

RAIL INDUSTRY 'RAIL SAFETY WORK' DEFINITION AMENDMENT PROPOSAL

Background

'Rail safety work' (RSW) is defined in section 8 of the Rail Safety National Law (RSNL). The rail industry believes this definition:

- is too broad and encompasses a range of people who are adequately covered by Work Health and Safety (WHS) law;
- does not provide sufficient clarity for the rail industry to determine whether the work assigned to each employee requires additional safety measures for 'rail safety work' beyond those required under WHS law; and
- imposes a cost and regulatory burden that is unnecessary, inequitable and unfair.

In response to Industry's concerns, the ONRSR developed a Guideline with Industry; 'Identifying rail safety work under the RSNL'. Industry feedback has been that whilst this document has been helpful, further efforts are required to provide the clarity Industry seeks.

At the 30 November 2017 RSNL Maintenance Group meeting, the following was agreed in relation to the definition of RSW:

Action: ARA to initially undertake further work with industry to develop options and then to engage with ONRSR and NTC.

This proposal has been prepared by industry in response to the above action.

Objective

To narrow the unintended consequences of workers in non-safety related areas being classified as Rail Safety Workers.

Industry Position

The rail industry view is that the definition of RSW should:

- be based on the task or function being undertaken,
- focus only on those who have a direct impact on rail safety operations, and
- not be based on location.

Industry views the intent of classifying Rail Safety Workers as to protect the safety of the individual and the integrity of the network. Therefore, Industry is of the view that Rail Safety Workers should be those with the potential to impact the safe operation of the rail network and the focus of classifying individuals as Rail Safety Workers should be on identifying those who undertake safety critical tasks.

WHS law and the Rail Safety Act

Under WHS law, the industry is required to ensure that every employer and operator provides a safe environment for its employees, contractors, visitors and volunteers, including reasonable instruction, training and supervision.

Industry recognises that the RSNL is designed to be a discrete addition to, and be more specific than, the general obligations under the WHS legislation. When workers are to be engaged in RSW, the RSNL requirements are in addition to WHS requirements and if there are inconsistencies between the two laws, the WHS prevails. Further, WHS laws are of general application and do not necessarily address all safety risks for specific industries. The industry recognises that the RSNL has a role in adding essential standards and procedural detail.

However, as it currently stands, section 8 of the RSNL may be interpreted to include workers who are completing tasks with no impact on the levels of safety risks for the workforce, passengers and the wider public. This can result in an over-classification of employees as Rail Safety Workers which puts a cost and administrative burden onto industry with no discernible safety benefit.

Current application of Section 8 of the RSNL

As an example, clause 8 (1) (f) "work on or about rail infrastructure" could be interpreted to include areas in which the public normally have access such as a person painting a railway station; a plumber fixing a toilet at a railway station; an air-conditioning contractor fixing a faulty air-conditioning unit at a railway station or on a train or tram, a weed sprayer in a railway station car park or along the light rail corridor, volunteers directing visitors at a Tourist and Heritage railway, the list goes on.

The rail industry argues that these people have no impact on safety and would be suitably covered by WHS law. The industry also argues that, despite work being carried out near live track, the location should not be a determinant of RSW. If location was critical, all passengers could potentially be rail safety workers.

Therefore, the industry believes that changes are required to clarify the definitions of rail safety work and worker in the RSNL.

