

Terminal Railroad Association of St. Louis



SUBSTANCE ABUSE POLICY
FOR FEDERAL MOTOR CARRIER
SAFETY ADMINISTRATION
EMPLOYEES

(REVISED)
May 1, 2022

EFFECTIVE June 1, 2022

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Company Policy Statement

The Terminal Railroad Association of St. Louis (“TRRA”) has a vital interest in maintaining a safe, healthful, and productive environment for its employees. To meet our goal of a drug free workplace we hereby endorse the Drug and Alcohol Rules and Regulations of the Federal Motor Carrier Safety Administration (“FMCSA”). The improper use of alcohol or the use of illegal drugs, or the unauthorized use of prescription drugs undermines the quality of job performance, endanger co-workers, and brings discredit to the company.

For the purposes of FMCSA regulation’s, “illegal drugs” shall mean any controlled substance, or imitation controlled substance, whole unauthorized manufacture, distribution, dispensing, possession, consumption, use, or sale is prohibited by federal or state law. “Unauthorized use of prescription drugs” means use of a drug by anyone other than the person for whom the drug was prescribed, or in any manner that is prohibited by federal or state laws.

The TRRA will not tolerate the possession or use of alcohol or illegal drugs, or unlawful use of prescription drugs by its employees in any job-related context and is committed to the eradication of such substances from the work place. In addition, the company will not tolerate the use of illegal drugs by its employees in any situation, whether in or out of the workplace.

All employees must comply with the following as a condition of their employment with the company, and any violation of this regulation may subject the employee to discipline, up to and including dismissal from employment even for a first offense.

The manufacture, distribution, dispensing, possession, consumption, use, or sale of illegal drugs or alcohol (including medications or prescriptions containing alcohol), or unauthorized use of prescription drugs) is prohibited on TRRA property during normal work hours, or at any other time or place the employee is engaged in TRRA business.

No employee shall report to work, perform assigned duties, and engage in company business anywhere with an alcohol level of .02 or higher, illegal drugs, unauthorized prescription drugs, or illegal drug metabolites in his or her system. The presence of alcohol, illegal drugs, unauthorized prescription drugs, or illegal drug metabolites in an employee’s system shall be determined in accordance with medically established standards for detectable amount of these substances.

No driver shall consume any alcohol, or alcohol preparation within four hours of performing a safety-sensitive function. In accordance with 49 CFR 382.207.

Person Designated to Answer Questions

TRRA and its Supervisors and Management shall demonstrate a personal commitment to a drug free workplace by communicating this policy to employees in a fair and impartial manner. Questions or concerns about this policy or the educational material provided to employees may be directed to the following designated representatives:

Mr. Brad Ragland
Designated Employer Representative
Phone: 618/451-8430 Fax: 618/451-8430
Email bragland@terminalrailroad.com

Alternate designed employer representative
Mr. Matt Whitney
Phone: 618/451-8441

Email mwhitney@terminalrailroad.com

Other necessary identifying information:

Resource	Contact Information
Medical Review Officer:	Dr. Christopher Knapp 2044 Madison Avenue, Suite G6 Granite City, IL 62040 Phone: 618-798-3376
Testing Laboratories:	Clinical Reference Laboratory 8433 Quivira Road Lenexa, KS 66215 Phone: 800-445-6917
Collection Facilities:	Gateway Regional Medical Center/Occupational Health 2044 Madison Avenue, Suite G-1 Granite City, IL 62040 Phone: (618) 798-3376 / Fax: (618) 798-3379 Guardian Medical Logistics 1868 Craigshire Road St. Louis, MO 63146 Phone: (314) 576-7766 Midwest Occupational Medicine 325 E. Madison (Hwy 143) Wood River, IL 62095 Phone: (618) 251-5202
Employee Assistance Program	Mr. Bob Turck, EAP Director Gateway Regional Medical Center 2100 Madison Avenue Granite City, IL 62040 Phone: (618) 798-3667 / Fax: (618) 798-3665

Drivers Subject to Alcohol Misuse and Drug Testing

FMCSA requires all drivers who operate a commercial motor vehicle and who hold a commercial driver's license (CDL) to be tested for drugs and alcohol.

