

Rules for Blocks and Suspensions

Definitions

Block: The Rail Industry Worker (RIW) loses authorisation from working in a particular Rail Operator Network or project site depending on where the ban was placed. For example, blocks can occur:

- at a national level across all work sites,
- at all work sites associated with a specific rail transport operator or company.

Principal Contractors (PCs) cannot place blocks, they can only their site-specific roles.

Suspension: Is the temporary removal of a RIW's role or competency There are two levels of RIW suspension:

- Rail Operator Specific / National Role Suspension – suspended from specific work site/s in a specific capacity.
- Principal Contractor Role Suspension – suspended from the PC role/site.

Rail Transport Operators and Principal Contractors can perform suspensions.

Activate: Applies to either a role or competency.

De-activate: Applies to either a role or competency and can only be completed by Pegasus.

1. RIW Program block

When a block is placed on an individual at the RIW Program level, this will exclude them from working on all Rail Transport Operator Networks. Only Rail Transport Operators are authorised to assign blocks.

2. Rail Transport Operator or other sites block

Rail Transport Operators reserve the right to remove and block an RIW from site as a result of any type of breach, incident or accident, in accordance with their network rules and procedures. A block will prevent that RIW from undertaking work on the Operator's network. In accordance with the national rail legislation, this could impact their ability to work in other rail operator jurisdictions depending on the severity of the breach, and/or the number of times the person has been found to have been in breach.



Where a RIW has been identified as contributory to an incident this may result in a suspension or block of the RIW from carrying out rail safety work.

When a block is placed at the site level it only prevents them from working on that site or network, however sites are responsible for assessing the risks of working with blocked cardholders, and may refuse the blocked cardholder entry to their site until they can determine why the cardholder was previously blocked.

When will a block be placed?

- Drug and Alcohol;
- Serious/Critical Safety Breach; or
- Other valid reasons as determined by the Rail Transport Operator.

3. Rail Operator Specific / National Role Suspension

Rail Transport Operators reserve the right to suspend, modify, reinstate, or cancel an RIW's authorisations, including their RIW card for any of the following reasons:

- Any incident that results in the RIW demonstrating 'Reckless Act or legislation or organisational breach;
- The RIW is the subject of any action resulting from the Drug & Alcohol Testing;
- Safe working breach;
- Wherever a time-based remedial action is considered with a training/mentoring program to up-skill the RIW;
- Competence and/or performance has, or may have, the potential to impact safety or is called into question;
- The RIW is unable to meet competency requirements or re-certification is not granted;
- Advice has been received that the RIW no longer meets the requirements of the national health standards; and/or
- RIW has contravened a Fatigue Management Program.

Suspensions against a RIW are captured by placing a 'hold' against the RIW's role. The Suspension will prevent the RIW from undertaking work in the suspended role. Depending on the outcome of an incident or re-certification assessment, a Rail Transport Operator may elect to suspend the RIW from their duties and downgrade their role.

4. Principal Contractor Role Suspension

Principal Contractors reserve the right to suspend, modify, and reinstate an RIW's site specific role. This means if a contractor is involved in a breach either as a result of an accident, incident or site rule breach then the PC has the right to suspend the RIW from undertaking work from **that site only by suspending the site-specific role(s)**. A PC **cannot block or suspend a Rail Transport Operator or National role**. If they wish to do so they must contact the relevant Rail Transport Operator. Suspensions can be placed for any of the following reasons:

- It is determined that a person is carrying out any work in an unsafe or unsatisfactory manner;
- A person is performing work for which he/she is not suitably qualified;
- A person is guilty of misconduct;
- A Person has a non-negative alcohol or drug result;
- There is an Infringement of any safety rule or regulation; or
- It is considered that the person is unsuitable to work in the vicinity of railway tracks or any of the equipment associated therewith, including not holding the necessary certification or licences required.

Please note: If a contractor is involved in a serious safety breach including drug and alcohol or you believe they should be blocked, the PC needs to notify the relevant Rail Transport Operator in the relevant State/network to request a block to be placed on the contractor in question. The Rail Operator will make that determination if a block is required.

When will a site suspension be placed?

- Overstaying fatigue limits;
- Safe working breach;
- RIW is carrying out any work in an unsafe or unsatisfactory manner;
- Infringes any safety rule or regulation;
- Any valid reason as determined by the Rail Transport Operator; or
- Any valid reason as determined by the PC.

Important to note:

- Blocks and Suspensions should only be placed for competency management reasons, and not for behavioural management reasons.



- Managers/Supervisors must remember to remove any suspension as soon as practicable, especially before the end of project site closures.

Disputes concerning blocks should be lodged in writing to the Australasian Railway Association who will aim to mediate a reasonable outcome. Please email: ara@ara.net.au.