recent study found that almost all drivers were being exposed to noise levels above the recommended exposure limits, a problem compounded by working long hours.

Measures to control exposure to hazardous noise levels include:

- installing air conditioning
- closing windows on the driver's side
- positioning communication systems for easy listening
- installing sound- and vibration-absorbing material
- improving exhaust systems
- positioning the exhaust on the passenger side
- positioning external mirrors to reduce wind noise
- installing air silencers for park brakes and air starters
- providing hearing protection
- checking noise levels as part of the vehicle maintenance programme.

FIRST AID KITS

There is no express requirement for first aid kits to be fitted in all cabs, although you may decide that it is reasonable to do so. As with all health and safety requirements, you must look at the context and take all reasonable steps to make work activities safe. Relevant factors could include:

- whether workers have access to other sources of first aid
- the distance/time away from home base
- the degree of isolation
- the worker's ability to contact help in an emergency (eg. radio/mobile phone).

SMOKEFREE VEHICLES

Smoking in a company vehicle, especially trucks that are shared, is an issue best handled with agreement from all employees.

4. Journey management

TRIP SCHEDULING

You need to have in place a system to ensure that journey schedules allow drivers sufficient time to complete their tasks without compromising safety. Trip scheduling therefore needs to be based on trip times, terrain, traffic, time of day, weather, stress, fatigue and vehicle constraints. Utilise Land Transport New Zealand road accident location maps to forewarn drivers of hazardous road sections, truck rest areas etc.

Company policy should state that schedules allow drivers sufficient time to complete their tasks without compromising safety. It should also give clear instructions for achieving this, taking into account:

- driver knowledge and experience
- the type of vehicle and the nature of the task
- route and road conditions
- an allowance for loading and unloading and delays
- a process for handling delays, emergencies etc without compromising safety
- feedback from personnel who prepare schedules on any problems that could compromise safety.

The scheduler and the driver should sign each trip schedule.

TRIP MONITORING

The purpose of trip monitoring is to ensure that driver performance is controlled throughout the journey through logbooks, the dispatch process and other electronic processes. Any exceptions to trip times should be investigated and reflected in later plans.

DELIVERY CONDITIONS

Drivers can be exposed to a wide variety of working conditions, all of which require different planning and safety considerations eg:

- rural environments
- livestock
- forestry
- access to other depots
- crossing railway lines
- deliveries to unattended depots or overnight.

The requirements of the different delivery conditions must be reflected in trip planning and driver preparation. For instance, when making urban deliveries, drivers should be aware of the dangers associated with leaving trucks in public areas – children climbing on vehicles, blocking access to streets etc.

5. Facility management

Under health and safety regulations, you are required to take all practicable steps to provide and maintain facilities, such as:

- washing and toilet facilities
- drinking water
- emergency exits
- meal rooms
- first aid rooms
- a clean place to work
- ventilation
- adequate lighting
- a means of controlling the atmosphere
- a reasonable work temperature
- adequate space.

It is important to remember that there are people other than employees who will come into contact with your facilities, such as drivers from other companies or members of the public.

You therefore need to consider:

- whether the public/visitors have access
- notification of safety requirements
- people walking around moving vehicles
- use of machinery
- housekeeping (eg. wash basins, rest areas).

SAFETY EQUIPMENT

You must provide, and where necessary replace, all personal protective clothing and equipment, free of charge to your employees. Ownership of the personal protective clothing rests with you. You cannot pay an allowance instead of providing protective clothing or equipment, or require an employee to provide their own safety clothing and equipment as a pre-condition or condition of their employment agreement.

Employees can genuinely and voluntarily choose to provide their own protective clothing, but cannot provide their own safety equipment.

The equipment that you provide will obviously depend on the work conditions and the workplace itself. A depot will have different requirements from a vehicle, for example.

