



04 November 2005

RISN No. 10

## RAIL INDUSTRY SAFETY NOTICE

### 1. POST-INCIDENT DRUG & ALCOHOL TESTING: TIME LIMITATION

#### Background

The *Rail Safety Act Guidelines Relating to Drug and Alcohol Programs* require accredited operators to establish adequate drug and alcohol testing arrangements. This includes arrangements for post-incident testing.

The *Rail Safety (Drug and Alcohol Testing) Regulation 2003* clause 15 provides that workers may not be required to submit to testing after three hours from the time the worker carried out the safety work to which the requisition relates. In cases of post-incident testing, workers may be tested after they are scheduled to cease duty.

It is accepted that delays may occur between the time of an incident and the conduct of D&A testing, due to the need for testing equipment and personnel to travel to the incident site, or for relevant workers to travel to a suitable collection site.

The ITSRR is reviewing the Guidelines & Regulations in light of the Special Commission of Inquiry into the Waterfall Rail Accident recommendation that post-incident D&A testing should be mandatory for any driver or guard involved in any accident or incident (recommendation 55).

Any proposed changes to the Guidelines and Regulations will be subject to industry consultation before they are submitted to the Minister for approval.

#### Action:

Accredited rail operators should ensure that their D&A testing arrangements provide for D&A testing to take place within three hours of an incident. This may include arrangements for:

- the transportation of D&A testing authorised officers and equipment to incident sites;  
and /or
- the transportation of safety workers who are involved in incidents and D&A testing authorised officers to sites where D&A tests may be undertaken, such as pathology collection centres and hospitals.



## 2. DRUG & ALCOHOL TARGETED TESTING: WORKER CONFIDENTIALITY AND PRIVACY

### Background

A number of instances have been reported where the confidentiality and privacy of workers subjected to D&A testing was allegedly not observed.

The Guidelines require operators to observe strict confidentiality in relation to information regarding worker D&A problems.

The Guidelines also require that sample collection processes be conducted in accordance with Australian Standard 4308, which requires that:

- urine samples be collected in a stall or otherwise partitioned area that allows for individual privacy; and
- observation of the collection of samples may only be carried out by, or under the direction of, a medical practitioner.

### Action

Accredited rail operators must ensure that their D&A testing arrangements provide for:

- the privacy of workers who are required to provide a urine sample; and
- strict confidentiality of personal information regarding D&A issues, including appropriate arrangements for ensuring confidentiality when notifying workers that they are required to submit to a targeted D&A test, and when conducting targeted testing.

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Chief Executive

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