

RIO GRANDE PACIFIC CORPORATION



Reasonable Suspicion Testing Manual for Supervisors

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Developed by
CSXT Instructional Design, Employee Assistance Program, and Operations Support

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The respective railroads of Rio Grande Pacific Corporation (herein referred to as "Railroad") recognizes the problem of substance abuse in today's society. This problem poses particular concerns to an employer who is subject to governmental regulations and seeks to promote the safety of the general public. The Railroad has a concern for the safety, health and well being of its employees as well as an obligation to comply with the United States Department of Transportation (DOT) and Federal Railroad Administration (FRA) regulations. The Railroad will comply with all statutes and regulations administered by the FRA in implementing the required Part 219 Drug and Alcohol Program.

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Introduction

Supervisor Training Requirement

Training Requirement

Drug testing for your employees falls under the Department of Transportation (DOT) regulations through the Federal Railroad Administration (FRA) and the Federal Highway Administration (FHWA).

Supervisors of safety sensitive personnel must complete training on drug and alcohol testing requirements for reasonable suspicion. This training includes the physical, behavioral and performance indicators of probable drug and alcohol use.

The table below shows the minimum training requirement for supervisors under the various Department of Transportation rules:

A supervisor of:	Who are subject to:	Must complete:
Hours of service employees	FRA regulations	At least 3 hours of training.
Employees with a commercial driver license (CDL)	FHWA regulations	At least 1 hour of training.

Railroad Training

Your reasonable suspicion training for supervisors comprises a two-hour multimedia program with this manual. The manual should be used while you are taking this course and for later reference. The multimedia program is available through the ASLRRRA for all ASLRRRA members at a modest charge.

Completion of Training

After completing the Reasonable Suspicion multimedia training you will be qualified to make reasonable suspicion drug and alcohol testing determinations.

Overview of the Law

Goal Reasonable suspicion testing protects public and workplace safety by removing safety-sensitive duty employees who appear to be under the influence of alcohol or illegal drugs.

The rules are designed to prevent accidents. Their purpose is not to prove that someone is using drugs or alcohol, but to rule out these substances as causes of the employee's behavior.

Testing Regulations In 1988, the Department of Transportation (DOT) issued safety regulations requiring transportation employers to implement workplace anti-drug policies and programs, including:

- Employee drug testing
 - Drug prevention education and training
 - Penalties for illegal drug use
-

FRA Regulations FRA regulations cover hours of service employees.

If reasonable suspicion exists:

- Testing is mandatory.
 - Employees must be held on duty, **even in excess of the Hours of Service Act**, until the sample collection procedure is completed.
 - Any inappropriate delay in testing could result in “willful neglect violations”.
-

FHWA Regulations FHWA regulations cover employees with a commercial driver license (CDL).

Testing can only be carried out just before, during or after the employee performs safety sensitive duties.

NOTE: All Signal Department employees, including those with a CDL, are tested under FRA regulations.

Collectively Bargained Agreements Employees not subject to FRA regulations or FHWA regulations are generally covered under collectively bargained testing agreements with their unions.

Continued on next page

Overview of the Law, Continued

Railroad Policy

In addition to Federal regulations, your employees are subject to company policy and GCOR Rule 1.5.

GCOR Rule 1.5

GCOR Rule 1.5 applies to all employees when:

- Reporting for duty.
- On duty.
- On Railroad property.
- Occupying facilities provided by your company.

Employees are prohibited from having in their possession, using, or being under the influence of:

- Alcoholic beverages or intoxicants.
 - Any drug, medication, or other substance, including prescribed medication that will in any way adversely affect the employees' alertness, coordination, reaction, response, or safety.
 - Any **illegal** drug, narcotic or other substance that affects alertness, coordination, reaction, response or safety. Illegal drug use is prohibited while **on or off duty**.
-

What is Reasonable Suspicion?

Definition Reasonable suspicion is a term used to describe observations of an **on-duty** employee's behavior, speech, appearance, or odor associated with use of drugs or alcohol.

The observations must be:

- Made by you personally.
 - Happening at that time.
 - Describable.
 - Associated with the use of drugs or alcohol.
-

Example 1 While talking to an employee you smell alcohol on his breath.

Example 2 Mary is stumbling around the office. When you ask if she is all right, you notice that her eyes are bloodshot.

Non-example 1 Another employee tells you that Joe is on drugs.