However, a starting point for equipment for a driver/vehicle might be:

- fire extinguisher
- safety clothing (eg. high-visibility (“hi viz”) vests, steel-cap boots, eye protection)
- spares and tools (eg. for tyres, repairing air-lines)
- emergency reflectors and lamps
- first aid kit.

USE OF EQUIPMENT AND PLANT

The use of machinery exposes workers to one of the most serious health and safety risks if not managed properly.

You should therefore take the following steps:

- provide suitable equipment
- train operators in its use
- ensure that only trained and authorised people use and maintain the equipment
- certify or license equipment where relevant.

You also need to make sure that workers act in a responsible manner, which includes:

- working safely
- not using faulty equipment that would be dangerous
- taking care around doors, passages, pathways etc
- using equipment according to training instructions
- checking equipment before/during/after use
- reporting faults, safety problems or accidents.

The ruling on employers supplying plant is on page 23.

MAINTAINING EQUIPMENT

Equipment maintenance should include the following features:

- workers reporting faults, hazards etc so that they can be rectified
- a defect reporting system
- daily reports
- planned maintenance.

DEPOTS

High injury risks occur when vehicles are docking and parking, loading and unloading at depots. Pedestrians, vehicles, noise and other distractions all contribute to the risk.

Employees must follow the local safety procedures of the depots and facilities when entering these sites.

6. Loading and unloading

SAFE LOADING PROCEDURE

The best way to address the range of hazards that can arise from different loading processes is to establish a safe loading procedure. This should state that the company requires all loads to be safely secured to the vehicle and comply with all legislative requirements, such as:

- road safety
- vehicle stability
- maximum axle and vehicle loads
- road user charges
- dangerous goods requirements.

It should also include instructions on how:

- vehicles are to be loaded to comply with the above
- to deal with emergencies or events requiring load transfers while maintaining safety and legal compliance
- to provide feedback to personnel responsible for policies on any information or difficulties that could compromise safety or legal compliance
- to maintain records on who loaded vehicles for each journey.

USE OF MACHINERY FOR LIFTING

There is a high risk of muscular and soft tissue injury (especially to the back) during the loading and unloading of vehicles. Freight can be loaded by a forklift, by pallet mover or by hand, and manual tasks should be avoided where possible. It is preferable to use machinery where possible, but of course this can also raise certain risks, such as in:

- delivering loads from truck to storage bay
- loading and unloading from ground level
- securing and unsecuring loads.

7. Fall prevention

The subject of fall prevention has been given its own section because it is a significant risk at all stages of a road transport operation, such as in:

- falls from elevated workplaces (vehicle tray, cab, trailer)
- falls through an opening (unguarded loading dock, work platform)
- falls into containers (bin, tanker).

It is also a major cause of injuries in the road transport industry.

REQUIREMENTS UNDER THE ACT

If any worker is working at a height greater than three metres, the health and safety regulations require you to take all practicable steps to provide suitable fall-prevention equipment. However, the requirement to take all practicable steps to make work safe will always apply, regardless of whether it is practicable to use fall-prevention equipment.

There are no mandatory requirements when working at a height of less than three metres. However, you still need to take all practicable steps to prevent fall hazards.

It is also worth noting that the United Kingdom, the United States, Canada and Australia either already require the mandatory use of fall-prevention equipment or are moving towards this requirement. These jurisdictions also have a lower threshold, as workers working at a height of two metres or six feet are required to use fall-prevention equipment.

This may mean that, depending on your work circumstances, it will still be appropriate to provide fall-prevention equipment for your workers if they are at risk. It would also be in line with standards from overseas.

FALL PREVENTION

As with all other hazards, you should take a systematic approach to managing the risks posed by working at heights, meaning:

- identify
- assess
- control.

Fall hazards can be relatively easily identified and assessed along the same lines as any other hazard. However, the control measures may be a bit different, especially given the mandatory use of fall-prevention equipment when working at more than three metres.

Controlling the hazards of working at heights should follow the priorities set down under the Act. The first priority should be to remove the hazard altogether, but if this is not possible the hazard can be mitigated.

