

OPERATING PROCEDURE 08: IMPLEMENT DRUG AND ALCOHOL MANAGEMENT PROGRAM

Purpose

The purpose of this document is to describe requirements of the Sydney Trains Drug and Alcohol Management Program (DAMP) to:

- manage risk of drugs and alcohol in the workplace;
- maintain a drug and alcohol free workplace; and
- educate managers and workers about drug and alcohol use and the actions required for the maintenance of a drug and alcohol free workplace.

Scope

This document is applicable to Sydney Trains workers including contractors, and visitors to Sydney Trains workplaces. (please see definition of Worker in the definition section of this document).

Process flow

Process

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| 8.3 | Drug and alcohol free workplace |
| 8.3.1 | Confidentiality |
| 8.3.2 | Implement drug and alcohol management program |
| 8.3.3 | Communicate the DAMP |
| 8.3.4 | Fitness for duty |
| 8.3.5 | Drug and Alcohol Breaches |
| 8.3.6 | Appointed Authorised Person |
| 8.3.7 | Develop risk-based random drugs and alcohol test schedule |
| 8.3.8 | Coordinate random drug and alcohol testing |
| 8.3.9 | Request for targeted drug/and or alcohol test |
| 8.3.10 | Self-Identification |
| 8.3.11 | Use of Prescription or Over-the-Counter Medications |
| 8.3.12 | Manage records |
| 8.3.13 | Review and action |
| 8.3.14 | Request for a re-test of retained sample |

Figure 1 Process flow for implement Drug and Alcohol Management Program

Procedure

8.3 Drug and alcohol free workplace

The DAMP gives effect to the [Sydney Trains' Drugs and Alcohol Policy](#) to have a drug and alcohol free workplace and employees to be free from drugs and alcohol while at work. The Sydney Trains' DAMP consists of:

- drug and alcohol testing types as described in Table 1 in [SMS-08-SP-3068 Health Management](#)
- alcohol testing in accordance with Australian Standards AS 3547:1977 Breath alcohol testing devices for personal use
- drug testing in accordance with Australian/New Zealand Standards AS/NZS 4308:2008 – Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine respectively; and
- education, communication and rehabilitation plans

The DAMP is supported by Sydney Trains' policies in the management of drug and alcohol breaches and employee support processes.

Drug and alcohol free is defined as:

- a drug test reading less than the cut off levels stipulated in the AS/NZS 4308:2008; and
- A blood alcohol concentration (BAC) of zero (0.00 grams of alcohol in 210 litres of breath).

8.3.1 Confidentiality

Managers, supervisors and workers must:

- maintain confidentiality at all times over information in relation to the misuse or abuse of alcohol and other drugs;
- make sure all test results are treated as 'confidential' and are accessible only to those responsible to manage drug and alcohol (D&A) matters; and
- where they have proper access to information about testing results, another person's self-identification or participation in a rehabilitation program, maintain that information in confidence and not disclose it to anyone else unless authorised to do so by Sydney Trains' policies or procedures, the law and/or the person to whom the information relates.

Breaches of confidentiality or failing to report a breach of confidentiality will be considered a breach of the *Code of Conduct* and will be investigated.

8.3.2 Implement drug and alcohol management program

The DAMP acts to provide transparency, improve awareness about the impacts of drugs and alcohol on workplace safety and to assist workers to address non-work factors that can contribute to not being alcohol and drug free at work.

The Contracted Services Manager Health Assessment and Drug & Alcohol (Contracted Services Manager) must:

Implement processes and procedures for:

- Post Incident testing (refer to [SMS-17-OP-3141 Post Incident Drug and Alcohol Testing](#)):
 - A risk based random test program for drugs and alcohol for all workers, but which includes no less than 25% of rail safety workers each year'
 - Targeted testing'
 - Education and communication plans;
 - Requirement to report to the Office of the National Rail Safety Regulator on a periodic basis on the level and extent of drug and alcohol tests performed across the organisation;
 - Appointment of Authorised Persons to conduct drug and alcohol testing; and
 - Ensuring the Authorised Person conducts drug and alcohol testing.
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8.3.3 Communicate the DAMP

Line Managers must:

- refer to the [Sydney Trains Drug and Alcohol Policy](#), procedures, internal communications material and the Code of Conduct;
- communicate the requirements of the Drug and Alcohol Policy to work teams and make sure they understand what it means to be drug and alcohol-free at Sydney Trains;
- utilise safety committee meetings, team meetings, pre-work briefings and site inductions to provide information and understanding of D&A testing; and
- refer to the [SMS-11-OP-3016 Provide Local Safety Induction](#) for guidance on the specific points to be included in the local safety induction of new workers and contractors and the assessment of the inductee's knowledge of the [Sydney Trains Drug and Alcohol Policy](#).

