

Fatigue Management Strategies and Hours-of-Service

11:00 AM Eastern Time (New York)
10:00 AM Central Time (Chicago)
9:00 AM Mountain Time (Denver)
8:00 AM Pacific Time (Los Angeles)



Housekeeping Items

- Audio streamed through computer speakers
- Widgets are resizable and moveable
 - Minimize/maximize
 - Expand/shrink
- Enter questions via the Q&A
- Check out the resources area to download today's slides
- Click the help icon if you need tech help



Fatigue Management Strategies and Hours-of-Service

July 18, 2019



Fatigue Management Strategies/Hours-of-Service

This webcast will cover ...

- A regulatory overview
- Best practices in compliance
- A case study in implementation
- Question & Answer

Attention Attendees:

- + Thank you for attending!
- + You will be muted during the event.
- + Please use the Q&A feature to send in questions to us. We'll try to answer them during the Q&A period if they are not covered in the presentation.
- + The slides and recording will be posted within 7 days at: www.jjkeller.com/nptcinfo



Gary Petty
President & CEO
National Private Truck Council



Meet Your Presenters



Gary Petty
President & CEO
National Private
Truck Council



Tom Bray
Industry Consultant-
Transportation
J. J. Keller & Associates, Inc.



Tom Moore, CTP
Senior Vice President
National Private
Truck Council



Darryl McCabe
Transportation EHS
Manager
Frito Lay, Inc.



Fatigue Management and Hours-of-Service



Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.



Core Concepts

- Compliance required if operating a vehicle meeting the definition of a CMV in §390.5
- Three core areas:
 - Limits (§395.3 and §395.5)
 - Records of duty status:
 - Logs (§395.8, §395.15, and Subpart B to Part 395)
 - Time records (§395.1)
 - Exceptions (§390.3(f), §390.23, §395.1, and FR Notices)



Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.



Limits

- Property-carrying drivers (§395.3)
 - 8 hour/30-minute break
 - 14-consecutive
 - 11 driving during the 14
 - 10-hour break
 - 60/70 in 7 or 8 days
- Passenger-carrying drivers (§395.5)
 - 10 hours driving
 - 15 hours of on-duty time accumulated
 - 8-hour break
 - 60/70 in 7 or 8 days



Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.



Exceptions to the Limits

- 8 hour/30 minute break
 - No break required: Short-haul drivers and a few others
 - Can use 30 minutes on duty: Certain drivers that are sitting a lot or must attend the vehicle at all times
- Exemptions are found in:
 - The regulations (§395.1 and §395.3(a)(3)(ii)), or
 - Federal Register Notices



Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.



Exceptions to the Limits

- 14-hour limit
 - 16 hours once per week (§395.1(o))
 - 16 hours twice a week for certain drivers of non-CDL property-carrying vehicles (§395.1(e)(2))
- 11-hour driving limit
 - Adverse and emergency conditions are the only exceptions (§395.1(b))



Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.



Exceptions to the Limits

- 60/70-hour limit
 - “Driver salespersons” does not have to obey (§395.1(c))
 - Property-carrying drivers restart (§395.3(c)(1) and (2))
 - 24-hour restart for oilfield, water-well, and construction drivers (§395.1(d)(1), (l), and (m))



Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.



Exception to the Limits

- Personal conveyance (Interpretation 26 to §395.8)
 - Driving time logged as off-duty time
 - Requirements:
 - Company must have authorized,
 - Driver must have no responsibility,
 - Trip must be personal, and
 - NO benefit to the company/carrier, OR
 - Driver moving to nearest safe place when ordered to move by shipper, receiver, or officer




Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.





Possible Changes to Limits

- FMCSA considering changes to:
 - 30 minute break requirement
 - The 100 air-mile “short-haul” requirements
 - Adverse conditions
 - Split sleeper
 - 14-hour limit




Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.






Logs

- Electronic logging device or automatic onboard recording device
- Exceptions
 - Paper or “digital equivalent” for certain drivers
 - Time records for “short-haul” drivers




Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.






There are More Exemptions

- Exempt from safety regulations (§390.3 and §390.23)
- Exempt from Part 395 or specific rules in Part 395 (§395.1)



Tom Bray
Industry Consultant – Transportation
J. J. Keller & Associates, Inc.

There are More Exemptions

- With any exemption, make sure the driver:
 - Qualified for it
 - Understands the specifics
 - Uses it correctly
 - Does not operate when fatigued
 - This is why some companies choose to not use exemptions!



Tom Bray
 Industry Consultant – Transportation
 J. J. Keller & Associates, Inc.