Eliminate: a hazard can be eliminated if you can remove the need to work at height altogether, for instance by using a ground-based mechanical tarping system on a bin truck.

Isolate: if you cannot avoid working at height, you should take steps to stop workers encountering the hazard. This could include working from a safe place or using equipment such as guardrails or handrails. Other options might include covering up holes in a deck while work is being performed.

Minimise: if there is still some remaining risk of a fall, you should take steps to minimise the harm that it will cause. The main option here is the use of fall-prevention equipment, so that a fall can still occur but the worker will not strike the ground. Other options include stickers or signs to highlight openings.

FALL-PREVENTION EQUIPMENT

The use of fall-prevention equipment is becoming increasingly prevalent, as a number of countries are making the use of such equipment compulsory in certain circumstances.

Fall-prevention equipment includes two main types of device. A fall-arrest device suspends a free-fall so that the worker does not hit the ground. A positioning device restrains an elevated worker, preventing them getting into a hazardous position where a fall could occur.

SPECIFIC SITUATIONS

In addition to these generic safety measures, there are a number of specific situations that may require more targeted responses. Some of these situations are outlined below.

VEHICLE ACCESS AND EGRESS

Risks include:

- jumping from vehicles
- climbing in and out of a cab
- climbing on and off vehicles, trays, gates
- poorly designed/positioned steps
- straining from arresting falls.

Solutions:

- fit access steps
- modify equipment for operator
- face vehicle and use steps.

FALLS FROM TOP OF LOAD

Risks include:

- falls from top of a load
- slips and trips
- impact injuries from jumping down
- slips/falls due to weather conditions.

Solutions:

- reduce the need to work on top of loads
- ensure drivers are aware of the risks and how to use equipment.

WORK PLATFORMS

Risks include:

- falls from poorly designed/located/operated platforms
- being dislodged from forklifts
- impact damage from overhead clearance
- contact with plant and equipment
- collapse from overloading
- limbs trapped in fork mechanisms.

Solutions:

- secure platforms to forklifts
- lift a maximum of two people on a platform
- ensure the operator is licensed and trained
- operate forklifts on a level surface
- use the neutral gear and park brake when not in use
- keep the forklift mast in a vertical position
- guard moving/trapping parts.

USE OF LADDERS

Risks include:

- slips on rungs
- slipping ladders
- ladders collapsing
- falls when climbing from tops of ladders
- electrocution from ladders touching conductors.

Solutions:

- meet ladder standards
- use a ladder appropriate to the task
- maintain a 4:1 vertical:horizontal ratio
- extend the ladder above the access to the platform and secure the top
- have a person to tend the bottom of the ladder.

LOADING DOCKS

Risks include:

- falling from a dock
- forklift or plant driving over a dock
- slips and trips.

Solutions:

- have separate pedestrian and vehicle access areas and maintain speed limits
- enclose the loading dock
- use signage around areas of risk
- use guardrailing.

VEHICLE MAINTENANCE PITS

Risks include:

- forklift/plant driving over the edge of the pit
- equipment/materials being knocked over the edge onto people.

Solutions:

- install guardrails
- enclose the area
- mark areas of risk
- provide clear areas for pedestrian and vehicle access
- provide access steps.

LOADING/UNLOADING CAR CARRIERS

Risks include:

- slips, trips and falls from the upper deck
- falls through unprotected openings in the deck
- falls due to poor lighting.

Solutions:

- assess each customer location for safe loading
- provide edge protection
- mark risk areas
- provide anti-slip surfaces
- ensure adequate lighting for the task
- enclose exposed openings.

LIVESTOCK CARRIERS

Risks include:

- slips, trips and falls from moving up ramps or between decks
- climbing outside and on top of crates
- moving from one crate to another
- poor lighting, adverse conditions and uneven ground.

Solutions:

- assess each customer location for safe loading.



NOTES

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NOTES

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