NOTE: This is not reasonable suspicion. You must observe the signs or symptoms of drug use yourself.

Non-example 2 Jerry has long hair, a beard and numerous tattoos.

NOTE: This is stereotyping. It is not grounds to send the employee for a reasonable suspicion test.

Non-example 3 You smelled alcohol on Denise's breath yesterday. After thinking it over, you decide to confront her and require a test.

NOTE: This is not grounds for a reasonable suspicion test. Your observations must be made at the time you decide to test.

Non-example 4 John frequently comes to work late looking dirty, messy and unshaven. His work performance has dropped off in the last few weeks.

NOTE: This is not grounds for a reasonable suspicion test. It might, however, warrant closer observation of this employee. See Appendix B: The Troubled Employee.

Substances Tested For

Introduction Reasonable Suspicion testing covers alcohol and all illegal drugs. Some legal drugs, such as codeine (available by prescription) are also covered.

Substances Tested The following substances are tested for under the reasonable suspicion regulations:

- Amphetamines
 - Cocaine
 - Alcohol
 - Marijuana
 - Opiates (Heroin, Codeine)
 - PCP
-

Drug Effects The substances tested for under reasonable suspicion can be categorized into the following groups, based on their effect on the human body:

These Drugs:	Are:	And Tend to:
Amphetamines Cocaine	Stimulants	Speed people up.
Alcohol Marijuana Opiates	Sedatives	Slow people down.
PCP	Hallucinogens	Make people act in bizarre ways.

What is Drug Misuse?

Definition of Drug Misuse

Misuse of drugs is defined as:

- Taking illegal drugs at any time
 - Using a prescribed medication inappropriately
 - Using someone else's medication
-

Example 1

You see an off duty employee at a ball game smoking a joint.

Example 2

An employee reports for work. He is lethargic and his speech is slurred. He tells you that he took an extra tablet of his prescription medication for his back pain.

Example 3

When John reports for work you notice that he is lethargic and his speech is slurred. He tells you that he took some of his wife's prescription cough medicine with codeine.

What is Alcohol Misuse?

Alcohol Misuse

Alcohol is a legal substance, but it is frequently misused. The following actions constitute alcohol misuse and are violations of Federal regulations:

- Drinking on duty
 - Drinking within four hours of a known on-duty time
 - Drinking after receiving notice to report for work
 - Possessing alcohol while on duty
 - Having a blood/alcohol concentration of .04 or greater while on duty
-

Railroad Policy

The following actions, are violations of company policy:

- Possessing, drinking, or being under the influence of alcohol on company-provided facilities
 - Having a blood/alcohol concentration of **.02** or greater while on duty
-

Example 1

An employee who knows that he is to report for work at 1400 hours has a can of beer with his lunch.

Example 2

An on-duty employee has an unopened can of beer in his cooler.

Example 3

An off-duty employee is drinking in the lounge of a company-provided motel.

Non-example 1

You see an employee drinking heavily in a local bar the night before he is due for work the next morning.

NOTE: This is not a Federal or GCOR Rule 1.5 violation as the employee is off duty and is not due for work for more than four hours.

Delays in Testing

Introduction

The effects of alcohol wear off very quickly. The body breaks alcohol down at the rate of about one drink per hour. Delays in testing can result in negative test results so you must send employees for testing as soon as possible.

Generally drugs do not wear off so quickly and will remain in the body for some time. However, any inappropriate delay in testing could result in 'willful neglect violations.'

Delay in Testing

The table below describes what you must do if there is a delay in testing.

If there is a delay of:	Before:	You must:
Two or more hours	<ul style="list-style-type: none">• An FRA/FHWA breath alcohol test• An FRA/FHWA urine drug test	File a report stating the reason for the delay.
Eight or more hours	<ul style="list-style-type: none">• An FRA/FHWA breath alcohol test• An agreement urine alcohol/drug test	<ul style="list-style-type: none">• NOT allow the test to be conducted.• File a report stating the reason for the delay.

NOTE: There is no time limit for an FRA/FHWA urine drug test.

What to Look For

Signs and Symptoms of Drug and Alcohol Use

Signs and Symptoms of Drug and Alcohol Use

The Railroad has a list of signs and symptoms which indicate possible drug or alcohol use.

They are based on observations of:

- Behavior
- Appearance
- Speech
- Odor

The next sections of this manual will deal with these signs and symptoms in more detail.