Industry Burden

On average, a Rail Safety Worker incurs an initial expense of approx \$2000 - \$3000 to enable them to start work. Employees deemed a Rail Safety Worker must undergo a health assessment aligned to the National Standard for the Health Assessment for Rail Safety Workers either category 1 (\$750 - \$800) or Category 3 (\$350- \$400) and hold a current Rail Industry Worker (RIW) card (\$100.00 ex GST initial cost and then \$30 ex GST annually). To obtain a RIW Card, the Rail Safety Worker must (in most cases) gain National Competencies through a Registered Training Organisation (approx. \$200 ex GST per unit). Units include:

1. Safely Access Rail Corridor
2. Operate under track protection
3. Maintain and use hand tools
4. Shift materials safely using manual handling methods
5. Participate in basic workplace communications
6. Follow health and Safety procedures
7. Apply fatigue management fundamentals
8. Apply environmental procedures for rail infrastructure

If the Rail Safety Worker is already employed, Rail Safety Worker wages are an additional cost to cover during training. Industry also covers administration costs to ensure currency and renewals of health assessments and competencies. For large projects, this typically requires one FTE Training / Competency Manager and one FTE support administrator.

As an example, the Sydney Central Station Major Works project expects to employ 5500 workers over the five-year project. If all workers are deemed Rail Safety Workers, using the conservative average of \$2000 per Rail Safety Worker, the total project cost for Rail Safety Workers will be \$11 million but could reach \$16.5 million.

See Appendix A for current Industry case studies that highlight some of the burden worn by industry with the current RSW definition.

Industry Proposal

The rail industry suggests clarity will be achieved by adopting the following principles:

- 'Rail Safety work' should:
 - o be based on the task or function being undertaken,
 - o focus only on those who have a direct impact on the safe operation of the railway, and
 - o not be based on location.
- If a person's role has multiple functions, some of which have a direct impact on the safe operation of the railway and some of which do not, they should be deemed a Rail Safety Worker.
- Any other work not defined as RSW will continue to be addressed by WHS law.

To implement the above principles, Industry proposes:

1. Removing the link to location as a determinant of RSW
2. Reinforcing the need for Rail Safety Workers to have a direct impact on the safety of rail operations
3. The identification of tasks/functions not classified as RSW
4. Supporting any changes with guidance materials and industry education

In addition, an ability for industry to seek RSW classification exemptions from ONRSR on a case-by-case basis would also be beneficial.

NOTE: the following illustrates how these principles could be implemented. Whilst industry has made edits to the RSNL, industry provides these edits to articulate the proposed policy solution and recognises that any actual amendments to the RSNL would need to be penned by qualified legislative drafters.

1. Removing the link to location as a determinant of RSW

Industry has identified Section 8 (1) (f) of the RSNL as the primary source of confusion, specifically the words 'on or about rail infrastructure'. For example, cleaners, air conditioning unit repairers, people replacing glass windows on rollingstock etc complete their tasks 'on or about rail infrastructure' but have no direct impact on rail safety operations.

On consideration of section 8 (1) (f), Industry has identified two examples to remove the link to location:

1. Absorption of section 8 (1) (f): Industry is of the view that the elements are already included or could be absorbed into other sections of the RSNL to remove the current confusion.
2. Removing the words 'on or about rail infrastructure' from section 8 (1) (f)

Industry believes that either of the above two approaches eliminates the ambiguity created through the words 'on or about rail infrastructure' which is currently interpreted as establishing a location-based assessment of RSWs. Removing these words will base the RSW definition on the task being performed.

To illustrate Industry's thinking on how section 8 (1) (f) could be incorporated into the broader RSW definition, the industry provides the following example:

RSNL Section 8—Meaning of rail safety work

- (1) Subject to subsection (2), any of the following classes of work is **rail safety work** for the purposes of this Law:
- (a) driving or despatching rolling stock or any other activity which is capable of controlling or affecting the movement of rolling stock;
 - (b) signalling (and signalling operations), receiving or relaying communications or any other activity which is capable of controlling or affecting the movement of rolling stock;
 - (c) coupling or uncoupling rolling stock;
 - (d) designing, constructing, maintaining, repairing, modifying, monitoring, inspecting or testing—
 - (i) rolling stock, including checking that the rolling stock is working properly before being used; or
 - (ii) rail infrastructure or associated works or equipment, including checking that the rail infrastructure is working properly before being used
 - (e) installation of components in relation to rolling stock;
 - (f) work on or about rail infrastructure relating to the design, construction, repair, modification, maintenance, monitoring, upgrading, inspection or testing of the rail infrastructure or associated works or equipment, including checking that the rail infrastructure is working properly before being used;
 - (g) installation or maintenance of—
 - (i) a telecommunications system relating to rail infrastructure or used in connection with rail infrastructure; or
 - (ii) the means of supplying electricity directly to rail infrastructure, any rolling stock using rail infrastructure or a telecommunications system;
 - (h) work involving certification as to the safety of rail infrastructure or rolling stock or any safety critical part or component of rail infrastructure or rolling stock;
 - (i) work involving the decommissioning of rail infrastructure or rolling stock or any part or component of rail infrastructure or rolling stock;
 - (j) work involving the development, management or monitoring of safe working systems for railways;
 - (k) work involving the management or monitoring of passenger safety on, in or at any railway;
 - (l) any other work that is prescribed by the national regulations to be rail safety work.

Commented [EW1]: Deleting the words “work on or about rail infrastructure” removes the location-based assessments of RSWs and bases the RSW definition on tasks.

Commented [EW2]: ‘design, construction’ could be incorporated into Section 8 (d)

Commented [EW3]: Maintenance is captured in Section 8 (g)

Commented [EW4]: ‘repair, modification, maintenance, monitoring, upgrading, inspection or testing’ are already captured in Section 8 (d).

NOTE: Industry takes ‘upgrading’ to be covered through the word ‘modifying’ in Section 8 (d).

Commented [EW5]: “rail infrastructure” is included in Section 8 (d) (ii)

Commented [EW6]: “or associated works or equipment” and “including checking that the rail infrastructure is working properly before being used” could both be moved to Section 8 (d) (ii)

2. Reinforcing the need for Rail Safety Workers to have a direct impact on the safety of rail operations

Industry believes it is vital that those deemed a Rail Safety Worker have a direct impact on rail safety operations. The current wording of ‘Section 8 – Meaning of rail safety work’ can result in employees with no direct impact on safety being unnecessarily deemed a Rail Safety Worker. Cleaners and security personnel are both examples of this.

For example, the words 'any other activity which is capable of controlling or affecting the movement of rolling stock' in section 8 (1) (a) can be interpreted to classify cleaners as Rail Safety Workers. When a cleaner boards a train, they apply a lock-out device via an independent break handle to ensure no movement during cleaning. Once complete, before moving to another unit, the cleaner removes the lock-out device. These lock-out devices comply under the WHS act, to ensure the safety of the cleaners and no operation during cleaning but, in reference to the RSNL, the lock-out breaks are 'capable of controlling or affecting the movement of rolling stock'.

Additionally, in section 8 (1) (k) 'work involving the management or monitoring of passenger safety on, in or at any railway' can be interpreted to include security staff as Rail Safety Workers. Security are employed to oversee the general safety of the travelling public which can be interpreted as monitoring and assisting passenger safety.

Industry believes that clarify is required to clearly articulate that Rail Safety Workers must have a direct impact on safety. This would mitigate employees like cleaners and security personnel being unnecessarily deemed Rail Safety Workers.

In addition, Clause 4 provides RSNL interpretations. To reinforce the industry's position that a Rail Safety Worker must have a direct impact on the safety of rail operations, the Rail Industry proposes incorporating the word 'safely' into the definition of rail infrastructure. This is illustrated below;

rail infrastructure means the facilities that are necessary to enable a railway to operate *safely* and includes—

- (a) railway tracks and associated railway track structures; and
 - (b) service roads, signalling systems, communications systems, rolling stock control systems, train control systems and data management systems; and
 - (c) notices and signs; and
 - (d) electrical power supply and electric traction systems; and
 - (e) associated buildings, workshops, depots and yards; and
 - (f) plant, machinery and equipment,
- but does not include—
- (g) rolling stock; or
 - (h) any facility, or facility of a class, that is prescribed by the national regulations not to be rail infrastructure;

associated railway track structures includes—

- (a) associated works (such as cuttings, sidings, tunnels, bridges, stations, platforms, tram stops, excavations, land fill, track support earthworks and drainage works); and
- (b) over-track structures and under-track structures (including tunnels under tracks);

