

SMS Drug and Alcohol Management Program

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1 Purpose

This procedure supports the [Sydney Trains' Drug and Alcohol Policy](#) and outlines the requirements of the Sydney Trains' *Drug and Alcohol Management Program* (DAMP). The DAMP addresses and manages the risks associated with drugs and alcohol in the workplace and is aimed at maintaining drugs and alcohol below the prescribed levels described in this procedure. This procedure explains the:

- Pre-employment, random, return to work, working from home and targeted drug and alcohol testing program (noting that post-incident testing is covered in [SMS-Post Incident Drug and Alcohol Testing](#)) and the standards against which the testing is performed;
- roles responsible for education, communication and rehabilitation plans;
- self-identification process, and support for workers who self-identify with drug and alcohol consumption issues;
- expectations on workers to be drug and alcohol free and below the prescribed levels described in this procedure while at work or while performing work;
- process for the use and declaration of prescription medication and over the counter medication; and
- management and likely consequences of a breach of the [Sydney Trains' Drug and Alcohol Policy](#) and this DAMP.



Note: Please refer to [Frequently Asked Questions \(FAQs\)](#) for additional information.

2 Coverage

[Sydney Trains' Drug and Alcohol Policy](#) and this DAMP applies to all workers and subcontractors of Sydney Trains, including:

- workers;
- workers of the Transport Service assigned to a role within Sydney Trains;
- a contractor or subcontractor;
- a worker of a contractor or subcontractor;
- a worker of a labour hire company who has been assigned to work in Sydney Trains;
- an outworker;
- an apprentice or trainee;
- a visitor;
- a worker working from home;
- a student gaining work experience, and
- a volunteer.

This definition of a worker is in accordance with the definition of a 'worker' under *Section 7* of the *Work Health and Safety Act 2011 (NSW)*.

3 Scope

This document is applicable to Sydney Trains workers' including contractors and subcontractors attending a workplace, performing work, or undertaking training and also includes visitors to Sydney Trains' workplaces. A workplace is 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 [*Section 8* of the *Work Health and Safety Act 2011 (NSW)*].

The obligations on workers under this DAMP apply when:

- a worker is performing work or attending the workplace;
- driving for work, including between work sites and/or offices;
- on call or on standby;
- responding to a crisis or emergency;

- working from home; and
- if you are a rail safety worker, during your commute to work regardless of your mode of travel.

4 DAMP Framework

This DAMP is governed by the *Rail Safety National Law* (RSNL), with the following key program requirements being identified and addressed in the respective sections of this procedure.

5 DAMP Requirements (Rail Safety National Law)

Under *Section 128* of the RSNL, it is an offence for a **Rail Safety Worker** (RSW) to carry out or attempt to carry out Rail Safety Work while there is alcohol or a prescribed drug present in their system. To manage this and reduce the risks to workers, passengers, the train network and the general public, Sydney Trains is required to have a DAMP in place which includes drug and/or alcohol testing of its workers.

Under the RSNL, a RSW has specific obligations and may be liable for penalties imposed by Office of the National Rail Safety Regulator (ONRSR) if a breach occurs.



Note: Drug and alcohol related breaches involving Contractors and their Sub-contractors will be dealt with in accordance with their own DAMP and/or agreed contractual arrangements. In addition, DAMP-related breaches will need to be notified to the relevant Sydney Trains' Contract Manager.

6 Rail Safety Workers (RSW)

A RSW is any individual (whether employee or contractor) who has carried out, is carrying out, or is about to carry out, rail safety work (*Section 4* of the RSNL). This may be their only role or a task that is part of their role. 'Rail safety work' is defined in *Section 8* of the RSNL and is further clarified in the ONRSR Guideline Identifying Rail Safety Work under the RSNL.

This process is defined and managed by the [SMS Manage Health Assessment Requirements](#).

7 Drugs and Alcohol-free workplace

The [Sydney Trains' Drug and Alcohol Policy](#) and this DAMP requires all workers to be free from alcohol and drugs while attending work. This means that they must not have detectable levels of alcohol or drugs in their system while attending or performing work.

Sydney Trains undertakes:

- **alcohol testing** in accordance with Australian Standard 'AS 3547 *Breath alcohol testing devices for personal use*' (AS 3547). Under the Sydney Trains *Drug and Alcohol Policy*, you must have zero alcohol in your system while at work. You are deemed to not have alcohol in your system if you have a blood alcohol concentration (%BAC) of 0.000 grams of alcohol in 100mL blood and/or breath alcohol concentration (%BrAc) of 0.000 grams of alcohol in 210 litres of exhaled breath;
- **urine drug testing** in accordance with Australian/New Zealand Standard 'AS/NZS 4308 - *Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine*' (AS/NZS 4308) or as set by the laboratory for substances where a level is not defined in the AS/NZS 4308. These cut off levels provide the level from which a laboratory can reliably detect a certain drug in the sample provided; and
- **oral fluid drug testing** in accordance with Australian/New Zealand Standard 'AS/NZS 4760 - *Procedure for specimen collection and the detection and quantification of drugs in oral fluid*' (AS/NZS 4760) or as set by the laboratory for substances where a level is not defined in the AS/NZS 4760. These cut off levels provide the level from which a laboratory can reliably detect a certain drug in the sample provided.

These standards set out the procedures for specimen collection, packaging and transportation to a laboratory and testing methodology for drugs in urine or oral fluid.



Note: The use and disclosure of prescription medication is dealt with separately below.

8 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 having the presence above the prescribed levels described in this procedure, for alcohol and/or drugs in their system while attending or performing work.

The **Senior Manager Rail Safety Programs- SEQR** implements processes and procedures for:

- post incident testing (refer to [SMS Post Incident Drug and Alcohol Testing](#));
- a risk based random testing program for drugs and alcohol for all workers, but which includes no less than 25% of rail safety workers each year;
- return to work testing;
- targeted testing;
- pre-employment testing;
- education and communication plans;
- requirement to report to the ONRSR 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.



Note: Please refer to [Frequently Asked Questions \(FAQs\)](#) for additional information.