8.3.4 Fitness for duty

Line Managers must:

- where practicable, check that workers are fit for work at the beginning and during each shift; and
- remove a worker from work who is suspected of not being drug or alcohol free, however, make sure the worker remains in the workplace for testing.

Workers must:

- be fit for work at the beginning of each shift; and
- comply with the [Sydney Trains Drug and Alcohol Policy](#) and the Code of Conduct

8.3.5 Drug and Alcohol Breaches

A breach is when any worker:

- returns a positive test result;
- refuses a test;
- knowingly evades a test;
- fails to supply a sample without reasonable cause; and
- attempts to substitute or otherwise tamper with a sample.

All breaches will be managed in accordance with Sydney Trains' policies and procedures.

Breaches by Rail Safety Workers (RSW) may be an offence under the Rail Safety National Law and must be reported to the Office of the National Rail Safety Regulator (ONRSR).

If informed of a breach, the line manager must:

- immediately inform the worker of the breach and that they will be managed in accordance with Human Resource (HR) processes

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- if the worker is a RSW, remove them from rail safety work immediately and arrange to have their RSW authorisation suspended; and
 - inform Human Resources or Manager People and Change.

Workers must:

- comply with all reasonable directions from their line manager and Human Resources or Manager People and Change of the following a breach.



Note:

Contractors who breach the [Sydney Trains Drug and Alcohol Policy](#) are offered the opportunity to satisfy Sydney Trains' fitness requirements by undergoing a comprehensive rehabilitation program.

The program requires a minimum of 12 months of supervised rehabilitation.

Once completed the Executive Director Safety, Environment and Risk, Group Rail will make the final determination if you will be allowed to return to rail safety work.

8.3.6 Appointed Authorised Person

Drug and alcohol testing in New South Wales (random, targeted and post-incident testing) must only be carried out by an Authorised Person, who is appointed under the Rail Safety National Law (NSW).

An Authorised Person is required to hold an identity card, issued by the NSW Branch of ONRSR.

The sub-delegate Sydney Trains – Director Safety and Standards has the authority to appoint an Authorised Person who meets the necessary qualification and experience requirements.

8.3.7 Develop risk- based random drugs and alcohol test schedule

Contracted Services Manager shall:

Develop a yearly risk-based random drug and alcohol testing schedule which will included a minimum of 25% rail safety workers in accordance with Rail Safety National Law, based on:

- role of workers;
- work location of workers;
- frequency of workplace being tested;
- historical trends;
- time and day of the week.

8.3.8 Coordinate random drug and alcohol testing

When random drug and alcohol testing is being conducted at a Sydney Trains work site, Line Managers must:

- cooperate with the Authorised Person to coordinate conducting drug and alcohol testing in the workplace;
- provide the Authorised Person with all names of workers present on-site in the workplace for random selection; and
- advise selected workers and make sure they are made available for testing.

Workers must:

- present themselves to the Authorised Person for testing at the pre-determined agreed time;
- have valid photo identification;
- be briefed by the Authorised Person before and during the drug and/or alcohol test; and
- provide requested information to the Authorised Person.



Note:

Samples obtained during drug screening test, urine screening test, oral fluid analysis and blood and urine test should only be used for the purposes in accordance with the Rail Safety National Law (NSW).

8.3.9 Request for targeted drug/and or alcohol test

A request for a target test must be initiated when credible information has been received that there is a workplace risk associated with a possible breach of the [Sydney Trains Drug and Alcohol Policy](#).

Line Managers must:

- if credible information is received of a possible breach of the [Sydney Trains Drug and Alcohol Policy](#), seek approval for a targeted drug and/or alcohol test to be carried out;
- inform the worker that information has been received and they are required to be target tested and not to leave the workplace without reasonable cause until the target test is complete;
- once approval is obtained, advise the Rail Management Centre (RMC) and/or the Contracted Services Manager to arrange the test;
- liaise with the Authorised Person to effect the test at the workplace or other suitable location; and
- maintain worker confidentiality of test.

Workers must:

- present themselves to the Authorised Person for testing at the agreed time;
- have valid photo identification;
- be briefed by the Authorised Person before and during the drug and/or alcohol test; and
- provide requested information to the Authorised Person.



Note:

Delegation to approve target test:

A Level 3 Manager and above has the delegation to approve a request for targeted drug and/or alcohol test.

8.3.10 Self-Identification

Sydney Trains encourages any worker who has a drug or alcohol problem to seek qualified help and assistance in dealing with their circumstances.

Self-Identification means an worker reporting to their Line Manager or Human Resources or Manager People and Change that they have a drug and/or alcohol problem and are seeking Sydney Trains' support in dealing with their circumstances.

Workers who self identify will be managed in accordance with the HR policies and procedures.