Testing Rules apply to drivers (medically qualified) of commercial motor vehicles operating in inter- and intrastate commerce

Commercial Motor Vehicles are defined as vehicles:

- With a Gross Vehicle Weight Rating ("GVWR") of 26,001 pounds or more;
- Transporting hazardous material requiring placarding; or
- Designed to transport 16 or more passengers, including the driver, and operated by:
 - Federal, state, local, and tribal governments
 - Church and civic organizations
 - Farmers and custom harvesters (unless exempted)
 - Apiarian industries
 - For hire and private companies

The following Drivers are exempted:

- Drivers who are exempted by their issuing state from commercial drivers' license
- Drivers of vehicles less than 26,001 pounds GVWR, required by their state to possess a commercial driver's license
- Drivers whose place of reporting for duty (home terminal) is located outside the territory of the United States
- Active duty personnel (if the state they operate in has an accepted waiver)

Safety-Sensitive Function

No driver shall report for duty or remain on duty requiring the performance of a safety-sensitive function when the driver uses or has been using drugs. No driver shall report for duty after testing positive for drugs.

A driver is performing a safety-sensitive function when:

- Waiting at a terminal, facility, or other property to be dispatched, unless the driver has been relieved from duty by the carrier;
- Performing pre-trip inspections or servicing the motor vehicle;
- On the vehicle, except when resting in the sleeper berth;
- Loading or unloading the vehicle, supervising the loading or unloading, giving receipts for the load, or remaining in readiness to operate the motor vehicle;
- Performing duties and services at an accident scene; or,
- Repairing, obtaining assistance, or remaining in attendance of a disabled vehicle.

Previous Employer Checks:

A gaining employer is required to request the drug and alcohol testing information of any employee it intends to use to perform safety sensitive functions. After obtaining an employee's written consent, TRRA will request information from any DOT-regulated employer that has employed the individual at any time during the three years directly preceding the date of the employee's signed application or transfer into the covered service. See 49 CFR 40.25.

TRRA will also ask the employee if, during the past two years, he or she tested positive (or refused to test) for any Federal pre-employment drug or alcohol test administered by a DOT employer that the employee applied to, but did not obtain safety sensitive work.

TRRA must be provided documentation of the employee's successful completion of DOT return-to-duty requirements (including Federal follow-up tests) for any employee who violated a DOT drug and alcohol regulation.

Prohibited Conduct

Reporting or remaining on duty or performing a safety-sensitive function:

While having an alcohol concentration of 0.04 or greater; or

While using alcohol when performing a safety-sensitive function

Reporting for duty or remaining on duty to perform safety-sensitive functions within 24 hours of having an alcohol concentration of 0.02 or greater but less than 0.04

Being on duty or operating a CMV while the possessing alcohol

Using alcohol within eight hours or prior to, if required to undergo a post-accident alcohol test, whichever comes first

Leaving the scene of an accident before tests are conducted except as necessary to obtain medical attention or assistance in responding to the accident

Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements

Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance, except when instructed by a physician who had advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV

Reporting for duty, remaining on duty for performing a safety-sensitive function, if the driver tests positive for controlled substances

Circumstances Under Which a Driver Will Be Tested

FMCSA requires drivers to be tested under the following conditions:

Testing Type	Drugs	Alcohol
Pre-employment	X	Not required
Random	X	X
Reasonable Suspicion	X	X
Post-Accident	X	X
Return-to-Duty	X	X
Follow-up Testing	X	X

Pre-employment

Except as provided below, any individual applying for employment as a driver is required to have a drug test as a condition for employment. The drug test must be negative prior to the driver getting behind the wheel. A pre-employment alcohol test is not required.

