

**Note: Delete this page and following page (total 2 pages) once you complete tailoring the template for your own business**

## **General Information**

Under the Legislation the primary duty to eliminate or minimise, as far as reasonable practicable, the risks to health and safety in the workplace is imposed on a person conducting a business or an undertaking ('PCBU'). For the purposes of relevant Legislation, an employer is a PCBU and therefore bears the primary responsibility where that responsibility is directed to a PCBU.

For further guidance in scheduling and planning for shift workers refer to Safe Work Australia - [Guide for Managing the Risk of Fatigue at Work \(the Guide\)](#).

The Guide is generally applicable to all types of work and all workplaces covered, including workplaces that are mobile, temporary and remote.

This Guide can also be used by managers, supervisors, workers (including volunteers and contractors), health and safety representatives and other persons at the workplace to assist with managing the risks associated with fatigue in the workplace.

The Heavy Vehicle National Law (HVNL) and Regulations commenced on 10 February 2014 in Queensland, New South Wales, Victoria, South Australia, The Australian Capital Territory and Tasmania. The Northern Territory will commence the new national law at a later date. Western Australia will not commence the HVNL at this time. These new laws regulate fatigue management for heavy vehicle drivers.

This Procedure also does not cover obligations under the Road Transport and Distribution and Long Distance Operations Road Safety Remuneration Order 2014 which commenced on 1 May 2014.

However, the Guide does not cover specific information on how to manage fatigue under road transport heavy vehicle driver fatigue laws. This information is available on the National Heavy Vehicle Regulator's website for fatigue management.

## **How to complete this template**

### **Designed to be customised**

It is completely customisable based on your specific requirements.

### **Include what you must and can comply with**

This document should be used in conjunction with your contract of employment, and any specific company procedures and processes. Only include the commitments you are confident you can comply with, make sure you update and review the document regularly.

**Important:** You may have legal obligations to your employees under an employment or industrial agreement such as an award, workplace agreement or employment contract. Make absolutely certain what's written in this document is consistent with these. If you're unsure what covers your employees, FIAA Members can contact FIAA's workplace advice team on 1300 FIAA 4U or on 02 4340 2000 for further advice/assistance.

### **To complete the template:**

1. Using Word's Replace function, search for (INSERT COMPANY NAME) and replace with your company name.

2. Replace (items in brackets) with your own wording.
3. Once you have finished work on the template, delete the first TWO pages of the document.

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SAMPLE

## Fatigue Management Procedure

### 1. Purpose

- 1.1 (Insert company name) has a duty under the relevant health and safety legislation (the 'Legislation') to prevent and/or to minimise fatigue in the workplace, as far as reasonably practicable. (Insert company name) aims to achieve this through consultation and risk management.

### 2. Commencement of Procedure

- 2.1 This Procedure will commence from XX/XX/XXXX. It replaces all other fatigue management procedures of (insert company name) (whether written or not).

### 3. Application of Procedure

- 3.1 This Procedure applies to employees, agents and contractors (including temporary contractors) of (insert company name), collectively referred to in this Procedure as 'workplace participants'.
- 3.2 This Procedure does not form part of any employee's contract of employment. Nor does it form part of any other workplace participant's contract for service.

### 4. What is fatigue?

- 4.1 Fatigue may be a serious risk to the health and safety of workplace participants. Fatigue is an acute, ongoing state of tiredness that leads to mental or physical exhaustion and prevents people from functioning within normal boundaries. It is more than feeling tired and drowsy, it is a physical condition that can occur when a person's physical or mental limits are reached. Fatigue may include feeling sleepy, physically or mentally tired, weary or drowsy, feeling exhausted or lacking energy.
- 4.2 Fatigue prevents a person from being able to function normally. It decreases alertness and affects a person's ability to think clearly, thereby increasing the potential for accidents or injury.

### 5. Who is responsible for managing fatigue?

- 5.1 Fatigue management is a shared responsibility between (insert company name), workplace participants and other persons conducting a business or undertaking ('PCBUs') affecting or connected with (insert company name)'s workplaces, as it involves factors that occur both in and outside of the workplace.
- 5.2 Workplace participants are reminded that under the Legislation, they are required to take reasonable care for their own health and safety as well as that of others at the Company's workplace.

**\* THIS IS ONLY A PREVIEW OF THE DOCUMENT, YOU WILL NEED TO PURCHASE THE DOCUMENT TO SEE ALL THE CONTENT.**

**\*Please Note: As a Business Plus or Premium FIAA Member you can download all the policies on our website for free or have them customised specifically for your business at no additional charge. FIAA Members can also request policies and resources which are not on our website through our HR Department. This is just one of the many services that are included with our annual membership subscription.**