



NSW Road Freight Action Plan 2013 - 2014

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This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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Why focus on road freight transport?

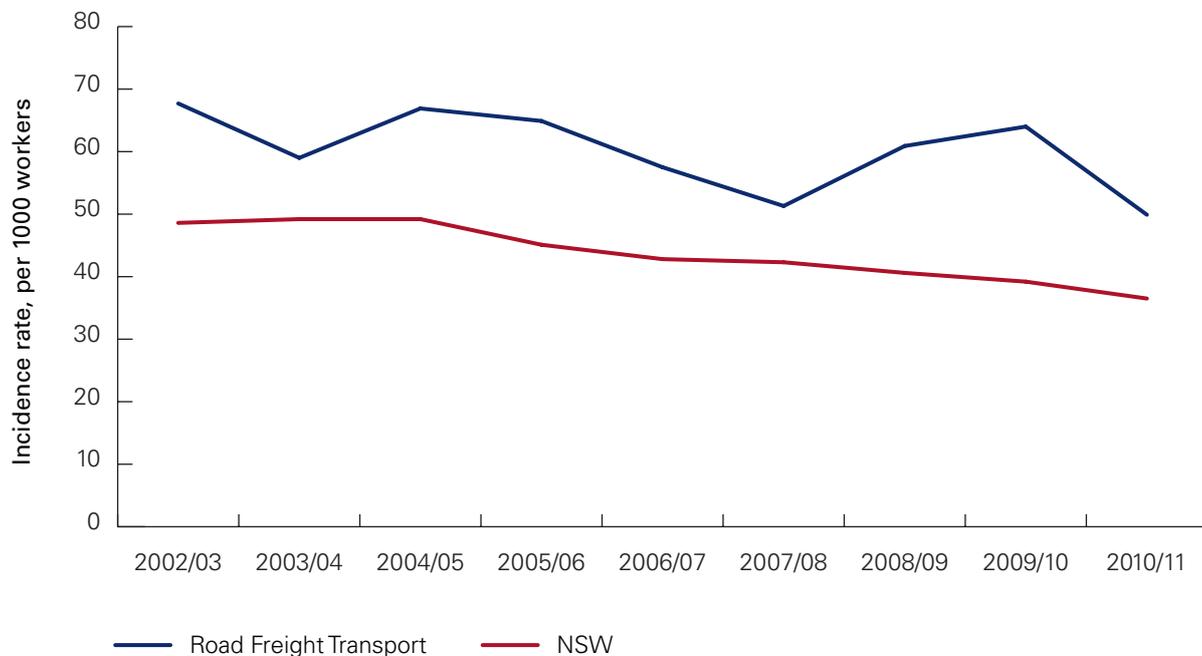
Road freight transport has been identified as a priority under WorkCover's Focus on Industry Program, designed to improve workplace safety, return to work and injury management outcomes in high risk sectors.

The road freight transport industry in Australia is broadly defined into two distinct sectors – 'hire and reward' operators (whose main business is the transport of other people's goods) and 'ancillary fleet' operators (who operate their own fleet of vehicles to support or distribute the product of a core business).

It is the 'hire & reward' sector of road freight transport that is the focus of this plan.

Figure 1 shows that the injury incidence rate, that is the number of injuries per 1000 workers, for the 'hire & reward' sector (WIC code 611) is significantly higher than the NSW average.

Figure 1: Injury incidence over time for the road freight industry as a whole compared to NSW average



About the industry

The hire and reward sector of the road freight transport industry is covered by three workers compensation classification (WIC) codes:

- bulk freight (611010)
- short distance (611020)
- long distance transport (611030).

Bulk freight transport includes employers engaged in the transportation of bulk freight by road, generally with no handling of the freight by the driver.

Short distance transport includes employers engaged in the transportation of general freight by road, involving distances of up to 500km for the round trip, and where the driver is generally involved in loading and unloading the freight. It also includes employers engaged in renting trucks with drivers for general road freight transport up to 500km for the round trip.

Long distance transport includes employers engaged in the transportation of general freight by road, involving distances of more than 500km for the round trip, and where the driver is involved in loading and unloading the freight.

According to research commissioned by the Bureau of Infrastructure, Transport and Regional Economics, the road freight task in NSW is expected to grow. The forecasts for the average annual growth rates (2008 to 2030) are 3.8 per cent and 2.2 per cent for interstate and capital city road freight respectively. The 'rest of state' road freight is expected to decline by 0.4 per cent annually¹.

