

## What about the behaviour of individual drivers?

Drivers can improve their survival rates significantly by wearing seat belts, keeping to the speed limit and not drinking. But the zero vision recognises that everyone makes mistakes, and there will always be accidents, even with the best drivers. So we have to take a comprehensive approach to safety, tackling not only individual road users' behaviour but also road infrastructure and vehicle design.

## Response to the Burden of Work Related Crashes

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Road trauma is a major burden on global well-being, with World Health Organisation data suggesting that approximately 1.2 million of the 5 million global injury deaths each year are road use related. As data collection improves there is likely to be increasingly clear evidence that many of those deaths involve, or are caused by employees engaged in work related driving.

### Australian Work Related Road Safety Problem

Precise data on the numbers and rates of work related crashes throughout Australia – or indeed in other countries is not known as the ‘purpose of journey’ is generally not recorded by police or other investigation agencies. But in Queensland where the best data is collected, crashes involving fleet vehicles account for 25% of road fatalities, 43% of work-related fatalities, and cost businesses more than \$1 billion per annum. This problem is of a magnitude that likely has a deleterious effect on the competitiveness of Australian industry.

There is a growing concern about the high costs of driving incidents and crashes. Company vehicle crash rates are estimated to be between 20-65% per year. And fleet crashes are estimated to factor up fleet costs by around 15%. One Australian manufacturing company with a fleet of 4000 vehicles reports an annual vehicle incident rate of nearly 50% with \$4.5 million in direct costs associated with these events. But increasingly, the hidden costs are being calculated. Insurers like Lumley General advise that a multiplier of between 3-5 should be factored in to show the real costs of these incidents.

In Australia, road crashes are the most common cause of work-related death, injury and absence from work. A study published by the National Occupational Health and Safety Commission (NOHSC) found that 23% of occupational deaths occurred while employees were involved in work task related driving, and 26% of occupational deaths occurred from road related crashes whilst commuting to and from work.

Non-fatal injury data is less clear. However, Queensland Workers Compensation figures for 1997-2000, show that vehicle accident payments from 10,195 claims (5% of total claims) cost over \$52.5 million (10% of total costs) and resulted in 233,013 workdays absent (9% of total days).



While much of the focus on work related driving is on heavy vehicle transport risk, 63% of the workers compensation claims were light vehicle related. Also, insurance data under-represents the problem as many workers are either not covered under worker compensation schemes, or crashes involving third party injuries are claimed through separate insurance arrangements or private settlement.

A truck safety benchmarking study commissioned by the National Road Transport Commission in 2002, found that the truck related fatality rate in Australia is much higher than in some other OECD countries per vehicle kilometres travelled (risk exposure). For example, it was 47% higher than in the US and 39% higher than in the UK. But it was comparable to Germany and New Zealand. On average there are 180 deaths per year in Australia involving heavy trucks.

### Nature of the Problem

A number of direct factors are involved in work related crashes, including the same road, vehicle and human factors that are involved in non-work related crashes. However, the underlying reasons for these factors manifesting in work related journeys are important to examine in order that employers can focus their safety effort in the best way.

The sheer amount of risk exposure of corporate fleet driving is greater than that of the general driving community. Fleet vehicles travel about three times the distance of the average private motorist in Australia (about 30,000 compared to 10,000 kilometres per annum). Company car drivers travel further; but often drive under greater time pressure due to tight schedules, and do not own the car they drive so are less inclined to take special care not to damage it.

A number of studies have found that greater risks are associated with work related or fleet vehicle driving. There is a common perception that company car drivers are the most likely to speed, tailgate (drive too close to other vehicles), show aggression, take risks, lose concentration, use their mobile

phone while driving, and park in illegal places. They are often seen to have worse lane discipline (excessive use of the outside lane on motorways) and commit more traffic offences than the general driving population (speeding and illegal parking).

Moreover, the risk of fatigue is pervasive in work-related driving. Commercial pressures mean that rosters often push to and beyond the legal limits for transport drivers, due to the need to optimise the use of the equipment and meet delivery schedules. Fatigue is also a major risk factor in light vehicle, non-transport related driving. The risk scenarios include, return journeys after long or difficult shifts, sales representatives determined to get to their destination within a day, drivers with a sleep disorder, poor sleep patterns affecting driver alertness on work related trips.

## **Government Response – Assistance and Support**

In recent years, road safety authorities and agencies, insurance and industry groups, and occupational health and safety agencies have been simultaneously increasing their commitment to fleet safety. Each is endeavouring to promote greater involvement by employers in road risk management.

In NSW, the RTA (Roads and Traffic Authority) began focusing on fleet safety in the early 1990s in tandem with developments in the private sector in companies like 3M and Telstra. In 1994, the RTA developed a fleet safety policy brochure (Safe Driving Policy for Fleet Operators) that provided advice to employers. The State Government boosted attention to the issue by making fleet safety part of its platform for improving road safety over the next ten years ('Road Safety 2010 – a framework for saving 2000 lives by the year 2010 in New South Wales').