Unassigned Driving Time

- New logging wrinkle created by ELDs
 - Carrier must investigate and determine who unassigned driving time or log belongs to
 - If it is a non-driver, then a comment is required



Tom Bray
 Industry Consultant – Transportation
 J. J. Keller & Associates, Inc.



Beyond Compliance



Tom Moore, CTP
 Senior Vice President
 National Private Truck Council



Why the Regs Aren't Followed

- Poor communication
- Conflicting goals
- Processes that lead to poor follow-through



Tom Moore, CTP
Senior Vice President
National Private Truck Council



Fatigue Management Strategies

- Understand the legal and regulatory environment
- Know what fatigue looks like
- Driver management
- Use technology
- Driver wellness
- Corporate responsibility



Tom Moore, CTP
Senior Vice President
National Private Truck Council



Understand Legal and Regulatory Environment

- Aside from sleep apnea top four predictors of individual sleepiness are –
 - individual susceptibility – day vs. night driving
 - the previous amount of sleep
 - time of day
 - elapsed time since the previous sleep



Tom Moore, CTP
Senior Vice President
National Private Truck Council



Identify What Fatigue Looks Like

- Analyze crash data to understand when and where fatigue is primary cause
- National Institute for Occupational Safety and Health estimates more than 30% of American workers aged 30-64 are short of sleep
- National Sleep Foundation recommends that healthy adults sleep 7-9 hours per day. However, 30% of adults report they get less than 6.
- It's not known precisely where the truck driver population sits in terms actual hours of sleep per day, but it's probably statistically similar, if not worse.



Tom Moore, CTP
Senior Vice President
National Private Truck Council




Driver Management

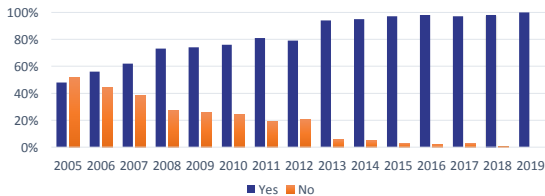
- Know your drivers
- Preaching and live a Safety Corporate Culture and Environment (Ops, Logistics, HR, Sales)
- Driver scheduling - keeping day drivers on days, keeping night drivers on nights, building routes that can keep drivers productive and restful
- Routing – building routes to avoid back to back 14 hours.
 - Build to allow legal completion of assigned duties, without the driver having to push hard to finish - avoid too many stops/miles and making the route only doable when “everything goes right”



Tom Moore, CTP
Senior Vice President
National Private Truck Council




Implement Technology

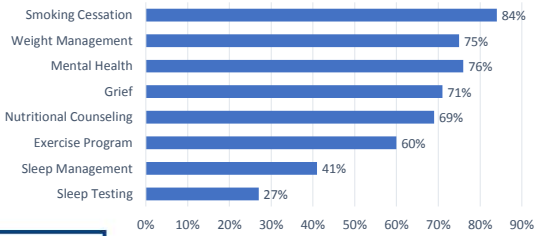




Tom Moore, CTP
Senior Vice President
National Private Truck Council




Driver Wellness Initiatives



Tom Moore, CTP
Senior Vice President
National Private Truck Council



Corporate Responsibility

- Doing your part as shipper and receiver – become a destination that drivers appreciate and value
 - Good loading appointments allow the driver to schedule some sleep time rather than staying on the clock.
 - Having safe parking areas
 - Good check-in and out processes
 - Training shippers and receivers on where there are truck parking areas around, restrooms, truck friendly restaurants, etc.



Tom Moore, CTP
Senior Vice President
National Private Truck Council



Driving Within the Regulations

- Train the drivers that:
 - They own their hours of service
 - Captain of the Ship policy
 - Review the regulations at semiannual meetings
 - How to use ELDs
- Private fleets use
 - On board systems to find violations
 - Coach drivers when they violate the regulations
 - Document coaching and training



Tom Moore, CTP
Senior Vice President
National Private Truck Council



CSA Scores

	Unsafe Driving	Fatigued Driving	Driver Fitness	Controlled Substance	Vehicle Maintenance	HasMat	Crash
2014	12.1	10.9	10.7	0.91	20.8	1.94	27.2
2015	11.9	12.9	13.0	.05	21.9	1.3	22.3
2016	14	12	6.3	.12	18	1.7	25.7
2017	9	10	7	0.8	17	2.6	20
2018	14	12	9	.07	19	8.4	20
2019	12	13	10	2	20	5	23



Tom Moore, CTP
Senior Vice President
National Private Truck Council



Frito Lay

Fatigued Driving Process



Darryl McCabe
Transportation EHS Manager
Frito-Lay, Inc.