The rise of internet shopping is also considered to be reshaping the freight task in Australia. There is increased parcel traffic, much of this being short haul by small trucks. This trend means there is more pickup and drop off to residential addresses.

As at February 2010, the road freight transport industry (hire and reward and ancillary sectors) in Australia employed approximately 158,000 workers. According to projections prepared by the Department of Employment, Education and Workplace Relations, employment in this industry is expected to grow by 3.2 per cent per annum up to 2014/15².

The median age of workers in the road freight transport industry in 2009 was 43.8 years. Approximately 88 per cent of the workers were male and 87 per cent worked full-time. The median weekly earnings (full-time and before tax) were \$1000 (as at August 2008).

Who is involved in regulating road freight transport in NSW

Roads and Maritime Services (RMS) – RMS has a compliance and enforcement function that is focused on heavy vehicle activity. This includes, within the National framework, setting standards for the use of vehicles and the behaviour of drivers on NSW roads including drivers and vehicles in the road freight transport industry.

RMS also has a compliance and enforcement function that is focused on heavy vehicle activity. They have increased powers and responsibility for Heavy Vehicle driver fatigue and speed compliance with new regulation in September 2008. RMS administers the *Road Transport (General) Regulation 2005 (Road Transport Regulation)*, the *Road Transport (General) Amendment (Heavy Vehicle Driver fatigue and Speeding Compliance) Regulation 2008*. Part 6 and Part 7 of the Road Transport Regulation gives effect to the Heavy Vehicle Driver Fatigue National Model Legislation prepared by the National Transport Commission.

Transport for NSW (TfNSW) – TfNSW is responsible for the NSW road safety and freight strategies for all road users. Working within the national framework, TfNSW sets standards and policies for the use of vehicles on NSW roads; which applies to vehicles, drivers, owners, operators and other parties within the road freight industry.

NSW Police – NSW Police enforce traffic laws. They issue infringement notices for breaches of these laws, and in the case of more serious offences, prosecute offending drivers. Enforcement may include the targeting of prevalent offences on the roads including speed, alcohol and drug use and other poor driver behaviours.

NSW Police have a key role in overall traffic and road management issues. In particular, they have responsibility to investigate motor traffic incidents pursuant to the various traffic and criminal laws and in the case of fatal traffic incidents, the reporting of all relevant circumstances to the coroner to assist in determining whether an inquest should be held.

WorkCover NSW – WorkCover, through its function of ensuring compliance with work health and safety legislation, has regulatory responsibilities that have a bearing on road safety. WorkCover is responsible for administering a range of regulatory measures to promote and manage workplace health and safety of people at work across all industries. WorkCover is the lead agency responsible for the regulation of the road transport of explosives, and administering the Workers Compensation Scheme providing assistance to injured workers.

National Heavy Vehicle Regulator (NHVR) – the new National Heavy Vehicle Regulator was established on 1 January 2013. From mid to late 2013 it will become responsible for regulating all vehicles in Australia over 4.5 tonnes. The Regulator will administer one nationally consistent set of rules for Australia's heavy vehicle owners, operators and drivers under the Heavy Vehicle National Law (HVNL).

¹ Research Report 121: *Road Freight Estimate and Forecasts in Australia: Interstate, Capital Cities and the rest of State 2010*.

² *Employment outlook for Transport, Postal and Warehousing* published by Department of Employment, Education and Workplace Relations 2010.

Road Safety Remuneration Tribunal (RSRT) – The Road Safety Remuneration Tribunal is an independent national body whose functions include:

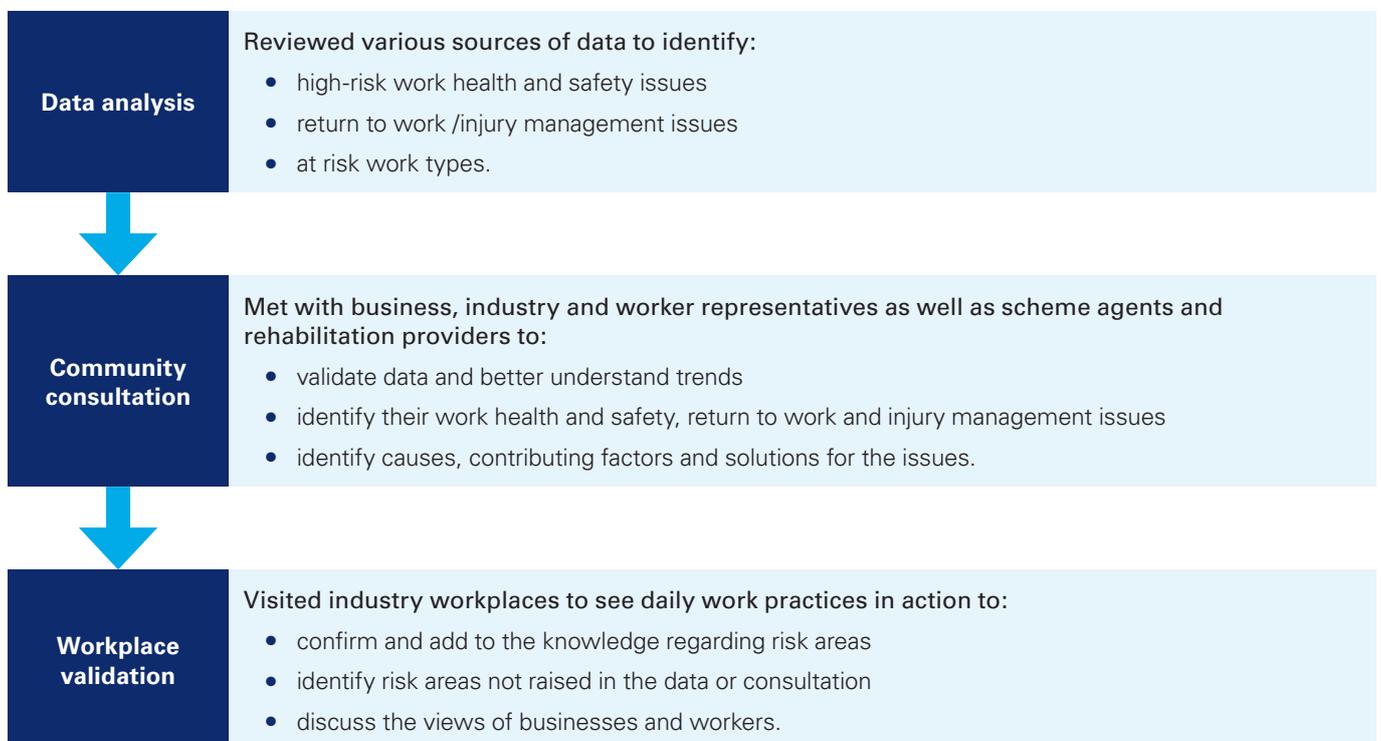
- making road safety remuneration orders
- approving road transport collective agreements
- dealing with certain disputes relating to road transport drivers, their employers or hirers, and participants in the supply chain
- conducting research into pay, conditions and related matters that could be affecting safety in the road transport industry.

Roles and responsibility for investigating truck crashes

- In these incidents, NSW Police and the Crash Investigation Unit are the lead investigators, taking control of the crash site & evidence to determine if the actions of the truck driver contributed to the incident.
- The RMS Investigation Team will investigate the 'Chain of Responsibility' as defined in the '*Road Transport (Mass, Loading & Access) Regulation 2005*'.
- WorkCover would have a role at the request of the RMS/NSW Police ie if work health and safety specific causes were identified, as per the new Regulations – clause 34 (Duty to identify hazards).

How we explored the issues

We analysed business intelligence and undertook field validation activities to explore which issues are contributing to injuries, illness and delayed return to work within this industry.

