

RAIL SAFETY (DRUG AND ALCOHOL TESTING) REGULATION 2008

TRAINING REQUIREMENTS FOR TESTING OFFICERS

These training requirements, and the requirements for qualifications of persons who provide the training, were approved by ITSRR for the purposes of clause 11 of the *Rail Safety (Drug and Alcohol Testing) Regulation 2008*.

1. Objective

The objective of testing officer training is to ensure that all testing officers have sufficient skills and knowledge to carry out the functions of a testing officer as provided by the:

- (a) *Rail Safety (Drug and Alcohol Testing) Regulation 2008* (“the Regulations”); and
- (b) Drug and alcohol management program of the operator by whom they were authorised as testing officers.

2. Qualifications to be held by persons training testing officers

- (a) Only persons who hold a Certificate IV in Training and Assessment qualification (or equivalent) may conduct the training of testing officers.
- (b) Only persons who hold a Certificate IV in Training and Assessment qualification (or equivalent) and have knowledge of the operator’s drug and alcohol management program and testing processes, may develop training courses for testing officers.

3. Content of Training

The training of testing officers must include the following topics, to the extent that the topics are relevant to the testing officers’ role and functions under the drug and alcohol management program of the operator who authorised them.

(a) Legal requirements

- (i) the obligations of rail transport operators under the *Rail Safety Act 2008* (“the Act”) to implement a drug and alcohol management program in accordance with the Regulations;
- (ii) an overview of the drug and alcohol management program of the operator that has authorised the testing officer; and
- (iii) the nature of and penalties for the offences contained in the Regulations.

(b) The role and powers of testing officers

- (i) powers given to testing officers under the Regulations to require persons to submit to random, targeted or post-incident testing, including restrictions on when testing may be required;
- (ii) the requirement for testing officers to produce their certificates of authorisation if requested by a person who is required to submit to testing; and

- (iii) ITSRR's powers to audit testing procedures and to revoke the authorisation of testing officers.

(c) The rights and obligations of workers who are tested

The procedures for informing workers who are subject to drug and/or alcohol testing of their rights and obligations, including;

- (i) the requirement to submit to drug and/or alcohol testing when required by a testing officer to do so;
- (ii) the desirability of disclosing the use of prescription drugs that may be detected during drug and/or alcohol testing;
- (iii) the consequences under the operator's drug and alcohol management program and the Regulations for failing or refusing to undergo a drug and/or alcohol test;
- (iv) processes for advising workers of the outcomes of their drug and/or alcohol tests;
- (v) availability of any appropriate support and assistance to workers with drug and/or alcohol problems or workers who use prescription drugs; and
- (vi) the obligations of the operator to protect the confidentiality of personal information obtained in the course of drug and/or alcohol testing and related processes.

(d) Drug and alcohol testing procedures

- (i) procedures for informing workers they are required to undergo drug and/or alcohol testing;
- (ii) procedures for the correct use of alcohol breath testing devices used under the operator's drug and alcohol management program, including the role of any contracted testing service provider;
- (iii) procedures for assessing sobriety in circumstances where a breath testing device is unavailable;
- (iv) procedures for accessing and/or operating breath analysis devices in the circumstances of a positive breath test, including any liaison with police officers;
- (v) procedures for conducting urine drug testing under the operator's drug and alcohol management program, including the role of any contracted testing service provider;
- (vi) processes for removing from rail safety work, workers who fail or refuse to undergo drug and/or alcohol testing; and
- (vii) procedures for collecting information and making records of drug and/or alcohol tests, including procedures for the security and protection of confidential personal information obtained during the conduct of drug and/or alcohol testing.

(e) Procedures for random testing

The procedures under the operator's drug and alcohol management program for conducting random drug and/or alcohol testing, including:

- (i) procedures for selecting workers who are required to undergo drug and/or alcohol testing; and
- (ii) arrangements for accessing testing equipment and liaising with testing service providers.

(f) Procedures for reasonable cause testing

The procedures under the operator's drug and alcohol management program for conducting drug and/or alcohol testing of workers where there is reasonable cause to believe they are under the influence of drugs and/or alcohol, including:

- (i) procedures for receiving and responding to information regarding workers being under the influence of drugs and/or alcohol; and
- (ii) arrangements for accessing testing equipment and liaising with testing service providers.

(g) Procedures for post-incident testing

The procedures under the operator's drug and alcohol management program for conducting drug and/or alcohol testing after an incident, including:

- (i) the types of incidents after which drug and alcohol testing is required;
- (ii) the identification of workers who should be tested after incidents; and
- (iii) arrangements for accessing testing equipment and liaising with testing service providers.

4. Reviewing training requirements

The content of testing officer training courses should be revised and updated as necessary to ensure that it accurately reflects any changes to:

- (a) the Act or Regulations;
- (b) the operator's drug and alcohol management program; and
- (c) the testing equipment and/or services used in drug and/or alcohol testing under the relevant operator's drug and alcohol management program.

5. Frequency of training

Testing officers must undergo refresher training:

- (a) following any significant revision or updating of the operator's drug and alcohol testing officer training course;
- (b) every five years; or
- (c) when resuming testing officer duties after a continuous break of two or more years.