About Me

29 Years in the Transportation Industry

- 6 years Army Reserves-Transportation and Environmental
- 5 Sales/Operations at Pepsi
- 12 as on OTR Driver for Frito Lay (Million Miler)
- 4 Years as a Frito OSHA Auditor for Supply Chain
- 8 Years as Fleet Safety Manager

Currently the National Transportation EHS Manager




Darryl McCabe
Transportation EHS Manager
Frito-Lay, Inc.





Identify What Fatigue Looks Like

- Analyze crash data to understand when and where fatigue is primary cause
- Research from the National Institute for Occupational Safety and Health shows that over 30% of American workers aged 30-64 are short of sleep
- National Sleep Foundation recommends that healthy adults sleep seven to nine hours per day, but a recent survey found that 30% of civilian-employed adults (approximately 40.6 million workers) reported average sleep duration of six hours or less per day.




Darryl McCabe
Transportation EHS Manager
Frito-Lay, Inc.






Fatigue Management – Why Was It a Priority?

- Its our responsibility to the public
- Getting our drivers home safe to their families
- Lower risk of crash due to fatigue
- Reduce overall crashes
- Healthier employee



Darryl McCabe
Transportation EHS Manager
Frito-Lay, Inc.

Fatigue Management – How Did We Notice?

- How long into shift did accidents and injuries occur
- What are Drivers drinking and eating on trips
- Pre Trip Conversations with Manager/Dispatcher
- Drivers complaining (direct or indirect) about fatigue
- Root causes found during incident investigation
- Customer Complaints
- Driver on time dispatch scorecard



Darryl McCabe
Transportation EHS Manager
Frito-Lay, Inc.




Fatigue Management

- Piloting a sleep apnea program to help identify sleep apnea earlier and provided equipment needed to any driver at no cost to them through benefits
- Scrutinized distance that applicants lived from workplace during the hiring process
- Educated drivers on “high-profile” cases of fatigue-related crashes
- Encourage drivers that there is no penalty ever to pull over and rest
- Researched and found NIOSH shows that over 30% of Americans 30-64 of age are short sleep



Darryl McCabe
 Transportation EHS Manager
 Frito-Lay, Inc.



Fatigue Management – What We Offer

- Year Round Hydration Stations
- EAP (Employee Assistance Program)
- Yearly Health Fairs with incentives to make life changes
- Free Sleep Apnea Testing
- Fruit Fridays
- Water/Ice Machines



Darryl McCabe
 Transportation EHS Manager
 Frito-Lay, Inc.



Fatigue Management – Accountability Examples

- Send Drivers Home when informed about lack of sleep
- Hold Drivers accountable for crashes when they are fatigued
- Trained Managers on DOT Management for Fatigue and their ownership in the process
- No Fault Policy for calling off a run for being tired
- Offering healthy choices for cookouts and snacks
- HOS violation process for Drivers who go into violation of 10/14 hour rules



Darryl McCabe
 Transportation EHS Manager
 Frito-Lay, Inc.



Fatigue Management – What We Have Left to Do...

- Continue to educate our drivers about sleep deprivation at every meeting (Quarterly meetings, Handouts, one with one's)
- Continue to educate our front-line team/Managers on identifying what fatigue looks like
- Continue to find ways to have a more consistent dispatch time
- Work with our Shipping partners to ensure timely dispatch



Darryl McCabe
Transportation EHS Manager
Frito-Lay, Inc.



Question & Answer Session



Gary Petty
President & CEO
National Private
Truck Council



Tom Bray
Industry Consultant-
Transportation
J. J. Keller & Associates, Inc.



Tom Moore, CTP
Senior Vice President
National Private
Truck Council



Darryl McCabe
Transportation EHS
Manager
Frito Lay, Inc.



More Questions?



Tom Bray
Industry Consultant-Transportation
J. J. Keller & Associates, Inc.
tbray@ijkeller.com



Tom Moore, CTP
Senior Vice President
National Private Truck Council
tmoore@nptc.org



Please join us for our next webcasts

Vehicle Maintenance Requirements and Best Practices

October 16, 2019

How Fleets Are Implementing Advanced Vehicle Safety Systems to Drive Safety

October 17, 2019

Visit www.jjkeller.com/nptcinfo to register



Thank you for participating in today's webcast!

Visit: www.jjkeller.com/nptcinfo for today's presentation and to learn more about future NPTC and J. J. Keller webcasts