3. Identification of tasks/functions exempted from being classified as rail safety work

Regulation 7 of the RSNL defines railways to which the law does and does not apply. The Rail Industry believes the same principles could be extended to the classification of Rail Safety Workers by identifying the tasks and/or roles that does not apply to the legislation.

The Rail Industry proposes two approaches that could achieve this:

1. establishing a list of work or activities that do not constitute RSW and therefore, employees involved in workers these activities would not be classified as rail safety, and
2. an addition to RSNL Section 7 (2) b- Railways to which this Law does not apply

The RSNL currently reads as follows:

- (2) *For the purposes of this Law, **rail safety work** does not include any work, or any class of work, prescribed by the national regulations not to be rail safety work.*

As an example of how this policy could be applied, Industry proposes the following work or activities could be classified as not rail safety work:

- **Construction:** Work associated with a railway under construction prior to the commissioning and prior to operating rolling stock on the railways (this would cover greenfield sites).
- **Railway building and workshop maintenance:** Work associated with the maintenance of railway buildings including stations and workshops which does not impact on any operational railway to which the structure is part of (this would cover people painting stations or upgrading buildings – there may be a rail safety worker present in the form of a protection officer).
- **Tourist and Heritage:** Work performed at heritage railways by volunteers during periods of inactivity where there are no rolling stock operations nor members of the public present and the work performed on the infrastructure or heritage trains including carriages is overseen and signed off where required by a qualified person.
- **Light Rail operations:** Work associated with light rail relating to:
 - o the maintenance of grounds associated with the railway (this would cover the lawn mowing of the light rail grounds);
 - o control of rolling stock movements by authorised road Traffic Controllers and Emergency Services; and
 - o road traffic signal infrastructure and software.

In addition, to identifying work not deemed RSW, industry proposes an amendment to RSNL Section 7 (2) b- Railways to which this Law does not apply.

The rail industry believes that the law and its supporting regulations need to encompass both the small and/or isolated line operator as well as the mainline operator. The law and associated regulations must strive to be efficient and should not put unnecessary regulatory costs and burden on smaller operators.

The Rail Industry proposes that an additional point is added to Section 7 2 (b) as follows:

(2) This Law does not apply to the following railways:

(b) a railway that—

- Tourist and heritage railways of less than 0.762m (2'6") gauge operating at 30kph or less
- 1. Notes: this must specify Tourist and Heritage railways to differentiate between the Queensland sugar cane industry railways of 2' gauge
- 2. These are low speed low risk T&H operations often operated by a single person.
- 3. Section (3) allows for any of these to be prescribed if ONRSR sees fit to do so.

4. Supporting any changes with guidance materials and industry education

Any amendments to the RSNL or agreed clarifications around the definition of RSW will naturally need to be reflected in the ONRSR Guideline; 'Identifying rail safety work under the RSNL'. In addition, education throughout Industry of any amendments to the RSW definition will also be required.

Conclusion

Safety is the rail industry's number one priority. Amendments to the current RSNL that ensure that the location of an employee does not classify them as a Rail Safety Workers but that the definition of RSW is based on the task/function being completed by people who have a direct impact on rail safety operations will narrow the definition of RSW and reduce the current burden on industry whereby employees with no impact on rail safety are interpreted to be Rail Safety Workers.

The industry believes the definition of RSW should:

- be based on the task or function being undertaken,
- focus only on those who have a direct impact on rail safety operations, and
- not be based on location.