If the driver is regularly employed by another employer, he or she may be used without submitting to additional drug or alcohol testing. This includes trip lease and drivers used under an interchange arrangement. Drivers that fall into this category must be covered under a valid substance abuse program by the other employer. Certain additional conditions exist as referenced in 49 CFR 382.301(b)(2) and 382.301(c).

Reasonable Suspicion

Any employee whose actions or behavior lend themselves to suspicion of abuse will be subject to an alcohol and/or drug test. The observed actions or behavior must have occurred while the driver is on duty or just preceding the work period, and must be observed by a supervisor or company official trained in detection of probable alcohol and/or drug use. The supervisor or company official must document the behavior and/or actions within 24 hours of the observance. In the case of suspected alcohol use, an alcohol test must be done as soon as possible.

Random Screening

Qualified drivers are subject to random drug and alcohol tests. Random tests are unannounced.

Drivers have an equal chance of being tested and could be selected for testing several times in a given time frame. A sufficient number of drivers is selected so that the number of driver tests conducted equals or exceeds the percentage rate established annually by FMCSA.

Selections for drugs and alcohol will be generated on a monthly basis (30 day window) by the Designated Employee Representative via <https://www.randomizer.org/#randomize> or a similar website. The number of selections will be made each month based on the Carrier's fulfillment of annual requirements.

The TRRA will safeguard these selection records to ensure that information concerning collection dates and selections are not disclosed until necessary to arrange for collection or provide notifications.

Selections will be made prior to the start of the month to be tested, based on employee name. Each driver's name will be on a list, maintained by the Program Administrator, and assigned a numeric designation (for example, 1 through 10). The Program Administrator will input into the randomizer, the number of jobs required for testing in a given month. Based on this information, the randomizer will select the required amount of numbers for that month's testing. Those numbers are associated directly with a driver's name.

The Program Administrator will update the pools as required; however, at least on a monthly basis.

The selections will be reviewed by the Program Administrator who will then have the month in which to schedule testing with the collector.

The Program Administrator will then notify the TRRA Officer no more than 24 hours in advance of the specific driver's name to be tested and the time to be tested, i.e. beginning, middle or end of shift. **EXCEPTION** – notification for weekend testing and Monday testing will be on the Friday prior to the scheduled test.

The collector and Program Administrator will determine testing times and locations, not the TRRA Officer. The notification for weekend or Monday testing will take place the Friday prior to the scheduled test.

The TRRA tests at a 50% rate for both drugs and alcohol. The employee will not be notified of the type of test selected until the employee is on duty and as close to the collection time as possible. The driver selected for testing will be informed that the selection was made on a random basis.

Post-Accident

A driver must be tested for drugs or alcohol in a post-accident situation when the following condition(s) exist:

The accident involved a fatality.

The driver was given a citation under state or local law for a moving traffic violation arising from the accident, and

one or more persons involved in the accident required medical treatment away from the scene,
or

one or more vehicles involved in the accident had to be towed from the scene.

Reasonable suspicion exists that the driver is under the influence of drugs or alcohol.

A driver must remain readily available for testing following an accident.

Drug Testing Procedures

FMCSA requires a strict collection of testing protocol for the following controlled substances:

Marijuana metabolites

Cocaine metabolites

Opioids (morphine, codeine, heroin)

Phencyclidine (PCP)

Amphetamines, including methamphetamines and ecstasy (MDMA, MDA)

The designated collection agents shall be qualified and follow the proper collection procedures in accordance with 49 CFR Part 40, and described in this section.

1. Only certified laboratories are used for specimen testing to assure accuracy. A laboratory certified by the Department of Health and Human Services/Substance Abuse and Mental Health Service Administration (DHHS/SAMHSA), under the Mandatory Guidelines for Federal Workplace Drug Testing Programs, will perform all drug testing.

The designated laboratory will only test for the drugs listed in 49 CFR Part 40.85.

The name of the individual providing the specimen will remain confidential and will not be provided to the laboratory performing the test. The testing laboratory is only able to identify the specimen by the specimen ID number printed on the chain-of-custody form. The laboratory will only use specimen custody and control form consistent with the requirements of 49CFR Part 40.