8.1 Worker Accountability

Under the RSNL and the DAMP, all workers are accountable for presenting to work fit for duty. **All workers** must do the following:

- not be at work, carry out work (or attempt to carry out work) with any detectable levels of alcohol, illicit drugs or prescribed drugs (unless declared);
- ensure they aren't hindered in performing their job in a safe manner;
- not carry out (or attempt to carry out) work with any prescription drugs in their system that may hinder their ability to perform their job safely; the review and approval process must be followed;
- prior to receiving any medication, advise the treating doctor and/or pharmacist that Sydney Trains has a Drug & Alcohol testing program, that certain drugs are prohibited in the workplace, and that Sydney Trains tests for amphetamines (or amphetamine-type substances), benzodiazepines, cannabis metabolites, cocaine metabolites, opiates; and other synthetic type substances (e.g., synthetic cannabis etc);
- declare the use of any medication that is listed on the Sydney Trains medication declaration form, medication that may adversely affect the worker's ability to perform their role or that otherwise may result in a breach of this DAMP to the **Chief Health Officer (CHO)** or to their manager who will forward the declaration to the **CHO**. The **CHO** will confirm if the medication can be taken or not and any recommendations such as dosing times related to work commencement. Note: This includes any concerns about their fitness for work, and includes effects of prescription or over-the-counter drugs;

- present themselves to work free from drugs and alcohol so that they are able to carry out their duties without risk to themselves, others or plant;
- these principles also apply to out of hours call-in; and
- Notify their supervisor immediately if they:
 - suspect another worker may be unfit for work due to drugs and/or alcohol; and
 - become aware of unauthorised possession or consumption of alcohol and/or drugs on the workplace by another individual.

8.2 Maintain Confidentiality

Line Managers and **workers** must:

- maintain confidentiality over information in relation to consumption issues 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 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 may be managed in accordance with the Discipline Procedure.

8.3 Fitness for duty

Line Managers must:

- where practicable, check that workers are fit for work at the beginning and during each shift; and
- stop a worker from performing work if they are suspected of not being drug and alcohol free while attending or performing work and ensure they stay in the workplace for testing.

Workers must:

- be fit for work at the beginning of each shift and ensure that they do not attend or perform work with alcohol and/or drugs in their system;
- ensure that any use of drugs and/or alcohol outside of work does not impact the requirement for them not to attend or perform work with alcohol and/or drugs in their system;
- ensure that they comply with their obligations with respect to the use of prescription medication and over the counter medication as outlined in this DAMP;
- provide medical evidence in advance for any medical dispensation for any drug testing, which must be approved by the CHO. Drug testing methods, such as urine, hair, blood, or oral fluid will be required; and
- comply with the [Sydney Trains Drug and Alcohol Policy](#), the DAMP and the Code of Conduct.



Note: Please refer to [Frequently Asked Questions \(FAQs\)](#) for additional information.

8.4 Work from Home

When working from home, compliance with the [Sydney Trains' Drug and Alcohol Policy](#) and the DAMP is required.

8.5 Develop risk-based random drugs and alcohol test schedules

The **Senior Manager Rail Safety Programs – SEQR** will develop a yearly risk-based random drug and alcohol testing schedule which will include a minimum of 25% rail safety workers in accordance with RSNL, based on:

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

8.6 Appoint Authorised Person

Drug and Alcohol testing in New South Wales (random, return to work, targeted and post-incident testing) must only be carried out by an Authorised Person, who is appointed under the RSNL.

An **Authorised Person** is required to hold an identity card, issued in accordance with the RSNL.

The sub-delegate **Director Network Standards Systems and Quality - SEQR** has the authority to appoint an **Authorised Person** who meets the necessary qualification and experience requirements.

8.7 Coordinate random drug and alcohol testing

When random drug and alcohol testing is being conducted at Sydney Trains' work sites, **Line Managers** must:

- cooperate with the **Authorised Person** to coordinate conducting drug and alcohol testing in the workplace. This includes providing the Authorised Person with facilities to conduct drug and alcohol testing on-site. In the event the Authorised Person has the testing van, the **Line Manager** is to provide parking facilities where practicable;
- provide the **Authorised Person** with names of workers present on-site in the workplace for selection as directed by the **Authorised Person**. This may include a specific business unit, building, floor, level, or the whole workplace; 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;
- provide requested information to the **Authorised Person**; and
- follow the instructions of the **Authorised Person** with regards to the specimen collection.



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 RSNL.

8.8 Testing Protocols

The following protocols must be applied to all Drug and Alcohol testing within Sydney Trains:

8.8.1 Privacy

Any discussion in relation to Drug and Alcohol issues should occur in a private location.

All Drug and Alcohol testing will be performed in an area appropriate for the testing type to ensure the testing outcome is only known to the person and Authorised Persons and not those waiting to be tested.

The results of the test and identity of the subject must be kept private and confidential as defined in this DAMP.

8.8.2 Testers

All Sydney Trains initiated testing (with the exception of pre-employment) is to be conducted by the external contracted service provider, or other **Authorised Persons** appointed by Sydney Trains.

Preliminary and confirmatory tests will also be conducted by any **Authorised Persons** (determined by RSNL), or both state and federal police officers.

The external service provider or **Authorised Persons** appointed by Sydney Trains must produce a copy of the Authorised Persons authority upon request (Authorised Persons ID Card).

8.8.3 Equipment

All devices used for testing must comply with the applicable standards, as amended from time to time. At the time of publication of this procedure, these include the Standards set out in *Section 7* of the DAMP.

8.8.4 Random Selection Process

Random selection means that the workers are chosen at random, without any prior indication or suspicion of drug or alcohol use. The collection methodology for urine and/or oral fluid testing will be determined by a random selection process. This helps to ensure that the testing is fair and objective, and that all workers are subject to the same standards.

If a worker is selected for random testing, they will typically be required to provide a sample of urine or oral fluid and/or breath for analysis.

Sydney Trains has the ability to conduct multiple random selections throughout the day at a set location to ensure that it maintains a safe workplace environment.