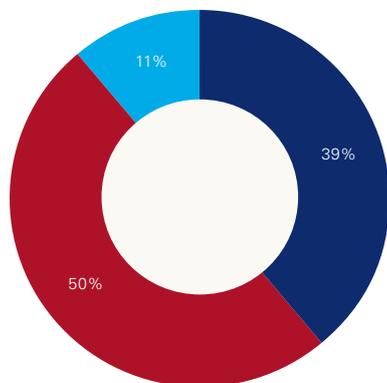


Industry trends and work health and safety, and return to work performance

Workers compensation policy holders

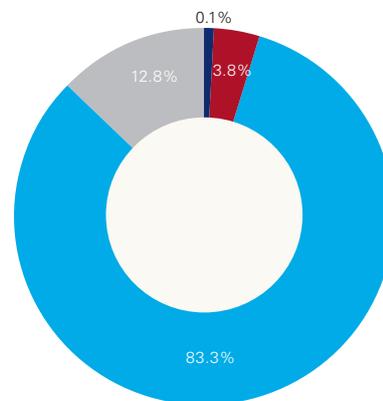
There were a total of 9046 road freight transport workers compensation policy holders for the 2011 policy renewal year. The majority (83.3 per cent) of policy holders in bulk freight, short distance and long distance transport are micro businesses (less than five workers). A further 12.8 per cent are small business (5–19 workers). Just 3.9 per cent of businesses are medium or large. The metropolitan hub has 58 per cent of policy holders in bulk freight transport and 71 per cent of policy holders in short distance transport.

Figure 2: Policy holders by sector (2011)



- 611010: Bulk
- 611020: Short distance
- 611030: Long distance

Figure 3: Policy holders by business size (2011)



- Large (> 199)
- Medium (20–199)
- Small (5–19)
- Micro (< 5)

Table 1: Policy holders by WorkCover region (2011)

	Hunter	South East	Metro	North Coast	North West	South West	Unknown	Grand total
Bulk freight	334 (9%)	341 (10%)	1786 (58%)	215 (6%)	197 (6%)	352 (10%)	38 (1%)	3533
Short distance	342 (8%)	324 (7%)	3242 (71%)	177 (4%)	193 (4%)	214 (5%)	51 (1%)	4543
Long distance	72 (8%)	92 (9%)	362 (37%)	82 (8%)	122 (12%)	209 (22%)	24 (2%)	970
Grand total	755 (8%)	757 (8%)	4687 (63%)	474 (5%)	512 (6%)	775 (9%)	113 (1%)	9046

Figure 4: Location of WorkCover regions



Workers compensation claims

There was a 6 per cent increase in the incidence rate of claims for road freight transport from 2006/07 to 2008/09. The main contributor to this increase was the short distance transport sector. The incidence rate has since declined slightly from 2007/08 to 2010/11. The total cost of claims (payments plus estimates) also increased from 2006/07 to 2008/09. The short distance transport sector was again the main contributor to this increase.

The metropolitan hub had 62 per cent of the claims. This is not unexpected, as 62 per cent of the policy holders were in the metropolitan hub.