Urine samples are collected in a controlled environment at pre-assigned collection sites under strict chain of custody conditions. Privacy is assured unless reasonable cause exists that specimens have been tampered with.

If a urine sample tests positive, the laboratory automatically performs a confirmation test. The result is communicated exclusively to a Medical Review Officer (MRO) for review and action consistent with 49 CFR Part 40.

All tests will be reported to the DER exclusively through the MRO.

The MRO will verify the results and report (using procedures in 49 CFR Part 40) to the DER whether the test was positive or negative, and the drugs for which there was a positive result.

Drug Testing Results

Positive or Otherwise Non-Negative Results

If the laboratory reports the drug test result as POSITIVE or other non-negative, the following procedures will be followed:

1. The MRO will immediately inform the person of the result and offer the employee the opportunity for an interview to discuss the test result. IF the MRO has difficulty reaching the employee, the procedures set forth in 49 CFR 40.131 will be followed.

The MRO will complete and document the review as required by 49 CFR Part 40 Subpart G, determining if the external chain of custody was intact, if the person has a legitimate medical explanation for the presence of any controlled substance, and whether there is a basis to question the scientific sufficiency of the test results. In the case of an opiate positive, the MRO will also make the special determinations required by the regulation.

If the MRO verifies the test result as positive, the MRO will report the result to the railroad's DER. If the MRO determines that the result is non-negative and the non-negative result cannot be explained, the appropriate regulatory action will be pursued. The chart at Appendix D delineates the appropriate action. The MRO will provide the DER with a certified copy of copy two of the custody and control form, showing verification to the MRO. The MRO will not provide the DER

with the quantitative test results unless the employee, as stipulated in the regulation, disputes the test.

Negative Results

If the MRO has determined that the drug test is Negative, the MRO will accomplish the required administrative review and report the negative results to this railroad's DER.

Negative-dilute results

Unless the MRO directs a railroad to conduct a recollection under direct observation (for a result with creatinine from 2 to 5 mg/dL), per 40.197, a negative-dilute is considered a negative test, although a railroad may, but is not required to direct the employee to immediately take another test. Such recollections must not be collected under direct observation unless there is another basis to do so.

A railroad must treat all covered employees the same. For example, it must not retest some employees and not others. A railroad may establish different policies for different types of tests (e.g., conduct retests in pre-employment situations, but not in random test situations).

TRRA's policy for negative-dilutes is as follows:

1. If the MRO determines that the drug test result is negative but dilute, an immediate second collection will take place within 24 hours of the result notification or the next day the donor reports in for duty.
2. The second collection will be unobserved unless an observed collection is requested by the MRO.
3. The reason for the test will be the same as the first negative dilute test.
4. The results of the second test will be the final result the Company accepts.
5. If the donor refuses to participate in the second collection, it will be considered a refusal to test.

Alcohol Testing Procedures

Breath alcohol testing will be performed by fully trained and certified Breath Alcohol Technicians (BAT) using the National Highway Traffic Safety Administration (NHTSA) approved testing devices. The results will be documented on an approved Federal Breath Alcohol Testing Form and will be signed by the employee and the BAT. At the time of the alcohol test, the employee will receive a copy of the result, with an identical copy being sent to the railroad's DER.

Alcohol Testing Results

Negative Results

The DER will be mailed a copy of the negative test results.

Positive Results

The BAT will immediately and directly notify the railroad's DER if the test results are positive (0.02 percent or higher), who will take appropriate action to remove the employee from covered service.

Compliance with Testing Procedures

All FMCSA covered service personnel/applicants requested to undergo a Federal drug and/or alcohol test are required to promptly comply with this request. The TRRA expects all prospective and current covered service personnel to exercise good faith and cooperation in complying with any procedures required under this policy.

Refusal to submit to a Federal drug or alcohol test required under the FMCSA Rules, engaging in any conduct which jeopardized the integrity of the specimen or the reliability of the test result, or any other violations could subject the person to disciplinary action (up to and including termination), independent and regardless of any test result. This includes failure to show up on time for a drug/alcohol test, postponing, or rescheduling of specimen collections or failing to remain at the testing site until the testing process is complete, etc. (see 40.191).