8.8.5 Testing Process

The below process outlines the requirements by the **Authorised Person** and **worker**:

- The worker is informed they are required to be tested and the reason for the test;
- The worker has the right to an independent witness, however arranging such witness will not stop or delay the testing process;
- A worker may request the Authorised Persons produce appropriate Authorised Persons ID Card;
- Testing must be conducted within three hours of the worker ceasing work or after an accident or irregular incident or for reasonable cause;
- In the case of oral fluid testing, the worker being tested is required to be nil by mouth. This means food or drink must not be consumed during this period unless instructed by the Authorised Person. This means you must refrain from smoking, vaping, e-cigarette, eating, taking any fluid or substances during the waiting period of approximately 30 minutes, if you have been randomly selected for oral fluid testing;
- In majority of the cases full testing will apply for both an alcohol and drug test;
- Photo identification is required prior to conducting tests, if a worker is unable to provide this a responsible manager will be required to verify the worker's identity;
- The worker will be provided the opportunity to inform the Authorised Persons if they have recently taken any prescribed medication or over the counter medication; and
- If a worker is unable to provide a sample (breath &/or urine &/or oral fluid), guidance will be followed from the Testing Agency to ensure an appropriate sample can be obtained. This may include providing water and time for the worker to provide a sample up to 3 hours of the initial test.



Note: The type of test will be determined at the discretion of Sydney Trains' **Senior Manager Rail Safety Programs – SEQR**.

8.8.6 Onsite Screening Process

The **worker** will be subject to onsite screening using a NATA accredited testing device and will be required to provide a breath sample for the presence of alcohol, a urine and/or oral fluid sample for the presence of drugs, Refer to *Appendix B* as instructed by the **Authorised Person**.

Test Type	Process
Breath Test	<p>A breath sample provided by the worker to the Authorised Person:</p> <ul style="list-style-type: none"> • If above 0.000% BrAc a confirmatory sample will be provided 20 mins later to the Authorised Person. • During this time nil by mouth except for a glass of water if required, by the worker. • The worker will be fully supervised during this time by the Authorised Person. • If above 0.000% BrAC the worker must perform a urine drug test as described below. • If above 0.05% BrAc, the worker is then sent home by either taxi or ride share service. • If below 0.05% BrAC and the second result is lower than the first, the worker is allowed to leave the work site by their own means.
Urine Drug Testing	<p>When a urine sample has been collected the following process will be followed:</p> <ul style="list-style-type: none"> • For random sample collection only, the urine sample will be split into three and sent to the laboratory for screening and for subsequent confirmatory testing if needed. • For onsite smart cup random testing a urine sample will be collected on a smart cup testing device. Once the onsite screening result(s) are completed the sample will be split into three and sent to the laboratory for screening and for subsequent confirmatory testing. The sample will be screened onsite with the worker present. <ul style="list-style-type: none"> ○ The Authorised Person will be required to review the result of the test within the guidelines of the manufacturer of the device (this is typically within 5-10 minutes). ○ The Authorised Person will be required to display the onsite screening result(s) to the worker. (The Authorised Person can provide the worker with an Instruction sheet that explains how to read the results (See Appendix A). <p>Onsite not detected test result:</p> <ul style="list-style-type: none"> • The worker will return to normal duties and the sample will be sent to Laboratory for follow-up testing. <p>Onsite non-negative test result:</p> <ul style="list-style-type: none"> • The worker will be removed from duty and the Line Manager will be advised of the result. The remaining sample will be split into three and sent to the laboratory for confirmatory testing under Chain of Custody as per AS/NZS 4308. • If the worker performs Rail Safety Work the Authorised Person will be required to remove or block the worker’s Rail Safety Worker Card until the results have been confirmed. • The Rail Safety Worker Card will be handed over to the Line Manager pending the laboratory results. • If the testing device control lines are invalid or an adulteration test has failed i.e., creatinine, the Authorised Person will request a second sample from the worker and repeat the collection process. The second sample plus the invalid sample will be sent to the laboratory for testing. <i>Please note that all samples will be forwarded to the laboratory for analysis and be reported within three business days.</i>
Oral Fluid Testing	<p>An oral fluid sample has been collected the following process will be followed:</p> <ul style="list-style-type: none"> • For random testing an onsite oral fluid swab will be collected on a testing device and a second oral fluid sample will be collected and sent to the laboratory for screening and for subsequent confirmatory testing if needed. • The sample may be screened onsite with the worker present. • The Authorised Person will be required to review the results of the test within the guidelines of the manufacturer of the device (this is typically within 5-10 minutes). • The Authorised Person will be required to display the onsite screening result(s) to the worker (The Authorised Person can provide the worker with an Instruction sheet that explains how to read the results). <p>Onsite not detected test result:</p> <ul style="list-style-type: none"> • The worker will return to normal duties and the worker will be required to provide a second oral fluid sample which will be sent to laboratory for testing. <p>Onsite non-negative test result:</p> <ul style="list-style-type: none"> • The worker will be required to provide a second oral fluid sample which will be sent to laboratory for testing. The worker will be removed from duty and the Line Manager will be advised of the result. • If the worker performs Rail Safety Work the Authorised Person will be required to remove or block the worker’s Rail Safety Worker Card until the results have been confirmed.

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Test Type	Process
	<ul style="list-style-type: none"> The Rail Safety Worker Card will be handed over to the Line Manager pending the laboratory results. If the testing device control lines are invalid the Authorised Person will request a repeat collection. If the repeat test is also invalid the worker will be required to provide a second oral fluid sample which will be sent to the laboratory for testing. The worker will be removed from duty and the Line Manager will be advised of the result. <p><i>Please note that all samples will be forwarded to the laboratory for analysis and be reported within 72 business hours.</i></p>

8.8.7 Laboratory Test Results

The laboratory test reports can only be accessed through a secure Laboratory Portal. These results are de-identified and stored in the portal with a unique identifier (UID number). The confirmed laboratory results will be accessed and reviewed by the **Rail Safety Programs Team - SEQR, CHO and Medical Review Officer (MRO)**.

