

Information Alert 4/14

23 July 2014

Information for Operators and Transport Safety Employees

Drug and Alcohol Program

ISSUE:

Roads & Maritime Services (RMS) has identified that the Drug and Alcohol Program adopted by some operators fails to address the intention of the program. After the risk assessment has been conducted it appears that some operators are failing to monitor, consult and educate transport safety employees concerning the importance of the program. It is vital that bus operators and transport safety employees have a clear understanding of the concept of the program and that operators provide information to employees in managing drug and alcohol issues in the workplace.

NOTICE:

Section 9C of the *Passenger Transport Act 1990 No39*, states that it is a condition of an accreditation of an operator that carries on a public passenger service by means of a bus that the operator prepares and implements a drug and alcohol program for its transport safety employees.

The operator is to ensure that all transport safety employees employed, or contracted, by the operator to perform transport safety work are not under the influence of alcohol or any other drug when about to carry out or while on duty for the purposes of carrying out (whether or not carrying out), transport safety work.

The operator must have protocols in place for fair procedures and provide education and assistance to their transport safety employees. According to the *Act*, RMS may at any time arrange with accredited service operators for the random testing of any person on duty for the purposes of carrying out transport safety work for the presence of alcohol or any other drug to ensure that the accredited service operators are complying with the conditions imposed by this section.

REQUIRED ACTION:

Operators are responsible for ensuring that drug and alcohol risks to health and safety in the workplace are identified and assessed, then eliminated or controlled. A bus operator must take reasonable steps to ensure that transport safety employees are not under the influence of alcohol or drugs by implementing an effective drug and alcohol program.

To identify what is required in the program it is essential that the operator undertake a drug and alcohol risk assessment. As a minimum the operator should have the following as a part of their Drug and Alcohol Program:

- A Drug and Alcohol Policy
- A Drug and Alcohol Risk Assessment

- Consultation with staff

After the risk assessment is conducted, operators must monitor, consult and educate staff about the importance of the program. Bus operators need to openly discuss the program with transport safety employees so that all staff have a clear understanding of their requirements. Operators also have a requirement to notify RMS of positive confirmatory drug and alcohol tests. Confirmatory tests include police breath analyses, blood or confirmatory urine tests. Initial “non negative” tests, need not be notified to RMS

Notification should be via TfNSW’s Drug and Alcohol Test Notification Form (available on the TfNSW website). Once completed, the form should be emailed to danotify@transport.nsw.gov.au within 48 hours of the operator becoming aware of the event. More detailed information can be found in the Drug and Alcohol Program Handbook for bus operators.

Staff should be advised of the consequences when transport safety employees attend the workplace for duty whilst affected by drug and/or alcohol. All employees have a moral responsibility to report incidents to management where they believe that a colleague may be affected by drug or alcohol in the workplace.

Synthetic and herbal drugs have been identified as having unpredictable, hazardous and even fatal effects on individuals. It is believed that employees may use these types of drugs which have a similar effect as other illicit drugs, however they do not necessarily show a positive result in standard drug tests.

A testing regime should be thoughtfully designed so as to target potential drug use including rudiments such as:

- A proportion of randomised tests (by time and driver),
- Targeting tests when drivers return to work after breaks in their rosters (e.g. for 2 or more days)

To assist with identification of drug or alcohol use and detection of employees under the influence, some of the more common signs are listed below.

- ‘Near miss’ incidents
- Violence
- Habitual lateness
- Frequent absences
- Neglect in personal grooming or physical appearance
- Interpersonal problems
- Employee experiencing poor coordination and concentration
- Slurred speech
- Unusual smells on breath, body or clothing
- Bloodshot eyes

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