Previous Refusals or Positive Tests

When a driver has had a positive Federal drug or alcohol test or has previously refused to take a Federal test, including adulteration or substitution, they must comply with requirements defined in part 40, subpart O, of this title, prior to performing safety-sensitive functions. All DOT Federal return-to-duty and follow-up urine specimens must be collected under direct observation using the new direct observation procedures in 49 CFR 40.67 (i). Note that an SAP may also require return-to-duty and follow-up “drug” tests in addition to alcohol tests following an alcohol positive of 0.04 percent or greater.

Direct Observation Urine Collection Procedures

The collector (or observer) must be the same gender as the employee. If the collector is not the observer, the collector must instruct the observer about the procedures for checking the employee for prosthetic or other devices designed to carry “clean” urine and urine substitutes AND for watching the employee urinate into the collection container.

1. The observer will request the employee to raise his or her shirt, blouse or dress/skirt, as appropriate, above the waist, just above the navel; and lower clothing and underpants to mid-thigh and show the observer, by turning around, that the employee does not have such a device.

If the employee has a device, the observer immediately notifies the collector; the collector will stop the collection; and thoroughly document the circumstances surrounding the event in the remarks section of the testing form. The collector will then notify the DER, and the incident is a refusal to test.

If the employee does not have a device, the employee is permitted to return his/her clothing to its proper position for the observed collection. The observer must watch the urine go from the employee’s body into the collection container. The observer must watch as the employee takes the specimen to the collector. The collector then completes the collection process.

Failure of the employee to permit any part of the direct observation procedure is a refusal to test.

If there is a finding of “refusal to test”, the employee will be removed from and returned upon the recommendation of the SAP.

Positive Test Results

FMCSA Clearinghouse will receive notification of any test results that are other than negative.

Any of the following will result in immediate removal from service under FMCA regulations:

Positive Federal drug test

Federal alcohol test result of 0.02 or greater

Refusal to test

Positive alcohol test of at least 0.02 but less than 0.04

A positive alcohol test of a least 0.02 but less than 0.04 will result in the removal of the person from service for at least eight hours.

An FMCSA employee with a positive breath alcohol test of at least 0.02 but less than 0.04 is required to undergo an evaluation conducted by EAP to determine the need for treatment and/or education. The employee is also required to participate and comply with the EAP recommended treatment and any after care or follow-up treatment that may be recommended or required at their own expense. Those follow up tests will be conducted under company authority.

Positive drug test of a breath alcohol test with a result of 0.04 or greater

An FMCSA employee with a positive drug test or a breath alcohol test with a result of 0.04 or greater is required to undergo an evaluation by a qualified Substance Abuse Professional (SAP) that is railroad approved to determine the need for treatment and/or education. The employee is also required to participate and comply with the SAP recommended treatment and any after-care or follow-up treatment that may be recommended or required at their own expense.

After successful treatment per the SAP's requirements for a Federal positive drug test or alcohol test result of 0.04, the employee must provide a Federal return-to-duty negative urine specimen and/or breath specimen for testing prior to being allowed to return to FMCSA covered service. The employee will be subject to additional unannounced Federal follow-up testing, as determined by the SAP for a maximum period of 60 months with a minimum of six tests performed in the first twelve months. These tests must be collected under direct observation. Failure to comply with these provisions and/or remain alcohol and drug free will result in subsequent removal from FMCSA covered service and could result in disciplinary action up to and including termination.

Guarantee of Employment

Federal regulation does not guarantee the employee will maintain an employment relationship; this is determined via employer negotiations. If an employee has a Federal alcohol test result of at least 0.02 or greater or a Federal positive drug test, the employee will be removed from service and a formal Company investigation will be scheduled to determine if TRRA Company Policy and/or GCOR 1.5 have been violated.