To implement the above principles, Industry proposes:

1. Removing the link to location as a determinant of RSW
2. Reinforcing the need for Rail Safety Workers to have a direct impact on the safety of rail operations
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4. Supporting any changes with guidance materials and industry education

In addition, an ability for industry to seek RSW classification exemptions from ONRSR on a case-by-case basis would also be beneficial.

Industry believes that implementing the policies outlined in this proposal will achieve more consistent application of the RSNL which will provide greater clarity for the regulator and industry when translating the law into practice and reduce the burden on industry by reducing the over-classification of employees as Rail Safety Workers.

Industry would welcome the opportunity to work with the NTC and ONRSR to apply this proposal to the RSNL.

APPENDIX A – INDUSTRY CASE STUDIES

No.	Task, location, and workers involved	Burden	Is WHS law sufficient and why?
1	<p>Failure of a train/tram air conditioning unit</p> <p>This necessitates an RTO calling in a specialised refrigeration mechanic to fault find and repair the air-con unit. The refrigeration mechanic, on testing the repaired unit, would issue a 'Certificate of Compliance' to provide the assurance that the work has been done to the required standards and is safe.</p>	<p>The air-conditioning unit is a component of the rolling stock therefore, as per 8(1)(h), certifying the safety of any work on the unit would be 'rail safety work'. The Refrigeration Mechanic, if deemed a Rail Safety Worker, would require a current medical in accordance with the <i>National Standard for Health Assessments of Rail Safety Workers</i> and potentially require evidence of completing TLIF 2080 etc.</p>	<p>Yes. The refrigeration mechanic may never again be called back to work on an air-conditioner on a tram (or train) and the value/benefit of deeming this as rail safety work is negligible at best.</p>
2	<p>Electricians, plumbers, other trades (general example):</p> <p>RTOs often contract trades to carry out necessary electrical, plumbing, building maintenance etc.</p>	<p>Provided WHS provisions are applied these people should not be deemed to be Rail Safety Workers unless the electrical work is directly related to the infrastructure of the operational railway.</p>	<p>Why are these workers adequately protected under WHS?</p> <p>All aspects of the WHS laws are applied from Construction Industry Inductions to the development and application of Safe Work Method Statements.</p>
3	<p>Cleaners</p> <p>Carriage Cleaners who enter stabled rollingstock for the purpose of cleaning. If the cleaner applies a personal lockout device to the train to prevent it being moved (to ensure the health and safety of the worker); this could be considered to be "affecting the movement of rollingstock". The cleaner would not otherwise perform any other task and wouldn't power up, move, cause to move or give authority for the movement of rollingstock.</p>	<p>Contract and in-house cleaners are required to unnecessarily complete health assessments and competencies. This creates a burden for the cleaners and industry alike</p>	<p>Yes.</p>
4	<p>Security Personnel</p> <p>Security personnel who work on board trains and at train stations are employed for the purposes of non-rail operations security and safety risks – risk of assaults, nuisance behaviour, vandalism; however this encompasses monitoring passenger safety.</p>	<p>Contract and in-house security personnel are required to unnecessarily complete health assessments and competencies. This creates a burden for the Security staff and industry alike</p>	<p>Yes.</p>