The below section is based on confirmed test results.

Test Type	Process
Onsite non-negative test result	<p>Once the onsite non-negative test result has been reported, the process will be followed:</p> <p>Confirmed not detected (Negative) test result: If the confirmed results are negative the Rail Safety Programs team will advise the Line Manager and instruct them to return the worker back to normal duties. <i>Rail Safety Worker:</i> If the worker performs rail safety work the following applies:</p> <ul style="list-style-type: none"> the Rail Safety Worker Card will be returned to the worker by the Line Manager; or if the Rail Safety Worker Card was blocked, Rail Safety Programs team to request card to be unblocked. <p><i>Non-Rail Safety Worker:</i> The worker to continue to perform duties and no further action required.</p> <p>Confirmed detected test result: If the results are confirmed detected by the Laboratory the Rail Safety Programs team will perform the following:</p> <ul style="list-style-type: none"> arrange for the laboratory results and all relevant documentation to be provided to the CHO to complete a review. This will include reviewing their laboratory results, the medical file as well as disclosures of prescription and non-prescription medication, confirming the result as positive or negative and/or recommending any necessary follow-up actions such as MRO assessment and re-testing. The nominated SEQR Delegate will review and provide recommendations based on CHO advice.
Confirmed detected test result	<p>This scenario is based on the onsite test results being negative and the samples which have been sent for follow-up testing have confirmed a detected test result.</p> <p>If the results are confirmed detected by the Laboratory the Rail Safety Programs team will perform the following:</p> <ul style="list-style-type: none"> arrange for the laboratory results and all relevant documentation to be provided to the CHO to complete a review. This will include reviewing their laboratory results, the medical file as well as disclosures of prescription and non-prescription medication and confirming the result as positive or negative and/or recommending any necessary follow-up actions such as MRO assessment and re-testing. The nominated SEQR Delegate will review and provide recommendations based on CHO advice.

8.8.8 Sample Tampering

Any situation where a worker, who provides a substituted sample or interferes with a breath sample or a urine sample and/or an oral fluid sample so as to prevent detection of a drug/metabolite, will be referred for disciplinary investigation which may lead to termination of employment.

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Interfering, tampering with or destroying samples are all offences under section 128C of the RSNL and in breach of the [Sydney Trains' Drug and Alcohol Policy](#) and this DAMP.

8.8.9 Status of person tested

No worker who has screened non-negative for drugs will be permitted to perform rail safety work until the results of all the tests are known to be confirmed "not detected" (negative), or until a clearance for work has been provided by the **CHO** or by the **Executive Director SEQR**.

8.8.10 Leaving a test site

Any worker that leaves a test site without permission and or a legitimate reason without undertaking a drug and/or alcohol test (when requested to do so) will be deemed to have breached the [Sydney Trains' Drug and Alcohol Policy](#) and the DAMP, resulting in referral for disciplinary investigation which may lead to termination of employment.

8.8.11 Test refusal

Any worker refusing to undertake a drug or alcohol test will be deemed to be in breach of this DAMP. This will be treated as a disciplinary matter and may lead to termination of employment.

8.8.12 Self-Identification

Sydney Trains encourages any worker who has a drug and/or alcohol issue to seek qualified help and assistance.

Self-Identification means a worker reporting to their **Line Manager** or **People and Culture** representative that they have a drug and/or alcohol issue and are seeking Sydney Trains' support.

Self-identification cannot be used to avoid the consequences of testing once you have been selected to undertake a test or once there is a confirmed positive test result, for example by making a declaration at the time of collection or at the point of becoming aware of a test. Workers who self-identify will be managed in accordance with the Sydney Trains' 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 and they will be referred for an assessment by Authorised Health Professional;
- if the worker is a rail safety worker, ensure they are removed from rail safety work and their rail safety worker authorisation is suspended until further notice; and
- advise People and Culture or the relevant Senior People and Culture Business Partner of the worker's self-identification.

Workers must:

- notify their **Line Manager** or **People and Culture** representative as soon as they suspect they may have an issue with drugs and/or alcohol;
- not attend for or perform work with any drugs or alcohol in their system; and
- seek assistance from their **Line Manager** or from **People and Culture** representative.



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

8.9 Request for a re-test of retained sample

When a worker provides a sample for drug testing, their sample is split in three; the first and second samples are tested, and the third sample is retained by the laboratory as the worker sample. Within three months of providing a urine sample or within three months of providing an oral fluid sample, workers may apply to the laboratory for the second half of their sample to be sent for analysis at their own expense to another accredited laboratory nominated by themselves.

Workers must:

- contact the **Senior Manager Rail Safety Programs SEQR** 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 the **Senior Manager Rail Safety Programs - SEQR**.

8.10 Substance Misuse or Dependence

Any drug that acts on the central nervous system has the potential to adversely affect skills required for safety critical work. In addition, drugs that affect behaviour may exaggerate adverse behavioural traits and introduce risk-taking behaviours.

Sydney Trains will actively encourage identification of workers who may have an issue with alcohol and/or drugs and is committed to encouraging and supporting rehabilitation.

The following outlines the identification pathways as part of this DAMP:

- Employer Identification;
- Self-Identification.

8.11 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 this DAMP and seek advice on the possible side effects of the medication and the potential for that medication to be detected on a drug test.

Resources are available to assist workers and their treating doctors including a 'drug information card', guideline and medication declaration form.

The medication declaration form lists the medications that must be declared to the **CHO**. **Workers** must declare medication use to the **CHO** in accordance with the medication declaration process and follow any advice given regarding use or timing of doses in relation to work.

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 or may be detected on a drug test, the Sydney Trains' **CHO** and **Line Manager** must be informed before the worker starts using that prescription medication.

Depending on the effects of the medication, the worker may need to be removed from rail safety work 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** or the **CHO** 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.

8.11.1 Medicinal Cannabis

Sydney Trains will only permit a worker to use medicinal cannabis in exceptional circumstances, which must be approved by the **CHO** (in consultation with the **Executive Director - SEQR**) before the worker starts their prescription.