Figure 5: 10-year trend in total number of claims

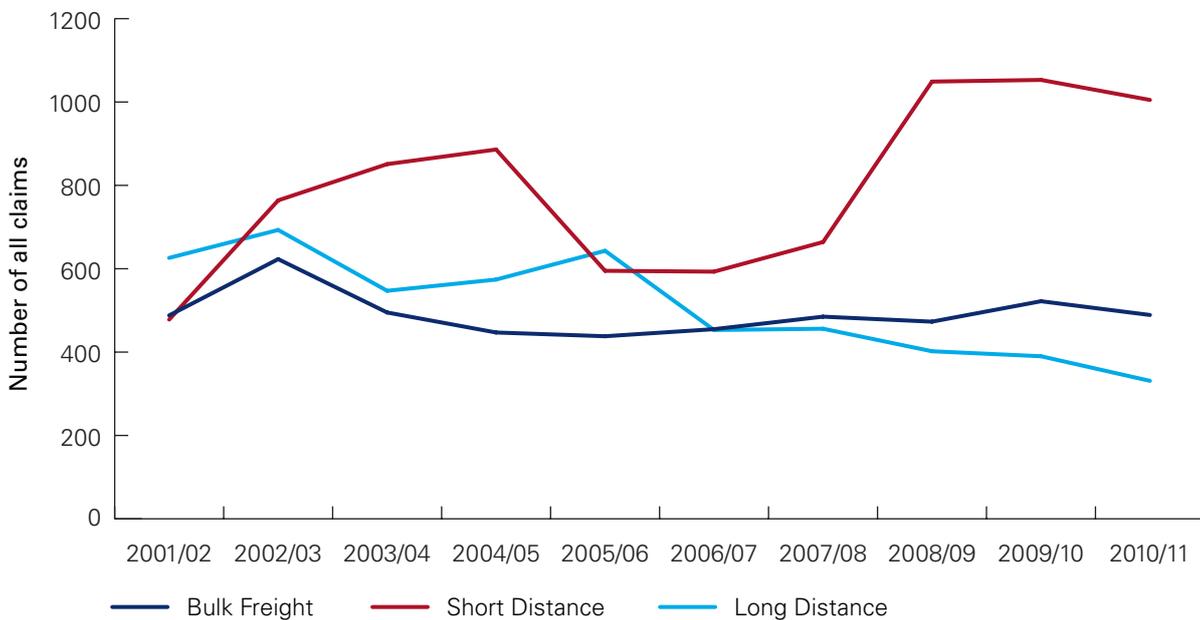
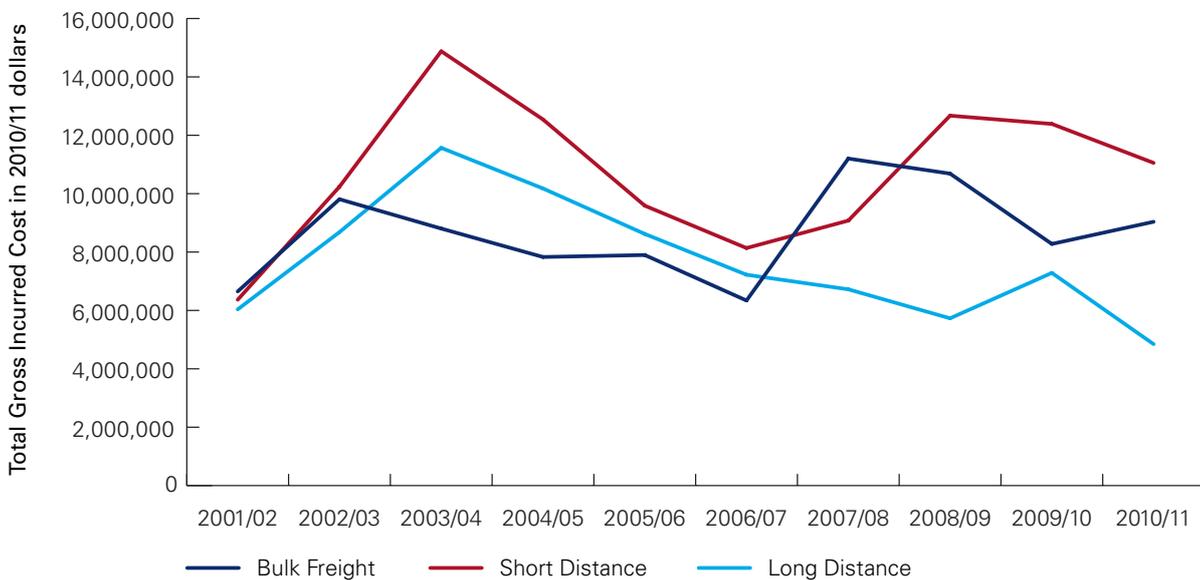


Figure 6: 10-year trend in cost (Gross Incurred Cost) of claims



Industry action plan issues

Through data analysis, stakeholder consultation and workplace validation visits we have identified four major issues that will be the focus of the work of this plan.

Issue	Focus area	Contributing factors
<ul style="list-style-type: none"> Hit by moving objects, such as own or other vehicles and forklifts and falling loads 	Onsite traffic management	<ul style="list-style-type: none"> Unsafe loading/unloading operations Unsafe onsite traffic management
<ul style="list-style-type: none"> Manually lifting and handling loads or equipment Falls, both from trucks/trailers and on the same level (slips and trips) 	Manually loading and unloading trucks	<ul style="list-style-type: none"> Heavy and/or awkward freight Load restraining Awkward postures Working on trucks Access and egress to/from truck Loading dock/off-site issues Load restraining
<ul style="list-style-type: none"> Trucking industry performs worse than NSW average in some return-to-work indicators and injury management indicators 	Return to Work	<ul style="list-style-type: none"> Lack of suitable alternate duties Drivers losing livelihood and self esteem if they can't drive Some doctors lack awareness of industry issues.
<ul style="list-style-type: none"> Sedentry work (driving) Long work hours 	Wellness	<ul style="list-style-type: none"> Sleep apnoea Obesity Heart & vascular disease Stress Osteoporosis Diabetes

Overarching issues

Supply chain – the industry is often characterised by complex contractual arrangements, meaning responsibility for safety falls to multiple parties.