NOTE: Appendix A details all the signs and symptoms of drug and alcohol misuse. This checklist should be used to document your observations and other information when you test an employee for a reasonable suspicion and turned in to your DER.

Field Sobriety Tests

If you are not sure of the signs and symptoms just from observation, you can evaluate an employee further by conducting a field sobriety test.

Some of these tests are shown in the program on Reasonable Suspicion Testing, available on all multimedia pods. A list of suitable tests is also detailed in Appendix D.

Behavior

Introduction People's behavior—how they act—is one of the most telling signs of drug or alcohol use. Employees taking drugs or misusing alcohol will show symptoms that affect their movement, responsiveness and personality.

Symptoms These symptoms, particularly if they represent a change from someone's usual behavior, could be indications of drug or alcohol use:

Movement

- Stumbling, unsteady gait
- Clumsy, uncoordinated

Responsiveness

- Unresponsive, distracted
- Drowsy, sleepy, lethargic
- Depressed, withdrawn
- Irritable, moody

Personality

- Hostile, belligerent
 - Agitated, anxious, restless
 - Hyperactive, fidgety
 - Suspicious, paranoid
 - Tremors, shakes
 - Forgetful, slow responses
 - Inappropriate, uninhibited behavior
-

Signs These two signs are also indicators of possible drug and/or alcohol use.

- Persistent runny nose or flu-like symptoms for no reason
- Frequent use of mints, mouthwash, breath sprays, eye drops

If you see either of these two signs you should observe the employee closely to try to determine whether drugs and/or alcohol are involved.

Appearance

Introduction People's appearance—how they look—is another telling sign of drug or alcohol use. Drugs and alcohol can affect:

- Complexion
 - Eyes
 - Personal grooming
-

Complexion Changes in someone's skin tone, or inappropriate reactions to heat or cold include:

- Being flushed or having a pale complexion for no apparent reason.
 - Sweating when it is not hot, or without hard, physical labor.
 - Being cold, clammy when it is not cold.
-

Eyes People using drugs can have:

- Bloodshot or watery eyes.
 - Enlarged pupils.
 - Pinpoint pupils.
 - An unfocused, blank stare.
-

Personal Grooming Long-term drug or alcohol users may have a dirty, messy appearance.

Speech

Introduction Different classes of drugs, including alcohol, have marked effects on the way people speak. In general, stimulants make people talk fast, sedatives make people talk slow and hallucinogens make people speak in ways that do not make sense.

Stimulants Stimulants can cause speech to become:

- Loud, boisterous.
 - Rapid, pressured.
 - Excessive.
-

Sedatives Sedatives, including alcohol, can cause speech to become:

- Exaggerated, with over-enunciation.
 - Slurred, thick, or slow.
 - Not understandable.
-

Hallucinogens Hallucinogens can cause speech to become:

- Inappropriate, including cursing.
- Silly, nonsensical.

Odor

Introduction

Smell is a strong sign that someone has been drinking or smoking marijuana recently. If you smell alcohol or marijuana on an employee, **you do not need any other symptoms to require a test.**

Alcohol

Alcohol on a person's breath has a distinctive odor. The stronger the smell, the more recently the person was drinking.

If you smell alcohol on an employee's breath, you do not need another supervisor to confirm your suspicions. However, it is advisable to get a second opinion as long as it does not delay the testing.

Marijuana

Marijuana has a unique smell, sometimes described as acrid and sweet. It will linger in the air or on someone's clothes after he or she smokes it.

If you smell marijuana you must have another supervisor confirm your suspicions before sending the employee for a test.

What to Test For

Overview

Introduction

The signs and symptoms you observe determine whether the employee is tested for:

- Alcohol
 - Drugs
 - Both alcohol and drugs
-

What to Test For

Many of the signs and symptoms of possible alcohol use or drug use are similar, or the same. If the observed signs and symptoms are consistent with both alcohol use and drug use, then both alcohol and drug tests must be conducted.

A few symptoms indicate either alcohol use or drug use only, not both. If you have not observed symptoms related to alcohol use, you cannot require an alcohol test. Likewise, if you have not observed symptoms related to drug use, you cannot require a drug test.

Details about the requirements for testing are provided in the next few pages.

Number of Symptoms Required

In **most** cases you should observe **at least two** signs or symptoms before you require an employee to take a reasonable suspicion test.