A second violation of this part could result in disciplinary action, up to and including termination. Any combination of two violations of drugs or alcohol, listed herein could result in disciplinary action, up to and including termination.

Rehabilitation

The TRRA employs the services of Gateway Regional Medical Center for Employee Assistance and Substance Abuse Professional services to help employees and their dependent family members who may have various personal problems, in addition to drug and alcohol addictions. There is no cost to the employee or his or her eligible family members for the Employee

Assistance Program (“EAP”) services. An EAP Counselor can provide employees information regarding the benefits available to them.

Employee Assistance Program Administrator

Contact Person: Bob Turck, MSA, LCSW
2100 Madison Avenue
Granite City, Illinois 62040
24 Hour Hotline: (618) 798-3667

The TRRA has the following policies in place to encourage and facilitate the identification of employees who abuse alcohol or drugs, and ensure such employees are provided the opportunity to obtain counseling or treatment.

Voluntary Referral Policy

Any employee who is affected by an alcohol or drug use problem may maintain an employment relationship with the TRRA if, prior to being charged with conduct deemed to be sufficient to warrant dismissal, the employee seeks assistance through the TRRA’s EAP. Such assistance may be requested by the employee or through referral by another employee, Union Representative, or family member.

To invoke the benefits of this policy, the employee must contact Brad Ragland, Director of Labor Relations and DER:

During non-duty; or

While unimpaired or otherwise in compliance with the Carrier’s GCOR 1.5.

The TRRA will treat all referrals and subsequent handling, individual counseling and treatment as confidential; however, confidentiality will be waived, if:

The employee at any time refuses to cooperate in a recommended course of counseling or treatment; and/or

The employee is later determined, after investigation, to have an alcohol or drug related disciplinary offense growing out of subsequent conduct.

The TRRA will, to the extent necessary for treatment and rehabilitation, grant a leave of absence for the period necessary to complete primary treatment and establish control over the employee’s alcohol or drug problem. If necessary, the involved leave of absence will not be less than forty-five (45) days to meet initial treatment needs. Employees will be returned to service upon recommendation of the EAP Professional and upon successful completion of a return-to-work physical examination, which will include a drug and/or alcohol test. Any drug and/or alcohol test conducted pursuant to TRRA’s voluntary referral policy is non-Federal testing because a violation of Federal regulations has not occurred.

The Voluntary Referral Policy does not apply to an employee who has previously been assisted by the Company under this Policy or who has previously elected to waive investigation under the Co-Worker Report Policy.

Co-Worker Report Policy

Any employee may maintain an employment relationship with the Company following an alleged first offense under the Company’s GCOR 1.5, provided the alleged first offense came to the

Company's attention as a result of a co-worker report that the employee was apparently unsafe to work with, or was, or appeared to be, in violation of GCOR 1.5.

If a TRRA representative can confirm that the employee is in violation, that employee will immediately be removed from service in accordance with existing policies and procedures.

The employee will be notified of the GCOR 1.5 violation charge in accordance with applicable Agreement rules where required. Along with the Notice of Investigation, the employee will be given an option form on which he or she can select one of the following options:

1. Will attend the investigation on GCOR 1.5 violation charge; or (in which the COR-WORKER POLICY does not apply).

Will contact the Charging Officer within five (5) days of the date of the Notice of Investigation and waive the Investigation. They must agree to enroll in and participate in an approved rehabilitation program with the understanding that:

- a. The GCOR 1.5 charge Investigation will be held in abeyance.

The employee will continue to remain out of service, and

The employee will be carried on the Company's records as being off due to illness.

Brad Ragland, Director of Labor Relations, will refer the employee to the Employee Assistance Professional / Substance Abuse Professional, who will schedule interviews with the employee and complete an evaluation within ten (10) calendar days of the date on which contacted by the employee for evaluation under the policy, unless it becomes necessary to refer the employee for further evaluation. In each case, all necessary evaluations will be completed within twenty (20) days of the date on which the employee contacts the Employee Assistance Professionals or his or her representative.