Many injuries occur at external worksites with little if any control possible by the trucking employer or driver.

Nature of the industry – there is a perception that the more drivers ‘push the boundaries’ the more money they make. Although heavily regulated to prevent this, when it occurs it contributes to the risks described above.

Other industry safety issues

Fatigue management and the use of seatbelts are also major safety issues for the road freight transport industry. While WorkCover NSW does not regulate or enforce these issues we recognise the need to support the National Heavy Vehicle Regulator, Roads and Maritime Services and NSW Police in their management.

Wherever appropriate we will work with action plan partners to support and promote these issues in the activities outlined in this plan.

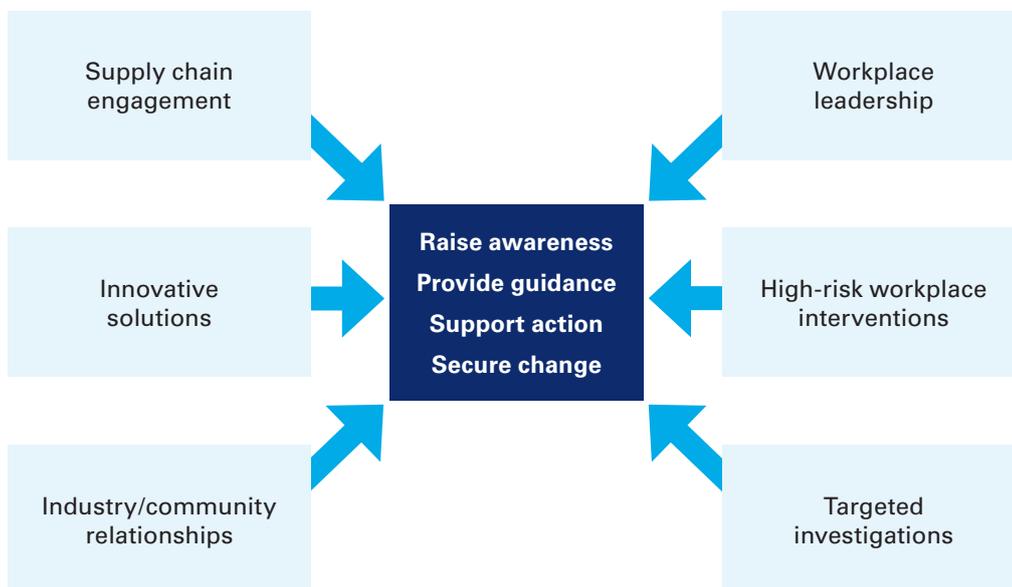
Securing healthy, safe and productive workplaces

Securing healthy, safe and productive workplaces within the NSW road freight industry requires action in a number of key areas:

- building relationships with those who understand key issues and can create safer workplaces in NSW
- designing innovative solutions that produce sustainable change in worker well-being, work health and safety and return to work
- engagement with customers in a way that meets their needs and builds their capability to manage their health and safety
- leadership from best practice workplaces that are willing to share their experience and assist others within the community
- working closely with high-risk workplaces that require a greater level of attention to ensure their work health and safety and/or return to work performance improves
- targeted investigations involving serious incidents.

These actions aim to:

- raise awareness and capability within the industry
- provide guidance to the industry on how to effect change
- support action across the industry
- secure change where necessary.



Plan for change in the road freight transport industry

Outcomes

- Reduced fatalities, injuries and illnesses
- Reduced exposure to hazards causing injury and disease
- Elimination/minimisation of high-risk hazards through higher level controls
- Injured workers are protected and have sustained return to work arrangements



Contributing success factors

- Risks associated with traffic movement, pedestrians and plant operations are controlled through implementation of effective systems, improved competency and improved traffic management.
- Risks associated with manual load handling tasks, load restraining activities and working at heights on trucks are eliminated through higher level controls.
- Industry/persons conducting a business or undertaking (businesses) have systems and programs in place to facilitate effective early return to work and injury management for injured workers.
- There is increased awareness/uptake within the industry of driver wellness programs



Targeted high-risk issues

1. Being struck by forklifts, trucks and other mobile plant in loading docks, and distribution and freight forwarding centres and intermodal centres.
2. Muscular-skeletal and traumatic injuries whilst manually loading and unloading trucks (and associated tasks such as lifting/removing trailer gates and moving side curtains).
3. Lack of effective and systematic management of return to work and injury management of injured workers and low levels of understanding within the supply chain of how work health and safety, workers compensation, return to work, injury management and road safety obligations are applied in operational road freight transport environments.
4. Driver wellness issues (eg diabetes, cardiovascular disease, obesity, sleep disorders and mental health).