Exceptions

There are two symptoms that are such strong indicators for testing that you do not need any another symptoms to require a test:

- Smelling alcohol on an employee's breath
 - Smelling marijuana on an employee's clothes
-

Symptoms that Require an Alcohol Test

Alcohol Testing Requirements

The table below shows the two types of alcohol tests and supervisory requirements for sending an employee for a test:

For employees subject to:	The only acceptable test is a:	Which requires:
FRA/FHWA regulations	Breath Alcohol Test	One supervisor who has been trained in reasonable suspicion testing.
Collectively bargained agreements	Urine Alcohol Test	Two supervisors, one of whom must be trained in reasonable suspicion testing.

Number of Symptoms Required

The smell of alcohol on the breath is such a strong indicator for alcohol use that you do not need any other symptoms to require a test.

If you do not smell alcohol on an employee's breath, you will need at least two other symptoms before you can test under reasonable suspicion rules.

Symptoms of Alcohol Use

The only symptom of alcohol use that is not consistent with drug use also is the smell of alcohol on an employee's breath.

All other symptoms associated with alcohol use are consistent with drug use too. For that reason, if you observe any other symptom, the employee must be tested for both alcohol and drugs.

Summary

The table below summarizes the test(s) that should be given if you smell alcohol on an employee's breath:

If:	And Observe:	Then you:
You smell alcohol on an employee's breath	NO other symptoms	<ul style="list-style-type: none"> • Must require an alcohol test. • Cannot require a drug test. • Should get another supervisor to confirm your suspicions if possible.
	ANY other symptoms	<ul style="list-style-type: none"> • Must require both an alcohol test and a drug test. • Must get another supervisor to confirm your suspicions.

NOTE: In either case you should never delay alcohol testing to wait for another supervisor to confirm your suspicions.

Continued on next page

Symptoms that Require an Alcohol Test, Continued

Example 1 You smell alcohol on Carl's breath and observe no other symptoms.

ACTION: Carl must be tested for alcohol. He cannot be tested for drugs.

Example 2 You smell alcohol on Carl's breath and see him stumbling around.

ACTION: Carl must be tested for both alcohol and drugs. The smell of alcohol on Carl's breath indicates that he has been drinking. Stumbling around is a symptom that can indicate alcohol but it can also indicate drug use. Do not, however, delay the alcohol test to wait for another supervisor to confirm your suspicions for the additional drug test.

Non-Example 1 You discover a can of beer in Ian's cooler. You cannot smell alcohol on his breath and do not notice any other symptoms.

ACTION: Unless you observe any symptoms you cannot test the employee. It is, however, a federal and a GCOR Rule 1.5 violation and Ian must be charged accordingly.

Symptoms that Require a Drug Test

Drug Testing Requirements

The table below shows the supervisory requirements for reasonable suspicion drug testing:

For employees subject to:	The only acceptable test is a:	Which requires:
<ul style="list-style-type: none"> FRA/FHWA regulations 	Urine Drug Test	Two supervisors, one of whom must be trained in reasonable suspicion testing.
<ul style="list-style-type: none"> Collectively bargained agreements 		

Number of Symptoms Required

The smell of marijuana on clothes is such a strong indicator for drug use, that you do not need any other symptoms to require a test. If you do not smell marijuana on an employee's clothes, then you will require at least two other symptoms to test an employee for drugs.

Symptoms of Drug Use

Most of the symptoms of drug use are also consistent with alcohol use and require both drug and alcohol tests to be performed.

There are a few symptoms, however, that indicate drug use, but not alcohol use:

- Agitated, anxious, restless behavior
- Hyperactive, fidgety behavior
- Suspicious, paranoid behavior
- Smell of marijuana on clothes
- Rapid, pressured speech
- Silly nonsensical speech
- Enlarged pupils
- Pinpoint pupils
- Unfocused, blank stare

Summary

The table below summarizes what to do if you observe symptoms consistent with drug use:

If you observe:	And:	Then you:
Symptoms in the above list	NO other symptoms	<ul style="list-style-type: none"> Must require a drug test. Cannot require an alcohol test. Must get another supervisor to confirm your suspicions.
	ANY other symptoms	<ul style="list-style-type: none"> Must require a drug test and an alcohol test. Must get another supervisor to confirm your suspicions.