If the Employee Assistance Professional / Substance Abuse Professional determine that the employee is affected by psychological or chemical dependency on alcohol or drugs or by another identifiable or treatable mental or physical disorder involving the abuse of alcohol or drugs as a primary manifestation, the Company will:

1. Grant the employee a leave of absence for the period necessary to complete primary treatment and establish control over the alcohol or drug problem. If necessary, the involved leave of absence will not be less than forty-five (45) days for the purpose of meeting initial treatment needs.

The employee will be expected to undertake and successfully complete a course of treatment deemed acceptable by the Employee Assistance Counselor.

The employee will be promptly returned to service, on recommendation of the Employee Assistance Counselor, when the employee has established control over the substance abuse problem and successfully completes a company authority drug and/or alcohol return-to-work test(s).

As a further condition of withholding of discipline, the employee, following return to service, may, as necessary, be required to participate in a program of follow-up treatment, which will include periodic Company Authority follow-up test(s) per the EAP / SAP recommendation for a period of up to 24 months from the date the employee was originally withdrawn from service.

If the Employee Assistance Professional / Substance Abuse Professional determines that an employee is not affected by an identifiable and treatable mental or physical disorder:

The railroad must return the employee to service within five (5) days after completion of the minimum education requirement.

During or following the out-of-service period, the railroad will require the employee to participate in a program of education and training concerning the effects of alcohol and drugs on occupational or transportation safety.

An employee, who elected option (2) of the CO-WORKER REPORT POLICY and fails to enroll in the recommended rehabilitation program within the prescribed period or, after enrolling, fails to continue participation in the program, will be considered as having elected option (1) of the CO-WORKER REPORT POLICY. Under such circumstances, and any provision of any applicable Agreement Rule providing a time limit from the date of incident in which the investigation must be held will be considered waived.

Upon being notified by the Employee Assistance Counselor of such fact, the Carrier will reschedule the investigation to be held within the time specified in the person's Union Contract.

NON-Peer Referral Policy

The TRRA will accept non-peer referrals from family members and friends (non-employee) that contact the railroad.

A TRRA representative will meet with the employee in person regarding the information and determine whether to the employee is unsafe to work with or in violation of 49 CFR Part382. If the representative determines that employee is unsafe, the employee may either accept or reject the referral.

If rejected, a TRRA representative trained in signs and symptoms will perform a GCOR 1.5 observation on the employee in question. If signs and symptoms are present, the representative will order reasonable suspicion testing of the on-duty employee.

If a TRRA representative can confirm that the employee is in violation, that employee will immediately be removed from service in accordance with existing policies and procedures. All guidelines contained within items 1, 2, and 3 of Co-Worker Report Policy of this section will apply.

Effects of Alcohol and Controlled Substance Use on Health, Work, and Personal Life

Employees who abuse drugs or alcohol create excessive safety risks and have unusually high accident rates. Frequent tardiness and absenteeism result in a decline of performance. All this costs the company in down time, medical care, and property damage. In addition, alcohol misuse or drug abuse is often the cause of dissension in the workplace because co-workers must fill in or cover up for the impaired employee.

Alcohol is still the leading abused drug in the United States. The consumption of alcohol causes many marked changes in behavior. Even low doses of alcohol significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. In combined with other depressants of the central nervous system, a much lower dose of alcohol will produce the effects just described.

Not only is mixing alcohol with other drugs very dangerous, it intensifies the effects of other depressants, making an overdose much more likely. The results of mixing other drugs with alcohol are unpredictable and can be deadly. Alcohol is often used by substance abusers to enhance the effects of other drugs. Taken in combination, the effect of alcohol and other drugs may be greater than either drug taken by itself.

In small doses, a user may feel relaxed, talkative, happy, and excited. In larger doses, the person often feels confused, moody, angry, and unhappy.

Barbiturates such as Phenobarbital, Luminal, and minor tranquilizers such as Valium and Librium serve to depress or slow down the functioning of the central nervous system. The combination of any of these drugs with the use of alcohol will decrease alertness and impair judgment which can lead to accidents.