<p>5</p>	<p>Moorebank Intermodal terminal Sydney (Greenfield site case study) Construction of an intermodal terminal on 240 hectares of land connecting to the Southern Sydney Freight Line near Casula station):</p> <p>Project tasks:</p> <ul style="list-style-type: none"> - Land clearing - Slab laying - Constructing 4 x 700m long embedded Rail tracks - Operation of a lateral Loco Shifter - Designing signalling works - Installing railway infrastructure terminal - Operation of machinery, including: Earth moving, craneage and concrete placement vehicles. No rolling stock but all people could be deemed RSW's under current Sec 8 <p>Workers classified as RSWs:</p> <ul style="list-style-type: none"> - Labourers - Machine operators involved in civil operations - Project managers - Engineers 	<p>Laing O'Rourke was required to obtain Rail Infrastructure Manager (RIM) accreditation to manage construction.</p> <p>The RIM accreditation took 6 months to process as technical detail had to be provided to ONRSR to satisfy the competence and capacity criteria for accreditation.</p> <p>ONRSR determined that a RIM accreditation was necessary following preliminary discussions with Laing O'Rourke.</p> <p>Deeming the workers RSW requires Laing O'Rourke to have all personnel undertake RSW health assessment which incurs higher cost than a basic medical review and report required under pre-employment (as would be required under WHS).</p>	<p>Workers involved in construction, installation and commissioning of the railway were at no stage exposed to an operational railway during the construction phase of the railway.</p> <p>The work was initially carried out in an open field, before then being connected to an adjoining railway.</p> <p>Given it was a slab track there were no track machines engaged for the construction phase. As such, the risk required to be managed was no different to the risk posed at any construction site.</p> <p>These workers would be better defined as construction workers engaged in the construction of a railway and its supporting infrastructure.</p>
<p>6</p>	<p>Construction of the Wickham Transport Interchange (Newcastle) (Brownfield site case study), involving truncation of the former heavy rail line, level crossing removal, substantial signalling and trackwork, and recommissioning a new multimodal transport interchange):</p> <p>Project tasks:</p> <ul style="list-style-type: none"> - closure of existing railway - removal of all rail and rail infrastructure (overheads, signalling equipment) - construction of a transport interchange - construction of new platforms 	<p>When the tracks and rail infrastructure were removed from the site the workers were not deemed to be RSWs. When it came to reinstatement of rail and rail infrastructure, the workers were deemed to be RSWs and were required to do a Rail Industry Safety Induction Course.</p> <p>Cost \$200 per person plus wages for 7 hours (1 day) to attend training.</p> <p>Once the workers were determined to be RSW, Laing O'Rourke had to have them undergo rail inductions and obtain relevant competencies – minimum 8 units at \$200 per unit</p>	<p>Workers involved in removal of tracks and railway infrastructure, construction of platforms, installation and recommissioning of the railway were at no stage exposed to an operational railway. All rolling stock ceased at commencement of the project. It was determined at the outset of the project that there would be RISI exempt areas not deemed to be Rail Safety Work (80%) of project overall so the cost if all were deemed to be RSW's in terms of Section 8 would have been 4 times greater than the cost incurred by actual RSW's. It is not just the direct costs but the associated costs of administering the processes.</p>

	<ul style="list-style-type: none"> - reinstatement of tracks, rail safety infrastructure into the newly constructed station - Operation of machinery, including: Road rail vehicles, track machines, civil plant (numerous items) <p>Workers classified as RSWs:</p> <ul style="list-style-type: none"> - Laborers - Engineers - Designers - Project managers - Signallers - Electricians 	<p>health assessments too National Standard for RSW's</p>	<p>As such, the risk required to be managed was no different to the risk posed at any construction site.</p>
7	<p>Central Station Major Works New underground metro station: beneath Central Station's existing heavy-rail platforms, removing 3 central station platforms, tracks, infrastructure etc and replacing it with a Metro station complex integrated with a reinstated intercity network</p> <p>Central Station Works: New infrastructure and adjustments to existing infrastructure at Central Station as a result of the construction of the Metro Station Works.</p> <p>Central Walk Works: Construction of infrastructure associated with the Central Station Precinct, including a new eastern entrance, new concourses linking platforms.</p> <p>Project tasks:</p> <ul style="list-style-type: none"> - diversion of Railway infrastructure and demolition of platforms – this involves removing 3 tracks and platforms together with all associated infrastructure- - Hoardings are then erected around the entire area to isolate the work from any aspect of the operational railway and a huge hole dug down to accommodate what the new Sydney Metro will require. 	<p>The burden carried by Laing O'Rourke to manage workers under the RSNL includes:</p> <ul style="list-style-type: none"> - Training - Competency management - Health assessments - Fatigue monitoring to comply with Reg 29 - D&A Management to comply with Reg 28 - Security / emergency management provisions in terms of the RSNL 	<p>Is not necessary for these workers to be classified as RSWs because the risks required to be managed do not exceed those of any construction site. Work is carried out behind secure hoarding, with access via the Sydney Yard Access Bridge. At no stage are the workers exposed to risks associated with rolling stock or the operational railway.</p> <p>This work is carried out adjacent to operational platforms, but not on operational platforms, and the risk to be managed is no greater than a normal construction site. This work will over the course of the project involve 100's of workers so the management costs are significant.</p>