NOTE: You should never delay alcohol testing to wait for another supervisor to confirm your suspicions.

Continued on next page

Symptoms that Require a Drug Test, Continued

Example 1

You notice that Paul, who is usually laid-back, is agitated and hyperactive. He is talking very quickly and keeps obsessively rearranging his tools.

ACTION: Paul must be sent for a drug test. His behavior indicates drug use but not alcohol use.

Example 2

John, who is usually calm and placid, comes to work agitated and hyperactive. He is talking very quickly. When you approach him, he is hostile towards you.

ACTION: John must be sent for both a drug test and an alcohol test. Although most of his behaviors indicate drug use, either alcohol or drugs could cause his hostility towards you.

Symptoms that Require Drug and Alcohol Testing

Introduction Most of the signs and symptoms on the checklist are consistent with the use of drugs and/or alcohol. Alcohol is sometimes used to cover up the use of drugs.

Number of Symptoms Required To test an employee for both drugs and alcohol you must observe at least two symptoms. At least one of the symptoms must be in the list below.

Symptoms of Drug and Alcohol Use Symptoms that indicate possible drug or alcohol use are:

- Stumbling, unsteady gait
- Clumsy, uncoordinated behavior
- Unresponsive, distracted behavior
- Drowsy, sleepy, lethargic appearance
- Depressed, withdrawn behavior
- Irritable, moody behavior
- Hostile, belligerent behavior
- Tremors, shakes
- Bloodshot eyes
- Tearing, watery eyes
- Flushed or pale complexion
- Sweaty for no reason
- Cold, clammy for no reason
- Slurred, thick, slow speech
- Exaggerated enunciation
- Incoherent speech
- Loud, boisterous speech
- Excessive talking
- Inappropriate speech, including cursing
- Inappropriate, uninhibited behavior
- Frequent use of mints, mouthwash, breath sprays, eye drops
- Dirty, messy appearance
- Persistent runny nose or flu-like symptoms for no reason

Summary The table below summarizes what to do if you observe symptoms related to drug use and alcohol use:

If you:	Then you:
Observe any symptoms in the above list	<ul style="list-style-type: none"> • Must require both an alcohol test and a drug test. • Must get another supervisor to confirm your suspicions. <i>However, you should never delay an alcohol test waiting for another supervisor to confirm your suspicions for the drug test.</i>

Continued on next page

Symptoms that Require Drug and Alcohol Testing, Continued

Example 1

Sandy, who is usually relaxed, comes to work anxious and hyperactive. You notice that her pupils are very small. When you greet her, her speech is slurred.

ACTION: Sandy must go for a drug test and an alcohol test. These symptoms could be caused by either drug use or alcohol use.

Example 2

Carl is unusually lethargic. You see him stumbling around the yard and cursing other people. When you greet him, you notice his face is flushed and his pupils are dilated.

ACTION: Carl must be tested for both alcohol and drugs. Either alcohol or drugs could cause his symptoms and behaviors.

What Not to Do

Pitfalls

Introduction

Sending someone for a drug or alcohol test is difficult. It means confronting the person about your intentions and dealing with that person's anger, tears or other emotions.

Not sending an employee for a test may seem like the easiest thing to do. It may be tempting to:

- Allow the employee to mark off Redblock.
 - Take the employee home.
 - Do nothing.
 - Coach and counsel the employee.
 - Get angry.
-

Take Home

Taking the employee home or getting them off the property may also seem like a good idea; the employee gets a break and the problem is moved away from the railroad. But this course of action does nothing to address the underlying problem and may allow it to continue.

Do Nothing

Doing nothing can include asking the employee to take a rest or letting them "sleep it off". It may seem like a good solution, but it does not address the real problem and can lead to greater problems later, particularly with the morale of the rest of the workforce.

Coach and Counsel

Many supervisors are good at coaching people and feel proud of their people skills.

Reasonable suspicion situations, however, are not the time to coach or counsel an employee. The employee may have a serious drug or alcohol problem and that requires professional help.

Continued on next page

Pitfalls, Continued

Vent Anger

Reasonable suspicion testing can lead to tense situations. Supervisors must maintain control of the situation and not become angry. Getting angry allows the situation to escalate and can have unfortunate consequences for all concerned.

