



RTBU

RAIL, TRAM & BUS UNION AUSTRALIA

A FEW QUESTIONS ABOUT RAIL SAFETY

WHAT IS THIS ALL ABOUT? Transport Ministers from around the country have decided that instead of different rail safety laws for each jurisdiction and different regulators, Australia will have a National Rail Safety Regulator who will enforce the one set of National Rail Safety laws. For the last three years, the National office of the RTBU has been negotiating with various stakeholders and bureaucrats in an attempt to finalise a set of laws that will truly put rail safety first. While a lot has been achieved, there are still things that we cannot agree with. The major outstanding issues concern the fatigue rules you operate under including whether there should be maximum shift lengths and minimum rest breaks as well as the regulations for drug and alcohol testing in the workplace.

What are they trying to do with Fatigue?

Operators and the bureaucrats are taking a 'race to the bottom' approach to fatigue management in the rail industry and are pushing for 'maximum flexibility' in how the regulations are set.

In other words, they are trying their hardest to prevent the inclusion of robust fatigue management standards in the national laws. In some states, for example, there are limits to the number of hours a worker can spend on a shift and the minimum duration of rest breaks is written in law. The RTBU has been fighting to get this safety standard incorporated into the national law.

What about Drug and Alcohol testing?

The other major sticking point in settling a national rail safety law is the rules around how you are tested for drugs or alcohol in the workplace. The RTBU, and all who work in the rail sector, recognise that drugs and alcohol have no place in the workplace and that testing is an important part of keeping our railways safe for workers and for passengers.

However, too often drug and alcohol testing has been used by a select few employers to get around the workplace rights of rail workers in an attempt to push people out the door.

How will we be tested for drugs and alcohol?

Testing for impairment in the workplace is most effective when saliva swabs are used. Some employers however prefer to use invasive urine samples which are far less effective in testing whether a person is impaired from drug or alcohol use.

The draft national law will allow employers to entrench the use of random urine testing. We are fighting hard to ensure that the far less intrusive method of swab testing is used instead.

What about the competency standards?

National standards for assessing the competency of rail workers have been established practice in a number of states for years. They are set and assessed by an independent national body. These standards ensure that we maintain the highest levels of safety on our railways.

Some bureaucrats, at the urging of operators, are pushing for these standards to be abolished and instead for operators to set the competencies required to get and to keep a job.

This will make our railways less safe and increase the chance of catastrophe on our rail networks if safety critical tasks are completed by people who may not be properly trained.

What is the bottom line?

The establishment of a national rail safety law may make it easier for railway workers to understand their rights and responsibilities as there will be only one set of rules and regulations - instead of half a dozen. However, these rules need to ensure the highest standards of safety instead of a race to the bottom in the name of 'operational flexibility'.

It is RTBU members who are risking their safety if Governments don't get this right. You should have the right to leave for work in the morning in the knowledge that you will safely return to your loved ones at the end of your shift.

Setting a standard for the maximum number of hours you can work, the minimum amount of time you should be able to rest for during a shift, establishing a drug and

alcohol test that actually assesses your ability to perform at work and making sure all who work on the railways are adequately trained to do so. These things are non-negotiable because the safety of those who work on the railways is non-negotiable.

What can I do?

- Make your presence felt in the public consultation meetings.
- Ask the bureaucrats who are writing these laws why they think you should have to work unlimited hours with no guarantee of a rest break and enough time to recover before going back to work?
- Ask them why bosses should be allowed to subject you to intrusive urine testing when saliva testing is more effective for assessing whether you are impaired?
- Ask them whether they think that operators really should be the ones setting training standards in the rail industry and whether it wouldn't be safer for everyone if an independent body without a profit motive did it instead?
- Contact your local MP and tell them that your safety is non-negotiable and that you will fight for the right to safely return home after work every day.
- Sign the National Office petition at www.putrailsafetyfirst.com.au or contact **(02) 9310 3966**.



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**For more information, contact
National Office on (02) 9310 3966
or visit www.putrailsafetyfirst.com.au**