

# ONRSR Drug & Alcohol Testing – Western Australia

## Information for Rail Transport Operators



*This testing is in addition to the drug and alcohol testing you undertake as part of your DAMP.*

Under the *Rail Safety National Law (WA) (RSNL)* a rail safety worker (RSW) must not carry out or attempt to carry out rail safety work while there is alcohol in his or her blood, or a prescribed drug in his or her oral fluid or blood (s.128). The meaning of 'prescribed drug' is set out in section 128 of the RSNL.

To manage the risk to safety of RSWs undertaking rail safety work whilst under the influence of drugs or alcohol, rail transport operators (RTOs) are required to have a Drug and Alcohol Management Program (DAMP) in place which includes a testing regime (regulation 28 of the RSNL (WA) Regulations).

To complement this and to ensure compliance with the RSNL, the Office of the National Rail Safety Regulator (ONRSR) has implemented its drug and alcohol testing program in line with the provisions contained in Part 3 Division 9 of the RSNL.

There are three primary objectives of the program:

1. To improve safety by reducing risks associated with RSWs undertaking work while under the influence of drugs and/or alcohol (i.e. by being a deterrent)
2. To monitor compliance with the Law
3. To monitor the effectiveness of an RTO's DAMP.

The drug and alcohol testing program will consist of post-incident testing of RSWs in response to Category A incidents and programmed ('non incident related') testing of RSWs. Programmed testing includes intelligence-led risk-based testing and random testing.

ONRSR has appointed Medvet Science Pty Ltd (Medvet) to undertake testing on its behalf. Medvet testers will arrive unannounced on site to conduct drug and alcohol testing of RSWs. Medvet testers are appointed by the Regulator as authorised persons and will carry identity cards, which will be produced upon request.

### Important information for RSWs

A RSW must not carry out or attempt to carry out rail safety work while there is alcohol in his or her blood, or a prescribed drug in his or her oral fluid or blood.

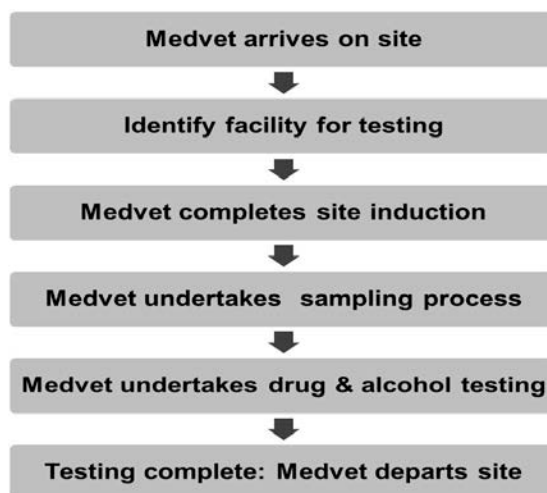
There are a number of offences in relation to ONRSR's drug and alcohol testing program:

- presence of alcohol in the RSW's blood or a prescribed drug in oral fluid or blood
- if a RSW is under the influence of alcohol or drugs

- if a RSW refuses a test
- if a RSW does not follow the direction of an authorised person (Medvet tester).

The maximum penalty for these offences is \$10,000.

### Drug and alcohol testing process



### What happens if a non-negative test result is received from a screening test?

- Confirmatory drug testing

#### Medvet will undertake confirmatory test

- Medvet will take an oral fluid sample for laboratory testing

#### DAMP is activated

- Medvet will notify your representative that a non-negative result has been received and advise that the RSW should not return to rail safety work
- Your representative will need to manage potential safety implications and trigger your DAMP eg. remove the RSW from rail safety work; review the potential for any error in work already undertaken; and other processes as per your DAMP

#### Test results from laboratory

- ONRSR will advise you of the test results
- You are required to advise the RSW of the test results

- Confirmatory alcohol testing

#### Medvet notifies of non-negative result

- Medvet will notify your representative that a non-negative result has been received
- Your representative will need to manage the potential safety implications and trigger your DAMP

ONRSR is currently seeking to put in place arrangements for confirmatory breath analysis testing of RSWs in Western Australia.

**For more information about ONRSR's drug and alcohol testing program call (08) 8406 1500.**