If the **CHO** does approve a worker using medicinal cannabis, the **CHO** may impose other conditions for the worker's use of the medicinal cannabis as it relates to work, for example as to the specific preparations that may be used, or the timeframe within which the worker may use their medication to minimise any negative impacts the use may have on their ability to work.

Under no circumstances will a RSW, a worker who is performing rail safety work or who drives a vehicle in the course of their work, be permitted to use medicinal cannabis containing *Tetrahydrocannabinol* (THC), being the psychoactive compound in cannabis, or have THC from medicinal cannabis in their system.

It will be a breach of the [Sydney Trains' Drug and Alcohol Policy](#) and this DAMP if a worker returns a positive test result for *delta-9-tetrahydrocannabinol* (THCCOOH) or THC, even if the cannabis was validly prescribed to them, if they did not have approval from the CHO to consume that medicinal cannabis prior to the test being undertaken.

If a worker has been approved to start a prescription of medicinal cannabis that does not contain THC, that worker is responsible to ensure they do not consume any medicinal cannabis containing THC. The worker will also be required to provide a letter from their treating doctor which confirms that the product does not contain THC, that taking the product will not result in the worker returning a positive drug test (having regard to AS/NZS 4308 & AS/NZS 4760) and that the preparation will not impair the person at work.

8.11.2 Medicinal Methylenedioxymethamphetamine (MDMA) & Psilocybin

Sydney Trains will only permit a worker to use medicinal MDMA and Psilocybin in exceptional circumstances, which must be approved by the **CHO** (in consultation with the **Executive Director – SEQR**) before the worker starts their prescription.

Where the **CHO** approves a worker using medicinal MDMA and Psilocybin, the **CHO** may impose other conditions for the worker's use as it relates to work e.g. the timeframe within which the worker may use their medication to minimise any negative impacts the use may have on their ability to work.

Under no circumstances will a **RSW**, who is performing rail safety work or who drives a vehicle in the course of their work, be permitted to use medicinal MDMA and Psilocybin.

As outlined below, it will be a breach of the [Sydney Trains' Drug and Alcohol Policy](#) and this DAMP if a worker returns a positive test result for MDMA and/or MDA or Psilocybin. This is even if they were validly prescribed to them and if they did not have approval from the CHO prior to the test.

8.11.3 Breaches involving prescription medication

It will be a breach if a worker returns a confirmed positive test result for a prescription medication but that worker:

- does not have a valid prescription to take that medication; or
- the worker has a valid prescription, but they failed to declare that prescription to the CHO or their manager before taking it; or
- the CHO has not approved the worker's use of that prescription medication; or
- the worker has not used the prescription medication in accordance with their prescription; or
- the worker has not used the prescription medication in accordance with the directions issued to them by the CHO or their line manager with respect to its use before, during or after work; or
- the worker brings any cannabis, including medicinal cannabis, medicinal MDMA or medicinal Psilocybin into the workplace, or uses medicinal cannabis medicinal MDMA or medicinal Psilocybin while performing work, even if that worker has approval to take these preparations; or
- the worker has been approved to take medicinal cannabis that does not contain THC, and they consume THC, or they return a positive drug test result to THCCOOH or THC.

8.12 ONRSR Random Testing (without notice)

ONRSR will conduct their own Random Testing regime which will include testing of Sydney Trains' workers.

Testers are authorised persons under the RSNL and carry identity cards, which can be produced on request.

Authorised Persons will arrive unannounced on site to conduct programmed drug and alcohol testing of RSWs. Authorised Persons will conduct breath, oral fluid (saliva) and blood testing (where applicable) for the presence of alcohol and/or drugs. Oral fluid is the primary form of drug testing, however, there are some scenarios where urine testing may be conducted.

RSWs are required to comply with the directions of an *Authorised Person* to enable drug and/or alcohol testing by ONRSR. There are penalties for any RSW who is found to have breached the RSNL or commits an offence such as refusing a test, interfering, or tampering with a sample.

8.13 Drug and Alcohol Breaches

8.13.1 Breaches

A breach of the [Sydney Trains' Drug and Alcohol Policy](#) or DAMP occurs when any worker:

- returns a confirmed positive test result;
- refuses a test;
- evades a test;
- fails to supply a sample without reasonable cause;
- attempts to substitute or otherwise tamper with a sample;
- sells alcohol &/or drugs in the workplace;
- uses or is in possession of medicinal cannabis, MDMA or psilocybin in the workplace that is not pre-approved by the Chief Health Officer; or
- is in possession of any illicit drugs or item or piece of equipment for the use or administration of a drug at any workplace.

It is also a breach if a worker does not comply with their obligations with respect to prescription medication and/or over the counter medication. Prescription medication and over the counter medication is dealt with separately below.

Impairment and intention are not relevant to whether a worker has breached the [Sydney Trains' Drug and Alcohol Policy](#) and this DAMP. **Workers** should exercise caution and stay away from work if they have consumed drugs and/or alcohol and there is a risk that drugs and/or alcohol may still be present in their system.



Note: Please refer to [Frequently Asked Questions \(FAQs\)](#) for additional information.

8.13.2 Consequences of a breach

A breach of the [Sydney Trains' Drug and Alcohol Policy](#) or DAMP is serious and has the ability to put the health and safety of workers and others at risk.

- a) **Worker** – If a worker breaches the [Sydney Trains' Drug and Alcohol Policy](#) or DAMP, they will be subject to disciplinary proceedings and appropriate disciplinary action may be taken up to and including termination of employment.
- b) **Any Contractor, Subcontractor or Visitor** – breaches of the [Sydney Trains' Drug and Alcohol Policy](#) or DAMP may result in the termination of their services and/or engagement with Sydney Trains.

8.13.3 Rail Safety Workers

A breach of the [Sydney Trains' Drug and Alcohol Policy](#) or DAMP by a RSW may be an offence under the RSNL and must be reported to the ONRSR. Breaches may also result in a RSW being unfit to work under the 'National Standard for Health Assessment of Rail Safety Workers'.