	<ul style="list-style-type: none"> - installation of new track and railway infrastructure - Everything as viewed in the vimeo shows the transformation at Central Station from what is there now to what will be in place in 5 years' time so the tasks are extensive. <p>Workers classified as RSWs:</p> <ul style="list-style-type: none"> - Laborers - Engineers - Designers - Project managers - Track machine operators, RRV operators, OHW workers, signallers, electricians, welders 		
8	<p>Gold Coast Light Rail</p> <p>The Gold Coast Light Rail system operates between Helensvale Station and the Broadbeach South Station. It comprises of 20.3km of track and associated infrastructure with 19 Stages.</p> <p>The current System was built over two design and construct Stages, with Stage 1 commencing passenger operations in July 2014 and Stage 2 commencing in December 2017.</p>	<p>In the light rail industry, during design, construction, operations and maintenance phases the current definition of rail safety work has caused much debate, not only on the Gold Coast light Rail but also in the other current light rail projects. This has been predominantly due to contractors and stakeholders defining rail safety work based on the ingrained interpretation of rail safety workers in the heavy rail risk context. Issues that have been identified include:</p> <ul style="list-style-type: none"> - the broad application of "persons working on or about rail infrastructure" to be any person working within our Hazard Zone, while as the systems are open and integrated with the urban environment pedestrians have open access to the system including to cross the tracks; - that it is the Council and their approved and competent sub-contractors often maintain the signalling infrastructure i.e. T lanterns, which is defined as rail safety work. Yet this infrastructure forms part of the traffic signalling for which the workers are competent in maintaining; and 	<p>Yes - In the examples of issues provided safety on a light rail system is maintained predominately through the system being designed and operated on a line of sight principle. In addition, persons working on or near the system are managed in accordance with the safety management system requirements that apply to all workers under the WHS legal and other requirements including training and competency, drug and alcohol management, risk management, permit to work systems and interface agreements.</p>

		<ul style="list-style-type: none"> - that is its common for events where the Police or Authorised Traffic Controllers direct light rail movements. 	
9	<p>Tourist and Heritage Operators</p> <p>Puffing Billy Railway determined at a Cat 3 Medical Standard Meeting that every PBR worker will require a least a Cat 3 medical Standard (declaration for fitness for duty). The first advantage was reducing the impost on the managers to risk analysis each task with in their areas to determine cat 3 or cat 4 requirements. The second advantage was all Cat 3 - around the track personnel (ATTP), could be (in addition to their normal tasks/roles) trained as (on train) Passenger Supervisors. However, some volunteer workers found this to be an imposition and an unnecessary requirement and lead to further management discussion.</p> <ul style="list-style-type: none"> - Issues concerning demands on requirements of medicals and qualifications - Acknowledge the need to have RSWs for critical positions (drivers, firemen, signallers, conductors) - Concern about workers who are generally nowhere near tracks 	<p>Becoming difficult to staff events if the blanket <i>all volunteers must be rail safety workers</i> approach is taken.</p> <ul style="list-style-type: none"> - Railway is denied volunteer support - Volunteers are denied an opportunity to help out in the community 	<p>If any of the identified volunteers need to go near the railway line, it is only in the same manner as the public (at a crossing attended by a RSW)</p>