Consequences of Incorrect Action

Introduction Not handling reasonable suspicion testing properly can have serious consequences for the:

- Supervisor
- Employee
- Employee's co-workers
- Company

Supervisor Consequences Possible consequences of taking the incorrect action for supervisors include:

- Reprimand
- Complaints from co-workers and other morale problems
- Transfer
- Demotion
- Stress from concern that the employee is compromising safety

Employee Consequences Consequences to the employee can include:

- Serious health problems such as liver disease and diabetes
- Grave personal problems such as separation and divorce
- Loss of job

Co-worker Consequences Possible consequences for co-workers include:

- Compromised safety
- Loss of job
- Lower morale
- Extra work

Railroad Consequences Consequences to company include:

- Responsibility for any injuries, death, or damages caused by the employee's impairment
- Loss of productivity

What to Do

Supportive Confrontation

Definition

Knowing the right way to confront an employee about sending him or her for a test can reduce the stress of the situation. These techniques are called “supportive confrontation”.

This table shows what to do and what not to do when confronting an employee:

Do:	Do NOT:
<ul style="list-style-type: none">• Show concern• Recognize past good work• Be fair, honest, objective• Let the employee know that professional help is available• Be firm and formal, but considerate• Stay in control	<ul style="list-style-type: none">• Diagnose• Get involved in the employee's personal life• Moralize• Be swayed or misled by emotional pleas, sympathy tactics or hard-luck stories• Ask why

Getting an Employee Tested

Before You Start

Before you test an employee make sure you:

- Have documented your observations.
 - Have had another supervisor confirm your suspicions.
 - This is required for all drug tests and Agreement testing.
 - This is recommended for an FRA/FHWA alcohol breath.
 - Do not delay an FRA/FHWA alcohol breath test waiting for another supervisor to confirm your suspicions.
 - Know which test(s) is to be conducted.
-

Procedure

To test the employee for reasonable suspicion take the following steps:

Step	Action
1	<p>For an FRA test, read the following statement to the employee:</p> <p><i>"You are being tested in accordance with Federal Railroad Administration guidelines. In order to comply, you must provide breath and/or urine samples as directed.</i></p> <p><i>In accordance with Federal Regulations, refusal to provide samples as directed will result in your immediate disqualification from covered service for a minimum of nine months. In addition to the nine-month automatic suspension, you will be charged with insubordination in accordance with Railroad policy."</i></p> <p>Then go to Step 4.</p>
2	<p>For an FHWA test, read the following statement to the employee:</p> <p><i>"You are being tested in accordance with Federal Highway Administration guidelines. In order to comply, you must provide breath and/or urine samples as directed. Failure to provide samples as directed will result in your being taken out of service and charged with insubordination.</i></p> <p>Then go to Step 4.</p>

Continued on next page

Getting an Employee Tested, Continued

3	<p>For an agreement test or test that the Railroad does under special circumstances, read the following statement to the employee:</p> <p><i>“You are being tested under the agreement between your organization and the Railroad. You are required to provide a urine sample. Failure to provide urine will result in your being taken out of service and charged with insubordination.”</i></p> <p>Then go to Step 4.</p>
4	<p>Call your test provider and have a representative meet you at the testing location.</p>
5	<p>Take the employee to the testing location.</p>
6	<p>At the testing location, make sure:</p> <ul style="list-style-type: none">• The correct test is carried out.<ul style="list-style-type: none">• Breath test for FRA/FHWA alcohol testing• Urine test for FRA/FHWA drug testing• Urine test for agreement.• The correct form is used.• The test provider representative writes “Reasonable Suspicion/Cause” on Section D of the testing form.
7	<p>After the tests have been completed, the employee will be taken out of service until management reviews the case, or an investigation is held.</p>
8	<p>Make sure the employee is driven home.</p>

After the Test

Description

If an employee has been sent for a reasonable suspicion test and it is determined that that they have violated GCOR Rule 1.5, Federal regulations, and/or the RGPC Drug and Alcohol Policy, as evidenced by a verified positive drug test result reported by the MRO; a non-negative drug test result verified by the MRO; a refusal to take a Federal drug test; or a positive alcohol test of .02 or more, the employee will immediately be withheld from service, pending disciplinary action, up to and including dismissal.

