



Tim Dawson Branch Secretary

TRANSPORT WORKERS UNION

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Hon Simon O'Brien MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament of Western Australia
GPO Box A11
Perth WA 6837

Dear Simon

Petition No 70-WA Truck Drivers' Workplace Safety

Thank you for the invitation to provide a submission in support of the above mentioned petition. The key matters that require investigation and consideration are:

- the number and appropriateness of facilities at rest stops throughout the major freight routes in Western Australia;
- the recording of data in relation to accidents or incidents involving working truck drivers as workplace accidents, and any death of a truck drivers whilst working be treated as a workplace death; and
- that WorkSafe WA is made responsible for investigating any incidents or fatalities involving working truck drivers in Western Australia.

The Number of Truck driver fatalities on roads each year are increasing. I believe that this is an appropriate time to investigate some of the causes behind these truck driver fatalities, such as fatigue, rosters, shift periods, the spacing of rest breaks and access to appropriate rest break facilities, as well as placement of the rest break facilities around the state.

Long haul drivers can be required to drive excessively long hours with the pressure to get their job done. This is an unsafe practice given fatigue, and usually solitude, on the job. If a shift ceases, but the driver is still on the road, he or she is required to stop driving and take a break for a period of time. If this happens to be in the middle of nowhere they cannot just drive to the nearest roadhouse or truck stop, they just have to stop driving, regardless of whether there is access to shower and toilet facilities, or food. This is not appropriate in the twenty first century. The availability of adequate amenities is essential to truck drivers having a safe work place.

The other matter that needs to be resolved is that presently, where a driver is killed in an accident that occurs on the road, whilst they are working, then, their death is treated as a road traffic statistic and is investigated by police. Rather, it should be treated as a workplace death, and investigated by Worksafe WA. Under the present system, there is little capacity for the industry as a whole to determine causes of workers' fatalities, and to identify solutions that may make the work safer, and reduce or prevent driver deaths on the roads. Also, Worksafe would approach the accident from a different aspect than the police, namely, a safety aspect.

Another matter of concern is that Companies in the Retail and Mining industries are squeezing rates on Transport Companies, which leads to some operators cutting corners on the Vehicle maintenance. This is an unsafe practice given the importance of appropriately maintained trucks on WA roads.

Truck Drivers are employees in the same way as any other employees for the purpose of the *Occupational Safety and Health Act 1984*.

The *Occupational Safety and Health Act 1984* defines workplace to mean:

"a place, whether or not in a aircraft, ship, vehicle, building, or structure, where employees or self-employed persons work or are likely to be in the course of their work."

It, therefore, defies logic that workers covered under this definition who are using a vehicle for the purpose of their work, do not under the jurisdiction of WorkSafe for the purpose of occupational safety and health processes, and investigation in the case of a workplace death, and that instead, the Major Crash unit of Western Australian Police deals with the matter (see Western Australian Parliamentary Debates, Legislative Council 24 June 2014, question without notice number 672).

Truck drivers should be treated the same as other workers and have access to WorkSafe. If not, an appropriate explanation needs to be provided as to why they are excluded.

In 2013 the Federal and State Governments made a commitment to the funding of additional rest break stops on WA roads. The Committee should examine the progress and implementation of the additional rest break stops and facilities. Clearly, a lot more needs in this area.

I thank the committee for its consideration of the petition and look forward to your response.

~~Yours sincerely~~

Tim Dawson
Secretary
Transport Workers Union of Australia
Western Australian Branch