Line Managers in receipt of a self-identification must:

- inform the worker a review will be undertaken of the circumstances surrounding the self-identification, with support and assistance provided where appropriate and that they will be required to undergo targeted drug and alcohol testing;
- if the worker is a RSW, ensure they are removed from rail safety work and their RSW authorisation is suspended until further notice; and
- advise Human Resources or Manager People and Change of the worker's self-identification.

Workers must :

- not knowingly present for duty under the influence of illicit drugs or alcohol; and
- seek assistance from their Line Manager or from Human Resources in regards to self-identification.



Note:

Self-identification will not be accepted as a means to avoid a drug or alcohol test, or to avoid any disciplinary action resulting from a drug or alcohol breach.

8.3.11 Use of Prescription or Over-the-Counter Medications

If a worker is to be prescribed medication by a doctor, they must advise the doctor of the [Sydney Trains Drug and Alcohol Policy](#) and seek advice on the possible side effects of the medication.

Resources are available to assist workers and their treating doctors including a 'drug information card' and an open letter from the Chief Health Officer (CHO) to medical practitioners.

If the worker is a RSW and the treating doctor advises the proposed medication will adversely affect the worker's ability to perform their role, the Sydney Trains' CHO and Line Manager must be informed.

Depending on the effects of the medication, the worker may need to be removed from RSW for the duration of the prescribed course of medication.

Over the counter medications should only be taken in accordance with the manufacturer's instruction and any warnings or advice provided on the product. Where the medication may have an adverse effect on the worker, they must declare the medication to their Line Manager prior to commencement. If a worker has concerns on how the medication will affect their ability to work safely they should seek advice from the CHO before taking the medication.

8.3.12 Manage records

Sydney Trains has a Standard for Records Management to ensure consistency across directorates and compliance with NSW Government requirements.

Line Managers must:

- maintain confidentiality to protect workers' privacy in accordance with HR policies and procedures. Drug and alcohol information should be reported on a need-to-know basis. Only information justifiably necessary to assess fitness for duty should be collected.

The Contracted Services Manager must:

- manage drug and alcohol records in accordance with Sydney Trains Drug and Alcohol Information System and all records will be managed in accordance with [SMS-09-SP-3021 Record Management](#).

8.3.13 Review and action

The Contracted Services Manager will review the risk-based random testing schedule when there are:

- increased positive rates,
- legislative changes; and
- year basis.

The CHO will review medical reports and/or drug and alcohol risk profiles of workers to identify patterns and trends that indicate potential adverse risk. The CHO is to present findings to the Contracted Services Manager for evaluation and implementation.

8.3.14 Request for a re-test of retained sample Within 3 months of providing a sample, workers may apply to the laboratory for a portion of the sample to be sent for analysis at their own expense to a medical practitioner or laboratory nominated by themselves.

Workers must:

- contact the Contracted Services Manager to obtain the relevant information and contact details of the service provider (laboratory) where the current sample is held
- organise re-test directly with the laboratory; and
- request the laboratory to forward re-test results directly to their nominated medical practitioner

Definitions

Term	Definition
Worker	<p>A person who is:</p> <ul style="list-style-type: none"> • an employee • a contractor or subcontractor • an employee of a contractor or subcontractor • an employee of a labour hire company who has been assigned to work in the person’s business or undertaking • an outworker • an apprentice or trainee • a student gaining work experience, or • a volunteer <p>Source: Work Health and Safety Act 2011 (NSW), Section 7</p>
Workplace	<p>A place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.</p> <p>Source: Work Health and Safety Act 2011, Section 8</p>

References

- [Sydney Trains Drug and Alcohol Policy](#)
- [SMS-08-SP-3068 Health Management](#)
- [SMS-09-SP-3021 Record Management](#)
- [SMS-11-OP-3016 Provide Local Safety Induction](#)
- [SMS-17-OP-3141 Post Incident Drug and Alcohol Testing](#)
- [Drug Information card](#)

Version Control

Version	Change from previous	Date	Comment
1.0	First release of Sydney Trains SMS	01/07/2013	Launch of Sydney Trains SMS documents
2.0	Amend Procedure – Manage Positive Results	28/07/2014	
2.1	Changed “Non-Negative” To “Positive” Throughout The Document. Approver Changed From Group Manager Safety To Group Manager Safety And Accreditation. Changed Title From “Safety – Drug And Alcohol Manager” to “Contracted Services Manager – Drug and Alcohol”.	29/10/15	Changes due to introduction of Rail industry Worker Card and changes to titles of Approver and Contracted Services manager.
2.2	Procedure updated to remove reference to Just Culture and Positive Alcohol Process moved to below Procedure – Drug and Alcohol Testing. Updated the outcome of investigation section. Updated Figure 2 to reflect current organisational programs and policies.	08/06/2016	
2.3	Updated approver title, removed the statement of training in the drug and alcohol to avoid confusion and changed definition of employee to worker.	12/11/2018	