



BLENNERS TRANSPORT

The ABC program, 4Corners, as part of an extensive report on the two transport operators on 3 February 2014, raised serious issues about Fatigue Management at Blenners Transport.

Blenners Transport were operating on basic Fatigue Management hours, which allowed some flexibility in how drivers managed fatigue. However the program raised issues of whether Blenners Transport were complying with the BFM.

The ABC investigation reported on the drivers being investigated by Queensland Transport with fines being issued to drivers for detected chain of responsibility fatigue breaches, including through:

- backdating of hours in their logbook
- log book locations details not being consistent with roadside detection records
- scheduled pick up and delivery times that did not comply with chain of responsibility requirements

Queensland Transport investigation also looked at the conduct of managers and directors at Blenners Transport. The Queensland Transport investigation resulted in an additional 742 charges being laid against managers and directors.

The ABC Report raised a number of issues about enforcement activities and the actions that drivers may have taken to avoid detection or to appear to be complaint including:

- not keeping accurate records
- having a "fresh driver" drive the truck though interception points

The issues spilled over to the Fair Work Commission after the Operations Manager was sacked by Blenners Transport. In the end the Commission held that the Operations Manager's termination was an unfair dismissal under the law.

The Fair Work Commission ordered that Blenners Transport pay compensation to the former Operations Manager.

PARTIES INVOLVED

TRANSPORT
COMPANY

CHARGES

45 DRIVERS
148 OFFENCES
\$65,000 IN FINES

DIRECTORS /
MANAGERS
742 CHARGES

OFFENCE TYPE

COR BREACHES
BFM CONDITIONS

POTENTIAL
CONSEQUENCES

LOSS OF NHVAS BFM
ACCREDITATION

RETURN TO
STANDARD HOURS
FATIGUE
MANAGEMENT

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CHAIN OF RESPONSIBILITY



CASE STUDY