

# ONRSR Drug & Alcohol Testing – NSW

## 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 (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 breath or blood, or a prescribed drug in his or her oral fluid or blood (section 128).

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 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.

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 (ie by being a deterrent)
2. To monitor compliance with the Law
3. To monitor the effectiveness of an RTO's DAMP.

NSW RTO drug and alcohol testing obligations remain unchanged. Further detail on drug and alcohol testing in NSW is included in the *Rail Safety (Adoption of National Law) Regulation 2012*.

The ONRSR drug and alcohol testing program will primarily consist of programmed ('non incident related') testing of RSWs. Programmed testing includes intelligence-led risk-based testing and random testing. The ONRSR will not typically undertake post-incident testing, but will have the power to do so.

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 as authorised persons and will carry identity cards, which will be produced upon request.

### Important information for RSWs

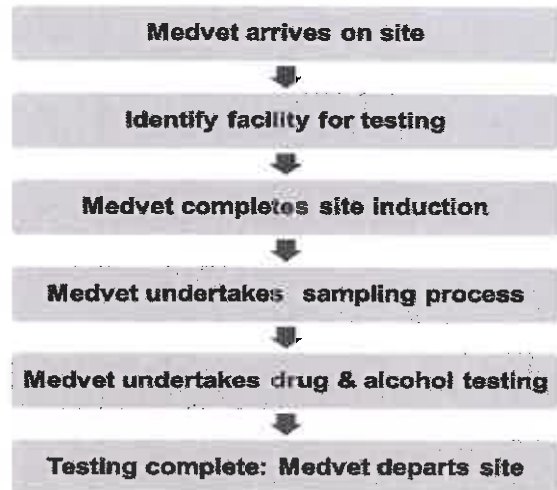
A RSW must not carry out or attempt to carry out rail safety work while there is alcohol in his or her breath or blood, or a prescribed drug in his or her oral fluid or blood.

There are a number of offences in relation to the drug and alcohol testing program:

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

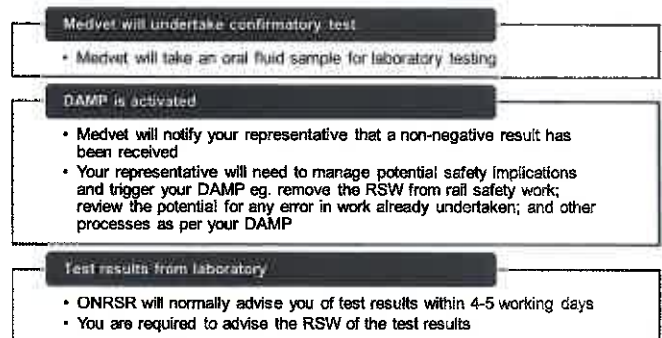
The maximum penalty for these offences is \$10,000.

### Drug and alcohol testing process

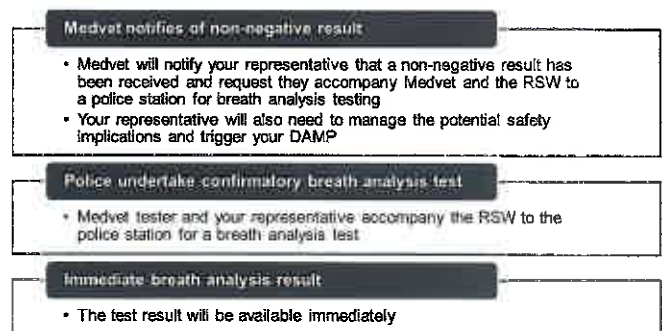


### What happens if a non-negative test result is received from a screening test?

- Confirmatory drug testing



- Confirmatory alcohol testing



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