Issue 1: Onsite traffic management systems

Workers (including drivers) are at risk of being struck by forklifts, trucks and other mobile plant in loading docks, distribution and freight forwarding centres and other loading/unloading areas, due to inadequate traffic management systems.

Outcomes:

Industry and businesses (including parties in the supply chain) will:

- implement systems to control risks associated with traffic movement in distribution and freight forwarding centres and loading/unloading areas
- have controls in place to separate pedestrians from moving plant
- ensure the safe and compliant operation of forklifts and other mobile plant.

Actions:

Raise awareness

- Action plan partners will promote the safe management of traffic movement, pedestrian separation and operation of forklifts and other mobile plant, at industry events, and using available communication channels.

Provide guidance

- Action plan partners will source/create and promote case studies that demonstrate both the efficiencies and safety outcomes that can be achieved through the application of risk controls associated with traffic movement in distribution and freight forwarding centres and loading/unloading areas.
- Action plan partners will review international, national, local and industry codes, guides and other support products, including on-line interactive tools, to identify a suite of best practice information on reducing risks of being struck by forklifts, trucks and other mobile plant in loading docks, and distribution and freight forwarding centres for dissemination to industry.
- Action plan partners will hold a series of demonstration days providing guidance on traffic movement, pedestrian separation and the safe operation of forklifts and other mobile plant. The days will be promoted in targeted media and social media campaigns.

Support action

- WorkCover will support the adoption of traffic management controls through the review and expansion of current rebate programs.
- Action plan partners will support the implementation of a program where safety coaches will be made available to provide guidance to businesses on moving plant and vehicle risks.
- A regional Trucking Network Group program will be piloted to ascertain its potential in promoting and sharing best practice
- Action plan partners will explore opportunities for sponsorship of positions at relevant training courses for trucking industry personnel
- WorkCover will trial a revised Safety Ambassador program for the industry.

Secure change

- WorkCover will conduct a statewide workplace visit program to ensure businesses have implemented controls to manage risks associated with traffic movement, pedestrian separation and the operation of forklifts and other mobile plant.
- WorkCover will provide a priority response to road freight transport requests for service and incidents where traffic movement, pedestrian separation and the operation of forklifts and other mobile plant are involved.
- Businesses identified as needing assistance will be case managed to secure improved outcomes.

Issue 2: Manually loading/unloading trucks and getting in and out of trucks

Workers are at risk of suffering muscular-skeletal and traumatic injuries while manually loading and unloading trucks and getting in and out of truck cabins:

- during high frequency piece work deliveries where individual items are manually unloaded (eg cartons/kegs/parcels)
- whilst restraining loads on trucks, if applying high risk work practices and/or using unsafe or unsuitable load securing devices
- while handling gates and curtains on trailers
- where falling loads risks exist
- due to falls from truck cabins and load decks.

Outcomes:

Industry and business (including parties in the supply chain) will:

- identify and control risks associated with manual load handling tasks
- eliminate the use of cheater bars on over-centre dogs and implement controls to eliminate risks associated with undertaking load restraining activities
- eliminate or minimise risks associated with falling loads
- eliminate or minimise the need for workers to access non fall-protected load deck areas and cabs, and/or will provide safe means of access and egress, and/or systems to prevent falls from the truck
- engage sub-contractors through a system that controls risks to drivers

Actions:

Raise awareness

- Action plan partners will promote safe manual loading and unloading of trucks at industry events, and using available communication channels.
- Industry partners will develop and deliver a 'Three Points of Contact' campaign including the promotion of 'Keep off the back' messages, to bring about cultural change in NSW industry.

