

# Drivers and mobile workers



# What's on your drivers' minds?



EU Drivers  
Hours

Road Transport  
Directive for  
Working Time

GB  
Domestic  
Hours

Horizontal  
Amending  
Directive

Working  
Time

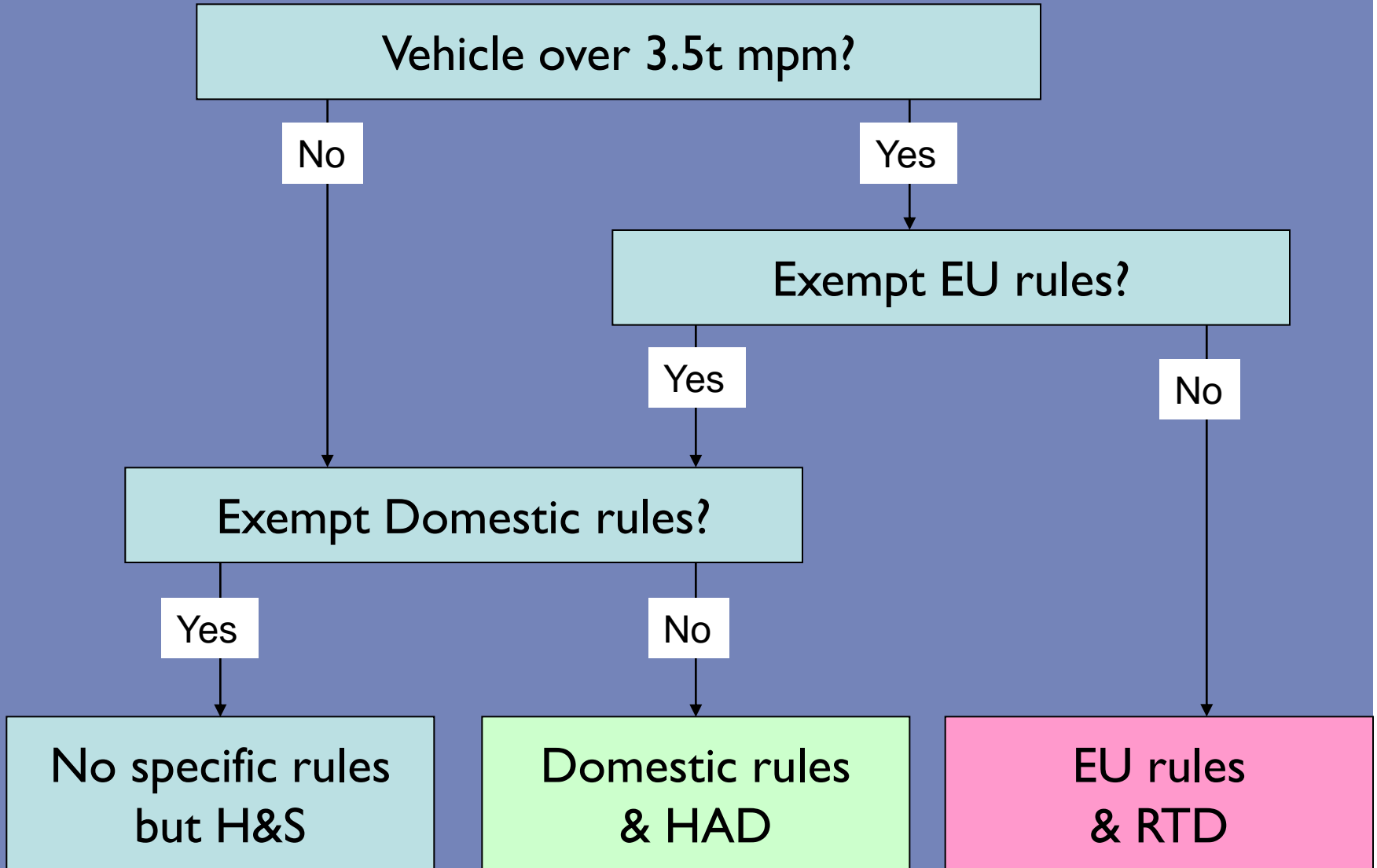


# The legislation



10 hours driving      45 minutes break  
4.5 hours driving      15 minutes  
break      6 hours work      9  
hours rest      48 hours average      60  
hours maximum      17 weeks  
reference period      11 hours duty  
night shift limit      9 hours work  
11 hours rest      periods of availability  
workforce agreement      tachograph  
reduced rest      extended driving  
logbook      fortnightly driving

# Which rules apply?



# Drivers hours summary



Rule	EU Drivers Hours	GB Domestic
Daily driving limit	9hrs extendable to 10hrs twice a week	10hrs in any working day (include EU driving)
Breaks from driving	45mins after 4.5hrs driving (15mins + 30mins)	
Daily duty		11hrs in any working day (include EU other work)
Daily rest	11hrs, reduced 9hrs, 3 x between weekly rests (GB drive and work not rest)	
Weekly driving limit	56hrs	
Fortnightly driving	90hrs	
Weekly rest	45hrs regular, reduced 24hrs	
Working time	Road Transport Directive (48hrs average, 60hrs cap, breaks, 10hrs night work)	Horizontal Amending Directive (48hrs average (opt out), adequate rest)

# Adequate rest



*‘Adequate rest’ means that workers shall have **regular** rest periods. These periods should be sufficiently **long** and **continuous** to ensure that workers do not harm themselves, fellow workers or others and that they do not damage their health in the short or long term.’*



- Health and Safety at Work Act 1974
  - Section 2:  
*‘It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees’*
- Employers must risk assess their operations and remove, reduce or mitigate risk

# Emergencies – EU Drivers hours rules



- Driver may breach EU drivers hours to reach a suitable stopping place:
  - To ensure safety of persons, the vehicle or load
  - PROVIDED road safety is not put at risk



# Emergencies – GB domestic drivers rules



- GB domestic drivers hours rules may be relaxed where immediate action is needed to avoid:
  - Danger to the life of people or animals
  - Serious interruption to essential public services, telecommunications, postal services or use of roads, railways, ports or airports
  - Serious damage to property
- DfT guidance suggests that it must be a genuine emergency – unforeseen and unforeseeable
- Health and safety obligations and duty of care to public remain

# 5 key penalty areas



Specific legislation

Operator/driver licensing

Health &

- curtailment
- suspension
- revocation
- declared unfit

Manslaughter

# Management of risk



- Not 'if' but 'when' an accident happens
- How you manage your risk will determine:
  - The likelihood of an accident happening
  - The severity of the accident
  - The consequences of the accident for the organisation and its staff



# Questions



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Member Advice Centre

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