8.13.4 Responsibilities where there is a breach of the Drug and Alcohol Policy or DAMP

If informed of a breach, the **Line Manager** must:

- immediately inform the worker of the breach and remove them from work;
- advise the worker that they will be managed in accordance with Sydney Trains' policies and procedures;
- if the worker is a RSW, remove them from rail safety work immediately and arrange to have their rail safety worker authorisation suspended pending an investigation; and
- inform their manager and the **People and Culture** representative.

Workers must:

- comply with all reasonable directions from their managers, **People and Culture** representative or **Professional Standards and Conduct Unit** representative following a breach.

Contractors must:

- comply with all reasonable directions from their manager or a representative from Sydney Trains following a breach.
- before Sydney Trains can give consideration to reinstating their RIW card:
 - satisfy Sydney Trains' fitness requirements by undergoing a comprehensive rehabilitation program with their employer or if self-employed at their own cost; and
 - complete a minimum of 12 months of supervised rehabilitation.

The reinstatement of the RIW card and the return to rail safety work within Sydney Trains will require approval by the **Executive Director SEQR** in consultation with the appropriate business Director following medical clearance; and if you are not a rail safety worker, return to the workplace within Sydney Trains will require approval by **Executive Director SEQR** and the relevant **People and Culture** representative following medical clearance.

8.14 Rehabilitation and Support

Assistance and support services will be made available as deemed appropriate for any Sydney Trains' worker as part of this DAMP. We are committed to encouraging workers to proactively report issues related to drugs and/or alcohol. This includes (but is not limited to) the following scenarios:

- Workers with a substance abuse issue (identification, management and support);
- Workers requiring general advice for drugs and/or alcohol use; and
- Treatment and rehabilitation for workers.

If deemed suitable to participate in rehabilitation, it will be a comprehensive and structured program, which must be at a minimum:

- a) a personalised assessment by a Drug and Alcohol counsellor and a medical practitioner,
- b) a tailored program of ongoing counselling (as appropriate),
- c) a thorough education program including with regards to risks, impact and effects of drugs, detectability of these substances and the consequences of use including legal consequences (criminal charges etc.), employment consequences (including dismissal or termination) and health and social impacts,
- d) guidance, mentoring and/or skill development to assist with future decision-making, particularly where past trauma, vulnerability, or impaired judgment has been identified as potentially contributing factors, and

e) a robust ongoing testing program to ensure compliance.

Before Sydney Trains can give consideration to reinstating their RIW card:

- o satisfy Sydney Trains' fitness requirements by completing the rehabilitation program; and
- o complete a minimum of 6 months of supervised rehabilitation.

8.15 Employee Assistance Program (EAP)

All workers have access to free support, advice and counselling services through the EAP program. This service is confidential. This includes support for a worker who has or may be affected by a close contact who is dealing with substance abuse issues.

Any worker who receives a confirmed positive result from a drug and/or alcohol test or is awaiting a result from a non-negative screening test, should be provided details of the EAP program and services.



Note: Sydney Trains reserves the right to determine when access to free support, advice and counselling services through the EAP program is made available to Sydney Trains workers who are not employees.

8.16 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 **Senior Manager Rail Safety Programs – SEQR** 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 Record Management](#).

8.17 Review and action

The **Senior Manager Rail Safety Programs - SEQR**, will review the risk-based random testing schedule when there are:

- increased positive rates;
- legislative changes; and
- on a yearly basis.


If the **CHO** identifies patterns or concerns that indicate potential adverse risks during the process of reviewing medication declarations and medical reports, the **CHO** is to notify the **Senior Manager Rail Safety Programs SEQR** of the risks to evaluate and address as required.

8.18 Communicate the DAMP

Line Managers must:

- refer to the [Sydney Trains Drug and Alcohol Policy](#), this DAMP, internal communications material and the Code of Conduct;
- communicate the requirements of the [Sydney Trains' Drug and Alcohol Policy](#) and this DAMP to workers and make sure they understand what it means to be below the prescribed levels described in this Procedure, for alcohol and/or drugs in their system while attending or performing work at Sydney Trains;
- utilise safety committee meetings, team meetings, pre-work briefings and site inductions to provide information and understanding of drug and alcohol testing; and

- refer to the [SMS 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](#) and this DAMP.

 **Note:** Please refer to [Frequently Asked Questions \(FAQs\)](#) for additional information.

8.19 Training and Education

Sydney Trains acknowledges that education is seen by ONRSR as the key to an effective DAMP and will manage a drug and alcohol education program, aimed at raising awareness within a DAMP organisation about the:

- effects of drug and/or alcohol use on an individual’s performance;
- risks to safety associated with drug and/or alcohol use (short term and long term);
- responsibilities of both the organisation and individual worker;
- drug and alcohol testing conducted by Sydney Trains and by ONRSR; and
- [Sydney Trains' Drug and Alcohol Policy](#) and DAMP.

9 Referenced Documents

- [Sydney Trains Drug and Alcohol Policy](#)
- [SMS Record Management](#).
- [SMS Local Safety Induction](#)
- [SMS Post Incident Drug and Alcohol Testing](#)
- [Sydney Trains Frequently Asked Questions \(FAQs\)](#)
- [Medication Declaration Form](#)

10 Document Control

Document Custodian: Senior Manager Safety Management System
Document Approver: Dir Network Standards, Systems & Quality

11 Version History

Version No.	Issue Date	Change Notes
1.0	20/02/2023	This document replaces SMS-08-OP-3126. Major Review. Additions of following sections. <ul style="list-style-type: none"> • DAMP Framework • DAMP Requirements (Rail Safety National Law) • Rail Safety Workers (RSW) • Testing Protocols • Introduction of On-site testing • Introduction of Oral Fluid testing • Working from Home (WFH) • Rehabilitation and Support • Medicinal Cannabis • Medicinal Methylendioxyamphetamine (MDMA) • Employee Assistance Program (EAP) • Training and Education • ONRSR Random Testing (without notice)