The Federal Office of Road Safety together with the National Safety Council of Australia produced a Fleet Safety Manual in 1995, to assist employers to take an active part in road safety.

In Victoria VicRoads and the Transport Accident Commission teamed together to produce a set of materials aimed at making fleet safety easier for employers. A Fleet Safety Manual and Kit was developed in consultation with a number of companies and is now available for employers to purchase and adapt to suit their needs.

The Queensland Department of Transport has provided assistance to some organisations to develop and implement fleet safety policies. The Queensland Government has also developed a detailed Work Book incorporating the idea of self assessment against key criteria for the award of a gold, silver or bronze rating. Well over 200 companies are already using the workbook.

## **Government Response - Regulation**

In the late 1990s it was recognised that heavy vehicles drivers are often pressured to take driving risks in order to carry out the expectations of their employers or customers. This recognition resulted in the introduction of 'Chain of Responsibility' principles, which were introduced to ensure that all in the transport chain would be held responsible for their contribution to breaches of transport laws and incidents.

Moreover, under employers' duty of care, driving is regarded as a work related task, and the vehicle is defined as a 'workplace'. Requirements under Australian OHS legislation, like the Western Australian Occupational Safety and Health Act 1984, stipulate that "... an employer must provide safe workplaces, safe plant and safe systems of work, as well as information, instruction, training and supervision". In relation to road safety, Wendy Clarkson of Worksafe Western Australia says that OHS provisions, "clearly apply with respect to employees who are driving as part of their work."

Clarkson goes on to illustrate the extent of an employer's duty of care. She says, "It is not only the effect of driving itself which needs to be taken into account, but the work activity as a whole. In 1990, an employee was killed while driving following an extended work shift. The work itself did not involve driving, apart from travel between the depot and the place of work." However, it was found that his work shifts in the period leading up to the crash did not permit adequate rest breaks.

The penalties for breaching OHS laws are also getting tougher. On 1 March 2004, the Australian Capital Territory's Crimes Act was amended to include the new crime of industrial manslaughter. Victoria, New South Wales, Queensland, Western Australia and Tasmania have all considered introducing stricter penalties for incidences of workplace death including industrial manslaughter laws, although none of the mentioned states has introduced such laws or penalties yet.

However, each of the relevant state and territory OHS Acts have very similar provisions, generally requiring an employer to ensure the health, safety and welfare at work of all the employees of a company. In NSW, the maximum penalty is \$825,000 for a corporate offender facing its second or greater offence. Even a first offence carries a maximum penalty of \$550,000. An individual with a previous offence faces a maximum fine of \$82,500 and/or two years imprisonment. In Tasmania the fines can be as high as \$165,000 for corporations and \$55,000 for individuals. But, there is no provision (yet) for jailing any offender. Likewise there are no jail sentences available in South Australia, Western Australia or the Northern Territory. Victoria has similar provisions to NSW, with a maximum penalty for a second offence being \$275,000 for corporations, but up to five years imprisonment for

an individual. Queensland offenders also face the risk of up to two years jail and up to \$88,000 in fines.

With driving being the biggest cause of work related death, employers are well advised to put in place good policies, systems and programs to reduce this risk.

## Employer Response

For probably a range of reasons, employers are increasingly taking an active approach to identifying and addressing work related driving risks. The impetus for this is many fold. Beyond the legal reasons (preventing deaths and injuries to employees), the costs associated with employee driving incidents are compelling arguments for investing in driver risk management.

Some employers are taking a very strong policy position on road safety, and commit to ambitious targets. For example, Dupont is well known for its holistic commitment to safety and is applying these principles to driving, whether employees are on the job or not. BP and BHP Billiton have zero accident/zero harm goals and recognise that operating motor vehicles is among the biggest risks to work safety. Many others are actively involved in driver and fleet safety programs.

Some are even promoting community road safety as well, consistent with their commitments to both their staff and the communities that they operate within. Notably, the Global Road Safety Partnership is a network of Government, businesses and non-government organisations committed to working together to achieve improved road safety in selected focus countries.

A number of benchmarking programs aiming to identify and promote good practice are also beginning to emerge. Lumley General has a "Benchmarking Club" for its clients to compare their fleet safety performance with others in their industry grouping, as well as to share good practices at an annual seminar. Benchmarking Partnerships convenes a unique set of workshops, that enable participants to hear from fleet safety professionals and peers about good practices in fleet safety – and importantly to discuss in small groups the practical issues involved in implementing good practices.

## Summary and Conclusions

While the area of 'fleet safety' or 'occupational driving safety' is still relatively new, increasingly the injury prevention, road safety, fleet management and OHS practices are becoming synthesized with a focus that aims to reduce road injury and costs associated with fleet and work related driving.

Regulatory bodies are forging more rigorous legislative requirements of employers and others involved in fleet safety and managing work related travel risk.

Many employers are taking an active approach to identify and manage risks associated with work related driving. Through the development and sharing of good practices for managing fleet and occupational driving risk, a reduction in road injury associated with work related driving can be expected over coming years.

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