Provide guidance

- Action plan partners will hold a series of demonstration days providing guidance on high frequency piece work, load restraint practices and devices, risks of falling loads and preventing falls from trucks. The days will be promoted in targeted media and social media campaigns in partnership with Police, Roads and Maritime Services (RMS), Transport Workers Union (TWU) and industry associations.
- Action plan partners will collaborate to define guidance materials and tools that outline WorkCover and industry expectations for businesses engaging road freight transport services, regarding worker safety. This will include a shared responsibility template for businesses/small companies to use when negotiating contracts with supply chain employers.
- Action plan partners will source/create and publicise case studies on good practice for manually loading and unloading trucks.
- WorkCover will continue to contribute to the Load Restraint Working Group.
- WorkCover will work with industry to promote the National Transport Commission and other regulators' load restraint guidance materials.
- Action plan partners will review existing WorkCover truck falls publications and, if suitable, harmonise/refresh and promote in NSW.

Support action

- WorkCover will support industry adoption of safety improvements by reviewing the rebate program to include engineering controls to remove or minimise manual load handling risks, and replacement of load restraint devices to less hazardous styles.
- Action plan partners will support the implementation of a program where safety coaches will be made available to provide guidance to businesses on manual loading and unloading and safely getting in and out of truck cabs.
- A regional Trucking Network Group program will be piloted to ascertain its potential in promoting and sharing best practice.
- Action plan partners will explore opportunities for sponsorship of positions at relevant training courses for trucking industry personnel.
- WorkCover will trial a revised Safety Ambassador program for the industry.

Secure change

- WorkCover, as part of a statewide workplace visit program, will ensure road freight transport businesses are identifying and controlling risks associated with manual load handling tasks and working at heights on trucks.
- WorkCover, as part of a statewide workplace visit program, will ensure businesses that are engaging road freight transport services, are meeting their obligations in ensuring that workers are not being placed at risk during that engagement.
- Businesses identified as needing assistance will be case managed to secure improved outcomes.
- Workcover will provide a priority response to road freight transport sector requests for service and incidents where manual load handling tasks are involved.

Issue 3: Return to work and injury management

Lack of effective and systematic management of a worker's return to work, and inadequate understanding and awareness of evidence based return to work practice, are challenges in offering appropriate return to work strategies.

Outcomes:

Industry and businesses will have systems and programs in place to facilitate effective and early return to work for its injured workers.

Actions:

Raise awareness

- WorkCover will undertake an inspector training program to upgrade skills on return to work and injury management.
- WorkCover will work with scheme agents to design and implement a training program to upgrade the return to work skills of case managers.
- Key return to work messages will be actively promoted by action plan partners at industry events, and using available communication channels.

Provide guidance

- Action plan partners will develop and implement a system of return to work coaches/experts/advisory officers/consultants, to advise industry on request/referral.

Support action

- Action plan partners will participate in promoting a program where micro-businesses' insurers pay the wages of injured workers while they recover at work with either their employer or a host organisation.
- WorkCover will develop a program where micro-businesses' insurers pay the wages of injured workers while they recover at work with their pre-injury employer, where other staff have been employed to undertake the injured workers role.
- Action plan partners will foster employer networks.
- Action plan partners will develop a program that provides general return to work and injury management education for employers.

Secure change

- WorkCover will, as part of a statewide workplace visit program, ensure businesses have in place systems to ensure the safe and timely return to work of injured workers.

Issue 4: Driver wellness

Driver wellness issues (eg diabetes, cardiovascular disease, obesity, sleep disorders and mental health) are contributing to workers being more susceptible to injury and leading to injured workers taking longer to recover.

Outcomes:

By working collaboratively, the action plan partners aim to achieve:

- increased awareness in drivers of practical ways to achieve and/or maintain good health
- uptake by businesses and industry stakeholders of driver/workforce wellness programs.

Actions:

Increase awareness

- Action plan partners, led by NSW Health, in partnership with WorkCover and with support from the RMS, will contribute to the development, promotion and implementation of a workers wellness campaign.

Provide guidance

- Action plan partners will source/create and publicise case studies and consider a pilot program sponsoring a number of trucking companies/workers to improve their fitness.

Support action

- In collaboration with NSW Health, implement a health check and referral service together with an organisational support service, focussing on both drivers and businesses for wellness issues.
- The NSW Government will promote driver wellness through sponsorship of the Trans-Help trucking wellness program.
- Action plan partners will support the implementation of a program where safety coaches will be made available to provide guidance to businesses and drivers on improving wellness.

Secure change

- WorkCover, as part of a statewide workplace visit program, will ensure businesses are aware of, and are considering, driver wellness as part of their business.

More information

For more information, call 13 10 50.

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