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12 Appendices

Appendix A Definitions

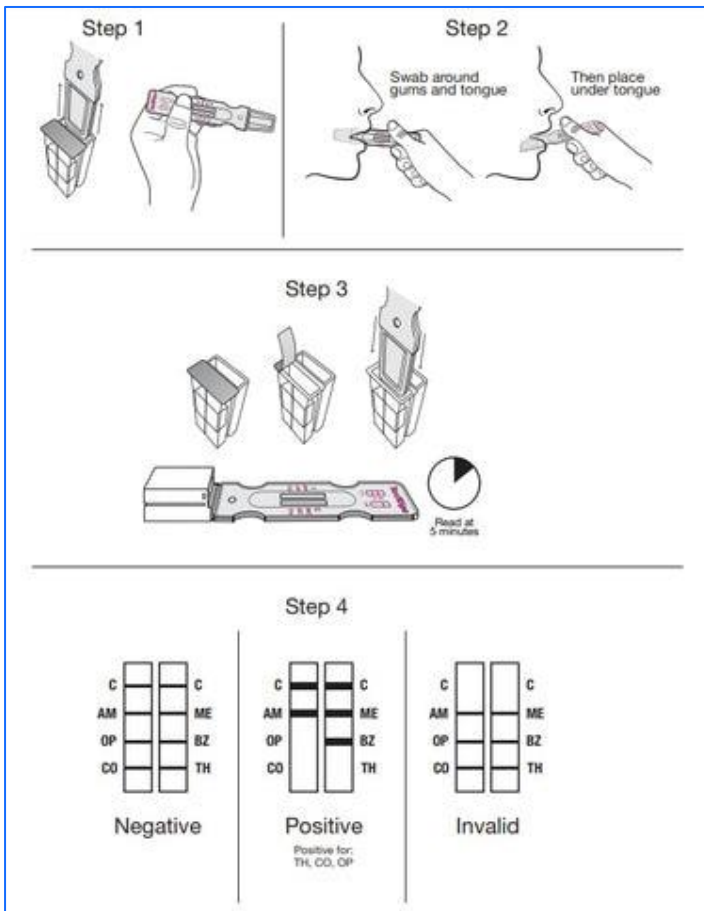
All terminology in this standard is taken to mean the generally accepted or dictionary definition with the exception of the following terms.

Term	Definition
Alcohol	Ethyl Alcohol, Ethanol
Authorised person	A person who is authorised to undertake breath tests and drug assessments under the RSNL, means: (a) a police officer; or (b) a person appointed under section 124;
BAC	Blood Alcohol Concentration
BrAC	Breath Alcohol Concentration
Breath alcohol testing device	A verified AS 3547:2019 device which measures the mass concentration of alcohol in an appropriate sample of exhaled breath per g/210L
Breath Test	Process of having persons undergo a breath test to determine the presence/level of alcohol.
CHO	Chief Health Officer of Transport for NSW including any member of the Chief Health Officer's team.
MRO	Medical Review Officer is a registered medical practitioner with both knowledge and understanding of drug and alcohol test results and (their interpretation) and substance use disorders.
DAMP	Drug and Alcohol Management Program
Drug	References to a drug in this policy includes: any illicit including synthetic drugs. A drug also includes: anything included in a Schedule to the current Poisons Standard within the meaning of the Therapeutic Goods Act 1989 (Cth). Classes of drugs identified in AS/NZS 4308 and/or AS/NZS 4760 include but not limited to amphetamine type substances, benzodiazepines, cannabis & metabolites, cocaine & metabolites, oxycodone and opiates. Note: for the purpose of this procedure, prescription medications are dealt with separately to drugs.
Drug screen	A test by means of a device prescribed for the purpose of conducting drug screening tests.
EAP	Employee Assistance Provider
Illicit Drugs	Drugs that the possession, use and sale of is illegal. Illicit drugs are substances that are illegal to produce, sell, possess, or use without a valid prescription or license. In New South Wales (NSW), Australia, the term "illicit drugs" generally refers to drugs that are classified as prohibited drugs under the state's drug laws. These include drugs such as cannabis, heroin, cocaine, ecstasy, and methamphetamine, among others.
Laboratory	A laboratory which has been accredited by NATA to carry out analyses in accordance with the requirements of AS/NZS 4308 and AS/NZS 4760.
Confirmed not detected (Negative) test result	A laboratory confirmed result below the relevant cut-off concentration or limit of reporting, or a result deemed negative by the CHO after taking into consideration the worker's medications
Onsite not detected (Negative) test result	An on-site result that indicates the non-presence of drugs, including prescription medication.
Onsite non-negative test result	An on-site result that indicates the presence of drugs or prescription medication.
Over-the-counter medication	Any drug legally obtained that does not require a prescription.

Term	Definition
Confirmed Positive result	A result above the relevant cut-off concentration or limit of reporting and reported by the CHO as positive. A worker who refuses a test or leaves a workplace without approval as testing is about to commence shall be treated as a Positive.
NATA	National Association of Testing Authorities. It is the recognised national accreditation authority for analytical laboratories and testing service providers in Australia.
Prescribed concentration	For drugs and alcohol, the value at or above which the result is deemed to be detected and below which the result is deemed to be not detected.
Prescribed concentration of Alcohol	Prescribed concentration of alcohol, in relation to a rail safety worker, means — (a) any concentration of alcohol in the blood; or (b) if some other concentration of alcohol is prescribed in the national regulations (0.000 grams of alcohol in 210 litres of breath) (0.000 grams of alcohol in 100mL of blood) for the purposes of this definition that concentration.
Prescribed drug	As per the definition in the RSNL, prescribed drug means — any of the following substances: delta-9-tetrahydrocannabinol. Methylamphetamine (Methamphetamine); 3,4-Methylenedioxymethylamphetamine (MDMA); and any other substance declared by the national regulations to be a prescribed drug for the purposes of this section.
Prescription drug	Any substance prescribed by a medical practitioner that has specific instructions for its use.
Rail Safety Work	Any work conducted that meets the requirements of Clause 8(1), Meaning of Rail Safety Work, Part 1 of the RSNL.
Rail Safety Worker	Worker undertaking Rail Safety Work as defined under Clause 8(1), Meaning of Rail Safety Work, Part 1 of the RSNL.
Random Testing	Randomly selecting a proportion of workers to be tested.
Workplace	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. Source: Work Health and Safety Act 2011, cl 8
RIW	Rail Industry Worker Card
RSW	Rail Safety Worker (Gold Card, Sydney Trains issued)
RISI	Rail Industry Safety Induction (White Card, Sydney Trains issued)