Appendices

Appendix A: Reasonable Suspicion Test Documentation

RAILROAD NAME: _____

OBSERVATIONS - Check off all signs and symptoms observed:

Behavior

- Stumbling, unsteady gait
- Clumsy, uncoordinated
- Unresponsive, distracted
- Drowsy, sleepy, lethargic
- Depressed, withdrawn
- Irritable, moody
- Hostile, belligerent
- Agitated, anxious, restless
- Hyperactive, fidgety
- Suspicious, paranoid
- Tremors, shakes

Appearance

- Bloodshot eyes
- Tearing, watery eyes
- Enlarged pupils
- Pinpoint pupils
- Unfocused, blank stare
- Flushed or pale complexion
- Sweaty for no reason
- Cold, clammy
- Dirty, messy appearance

Speech

- Slurred, thick, slow
- Exaggerated enunciation
- Not understandable
- Rapid, pressured
- Loud, boisterous
- Excessively talkative
- Silly, nonsensical
- Inappropriate, including cursing

Body Odors

- Inappropriate, uninhibited behavior
- Persistent runny nose or flu-like symptoms for no reason
- Frequent use of mints, mouthwash, breath sprays, eye drops
- Alcohol on breath
- Marijuana on clothes

Other

Observations: _____

EMPLOYEE UNDER SUSPICION

Employee Name: _____ Employee ID: _____

Date: _____ Time: _____

Location: _____

Test Required:

- Alcohol Breath Test (FRA and FHWA)
- Alcohol Urine Test (Agreement only)
- Drug Urine Test (Witness required)

No Test Conducted:

- Employee refused test
- 8 hours elapsed
- No collection available
- Transported for medical care/evaluation

Employee transported to test site by: _____

Time transported: _____ **Collection Site:** _____

Employee Advisory

"You are being tested in accordance with Federal Railroad Administration guidelines. In order to comply, you must provide breath and/or urine samples as directed.

In accordance with Federal Regulations, refusal to provide samples as directed will result in your immediate disqualification from covered service for a minimum of nine months. In addition to the nine-month automatic suspension, you will be charged with insubordination in accordance with Railroad policy."

Supervisor Name (printed)	Supervisor Signature	Date
----------------------------------	-----------------------------	-------------

Witness Name (printed)	Witness Signature	Date
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Appendix B: EAP Representatives

THE RAILROAD has an Employee Assistance Program (EAP) and Substance Abuse Professional (SAP) which provides covered service personnel with a comprehensive EAP/SAP that can help with alcohol and/or drug abuse problems.

Employee Assistance / Substance Abuse Professionals

Pam Elbert
TravelSafe Consulting Services LLC
870 N. Market St.
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Appendix C: The Troubled Employee

Introduction

Employees with substance abuse problems may start to show ongoing and repeated performance problems. Supervisors should be alert to changes in employee's work habits, level of motivation and changes in physical appearance. These performance problems can:

- Affect the employee's output or safety.
 - Affect the output or safety of others.
 - Violate organizational policies and procedures.
 - Violate safety rules and regulations.
-

Signs of a Troubled Employee

Some of the more common signs of a trouble employee are:

- Absenteeism and tardiness.
 - Increased accidents and injuries on the job.
 - Lowered job efficiency and productivity.
 - Broken work patterns.
 - Confusion in the work place.
 - An uncooperative attitude.
 - An increase in arguments with co-workers.
-

Action

These behaviors are not grounds for reasonable suspicion. If performance has dropped to unacceptable levels you should confront and refer the employee to your Employee Assistance Program, if you have one.

Appendix D: Field Sobriety Tests

Introduction

If you suspect that an employee is impaired due to the use of alcohol or drugs, but are not sure, you can request the employee to take a field sobriety test. Some of these are shown in the multimedia program when the employee is evaluated further.

A field sobriety test may include some of the following:

- Balance, turning and walking
 - Finger-to-nose
 - One legged stand
 - Alphabet recital
 - Reciting social security number
 - Counting down from 100 by sevens
-

Balance, Turning and Walking

Observe whether the employee falls, wobbles, sways or is unsure when walking a line.

Finger to Nose

Note if the employee completely misses his/her nose, or was hesitant and unsure.

One-Legged Stand

This test assesses balance. Stand close to the employee to help if he/she may fall down. Ask them to stand on one leg. Notice if the employee falls, is unsteady or sways.

Alphabet or Number Recital

An employee should be able to:

- Recite the alphabet without singing.
 - Count down from 10 to 1.
 - Count down from 100 in sevens (100, 93, 86, 79, etc.).
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