Signs and Symptoms of an Alcohol or Controlled Substance Problem

NOTE: The signs and symptoms of drug and alcohol abuse listed in this section are intended as guidelines only.

Drug and alcohol abuse affect a person physically and mentally. These effects occur not only during intoxication (from one to twenty-four hours after intake), but also show up in residual hangovers, fatigue rebounds, and mental impairment. Other physical and mental signs and symptoms include:

Slow reactions

Poor coordination

Bloodshot or watery eyes (usually caused by marijuana use)

Fatigue

Changes in speech

Delayed decision making

Constricted pupils

Erratic judgment quality

Hand tremors/jitters/hyper-excitability

Confusion

Intoxicated behavior

Odor of alcohol on breath or marijuana smoke

Refusal to accept authority

When general performance or behavior problems are noted in a co-worker, the following may indicate the involvement of drug or alcohol use:

A sudden change, usually for the worse (change in attitude, work performance or behavior)

A “lackadaisical” or “I don’t care” attitude (often an indication of marijuana use)

Deteriorating or erratic performance

Hangover symptoms

Drug culture jargon

Secretive behavior

Wanting to be alone, avoiding “straight” workers

Forgetfulness, indecision, and erratic judgment

Impulsive and temperamental behavior

Changes in personal appearance and hygiene

Carelessness

Sleeping on the job

Racing heart, irregular rhythm (cocaine and amphetamines often cause the heart to react unpredictably.)

Intervening When an Alcohol or a Controlled Substance Problem is Suspected

Most successful interventions start with a performance confrontation. This confrontation is based on objective documented information related to performance deterioration, not the specific signs of substance abuse. Evaluations should be left to management and/or Substance Abuse professionals. (SAPs are required to have clinical experience in the diagnosis and treatment of alcohol related disorders and substance abuse.)

Confronting or intervening in the case of a co-worker or friend who has a problem with alcohol or other drugs can be very difficult and hurtful. The person with the problem will most likely deny the problem and try to put you on the defensive – “I thought you were my friend. Are you calling me a drunk/junkie?” In cases such as this, what you don’t do is as important as what you should do:

Avoid emotional appeals, which may only increase feels of guilt and the compulsion to drink or use other drugs

Don’t cover up or make excuses for the person

Don’t take over his or her responsibilities, which will leave the person with no sense of importance of dignity

Don’t argue with the person when he/she is under the influence of drugs

Don’t hide or dump bottles or shelter the problem drinker from situations where alcohol is present

Above all, don’t accept responsibility for the person’s actions or guilt for his/her behavior

You are likely to be enabling a co-worker to continue drinking or taking drugs whenever you take up the slack in their work for them; when you cover up their mistakes; when you share in the denial and encourage their rationalizations; and when you make excuses to other for them.

You can be part of the solution to the problem of drug abuse in the workplace by knowing how to act effectively. Your role as a co-worker is to talk to your supervisor whenever performance or safety problems affect you or someone else’s job. It may seem harsh to stop rescuing and making excuses for someone, especially a friend, but you will be doing everyone, including the abuse, a service.

Where Can You Go For Help?

Hotlines and referral services, alcohol and drug treatment programs, employee assistance programs, and your physician or other health professionals are resources that can be utilized. The following table contains resource contact information.

Resource	Contact Number	Additional Information
National Institute on Drug Abuse – Information and Referral Line	1-800-662-HELP	Hours Monday through Friday 9:00am to 3:00am Weekend Hours (Saturday and Sunday) Noon to 3:00
Substance Abuse Hot Line for Drivers	1-800-THAT’S IT or 1-800-842-8748	For immediate advice or counseling concerning drug addiction
American Council on Alcoholism, Inc.	1-800-527-5344 7 days a week, 24 hours a day	Information and Referral Line
Al-Anon	1-800-356-9996	For family and friends of alcoholics
Cocaine Helpline	1-800-COCAINE 7 days a week, 24 hours a day	