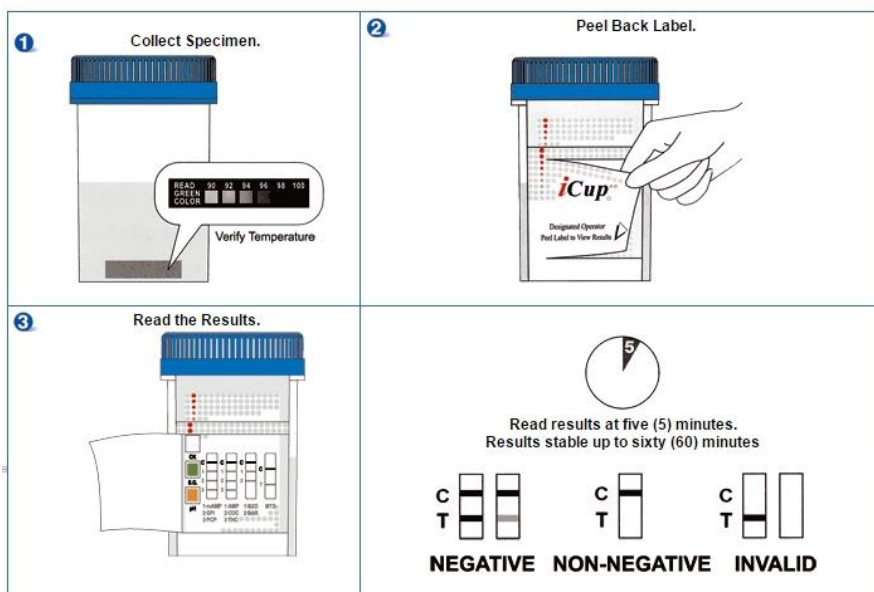
Appendix B Sample of the Results

Sample of the Results Interpretation for Oral Fluid device



Sample of the Results Interpretation for Urine device

Instructions



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Appendix C Cut-off levels

The information below outlines the cut-off levels to the below standards:

- Section 1 Urine testing in accordance to AS/NZS 4308.
- Section 2 Oral Fluid in accordance to AS/NZS 4760.

Subsequent confirmation testing of people that have produced a “non-negative” onsite drug test result at a National Association of Testing Authorities (NATA) AS/NZS 4308 or AS/NZS 4760 accredited laboratory.

Please Note: Negative onsite samples may be sent to the laboratory for further testing for illicit drugs which may include but not limited to Synthetic Cannabis or Synthetic Amphetamines.

The drug classes to be screened for and the drugs/metabolites to be confirmed (if applicable) and the concentrations of the drug/metabolites at or above which are considered “confirmed positive for the laboratory confirmation are tabulated below in Table 2 & 4:

Section 1 Urine testing in accordance to AS/NZS 4308:

Table 1: Urine Immunoassay/On-site Screening Test Cut-off Levels

Class of Drug	Cut-off Level (ug/L)
Opiates	300
Amphetamine Type Substances (ATS)	300
Cannabis metabolites	50
Cocaine metabolites	300
Benzodiazepines	200

Table 2: Urine Confirmatory Test Cut-off Concentration (As Total Drug)

Compound	Cut-off Level (ug/L) (Confirmatory)
Morphine	300
Codeine	300
6-Acetylmorphine	10
Amphetamine	150
Methylamphetamine	150
Methylenedioxymethamphetamine	150
Methylenedioxyamphetamine	150
Benzylpiperazine	500
Phentermine	500
Ephedrine	500
Pseudoephedrine	500
11-nor-delta-9-Tetrahydrocannabinol – 9-carboxylic acid	15
Benzoyllecgonine	150
Ecgonine methyl ester	150
Oxazepam	200
Temazepam	200
Diazepam	200
Nordiazepam	200
Hydroxy-Alprazolam	100
7-amino-clonazepam	100
7-amino-flunitrazepam	100
7-amino-nitrazepam	100

Notes:

All cut-off levels are expressed as total concentration of drug or metabolite after hydrolysis.

For analytes not included in this Table, the laboratory should select a target concentration as appropriate for urine i.e., Synthetic Cannabis, Synthetic Amphetamines "Bath Salts".

Section 2 Oral Fluid in accordance to AS/NZS 4760:**Table 3: Oral Fluid on-site initial test target concentrations**

Class of Drug	Target Concentration (ng/mL)
Opiates	50
Amphetamine Type Stimulants	50
Delta-9-tetrahydrocannabinol (THC)	15
Cocaine and metabolites	50
Benzodiazepines*	5
Oxycodone	40

Table 4: Oral Fluid confirmatory target concentrations

Compound	Target Concentration (ng/mL) (Confirmatory)
Morphine	25
Codeine	25
6-Acetylmorphine	10
Amphetamine	25
Methylamphetamine	25
Methylenedioxymethylamphetamine	25
Methylenedioxyamphetamine	25
Delta-9-Tetrahydrocannabinol	5
Cocaine	25
Benzoyllecgonine	25
Ecgonine methyl ester	25
Oxazepam	1
Temazepam	1
Diazepam	1
Alprazolam	1
Clonazepam	1
Flunitrazepam	1
Nitrazepam	1
Oxycodone	20

Notes:

- (1) These targets represent the undiluted oral fluid concentration.
- (2) For analytes not included in this Table, the laboratory should select a target concentration as appropriate for oral fluid i.e., Synthetic Cannabis, Synthetic Amphetamines "Bath Salts".