

# ONRSR Fact Sheet

## ONRSR Drug & Alcohol Testing - Victoria



March 2018

This testing is in addition to the drug and alcohol testing rail transport operators undertake as part of their DAMP.

### Information for rail transport operators

Under the Rail Safety National Law (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 s. 128 of the RSNL.

To manage the risk to safety of RSWs undertaking rail safety work while 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 (reg. 28 of the RSNL National 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. Further detail on drug and alcohol testing in Victoria is included in the *Rail Safety (Local Operations) Act 2006*, Part 6.

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 program consists 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.

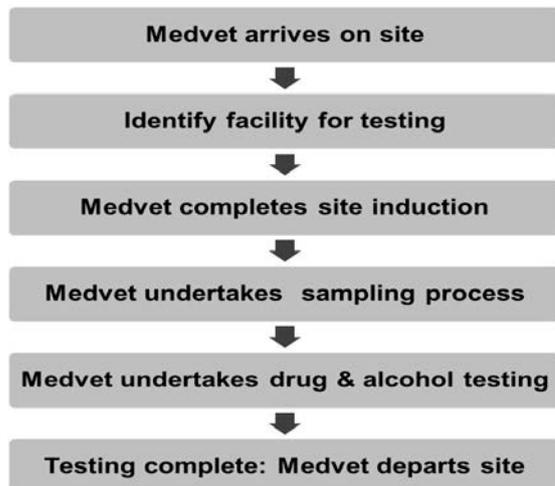
### Important information for rail safety workers

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 the 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
- Medvet tester and your representative accompany the RSW to the police station for breath analysis
- The test result will be available immediately

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