

## MANDATORY FRA DRUG AND ALCOHOL TESTING FOR REASONABLE SUSPICION

When a Conrail Supervisor becomes aware of an employee who may have used alcohol or drugs, the following procedures must be followed.

1. Employee must be on duty.
2. Employee must be covered by the Hours of Service.
3. The Conrail supervisor making the determination for whether a test is appropriate must have been trained in a three hour class on recognizing the signs and symptoms of alcohol or drug abuse.
4. Two supervisors, one of them trained as in item 3 above, must make the determination to test for illegal drugs. Only one trained supervisor is necessary to make the determination to test for alcohol use.
5. The employee should be carefully observed for evidence of smell, loss or lessening of control of motor and mental skills, and ability to safely conduct railroad work. The employee may not be tested under Reasonable Suspicion for simply possessing alcohol or drugs on company property or while subject to duty.
6. If it is determined that the employee may have used drugs and/or alcohol, employee should be advised to stay with you and that you are requiring them to take an FRA mandatory Reasonable Suspicion Drug and Alcohol test.
7. If employee is injured, see that medical attention is sought first, and then see if medical facility will allow Concorde to collect samples. If not, take Reasonable Cause Kit and have hospital collect urine sample, and breath sample if DOT breathalyzer is available.
8. Call Concorde, Inc.: at 1-800-662-6432 or 1-800-765-1222 during business hours or 1-800-759-7243, Pin # 840-5305, and advise that you need a collector to come to your site to conduct an FRA Reasonable Suspicion Drug and Alcohol Test.
9. If there are any difficulties contacting Concorde or Concorde cannot respond to the site within 2 hours, call Conrail Medical Department at 8-333-2440 during business hours or the Blue Room at ext. 1832 during non business hours. If necessary to use a medical facility, arrange to have urine sample collected and breath sample if DOT breathalyzer is available. Operating Rules Staff are also available to assist and can be reached by calling the Blue Room during non business hours.
10. Employee must be ordered to remain at a specified location until Concorde arrives, and must be advised that if the employee leaves, it will be considered the same as if employee refused a test, and that discipline up to and including dismissal will result. (FRA requires a minimum of 9 months withheld from Hours of Service work.)
11. When Concorde collector arrives, ensure that tests are conducted in a private location, where others cannot see or hear the testing activity.
12. Assist in ensuring that employee is cooperative and fills out necessary paper work. If employee refuses to sign paper work, collector should document that fact on appropriate form.
13. If breath test is positive, or employee still appears to be under the influence of a controlled substance, see that employee is given written notice of suspected violation of Rule G and note that employee is being removed from service for their own and other employees' safety.  
NOTE: First time positives will be handled under Conrail Medical Policy and Rule G discipline will be waived if the employee successfully completes the program.
14. See that employee is supplied transportation to the employee's home. **DO NOT** let the employee drive their own vehicle. Tell them that if they try to operate a motor vehicle, you will notify Conrail and local police.
15. Notify crew dispatcher that employee has been removed from service.
16. Document the behavior and physical appearance of employee that were used in making the determination to test.

# CONRAIL POLICY FOR OPTIONAL TESTING FOR CAUSE AUTHORIZED BY FRA

After a decision is made to test under FRA authority, **BREATH AND URINE SAMPLES MUST BE TAKEN** within 8 hours of management's first knowledge of incident, from certain Hours of Service employees under any of the circumstances listed below.

## 1. ACCIDENT/INCIDENTS

When an employee is involved in an FRA reportable accident or incident and a supervisor has reasonable suspicion that an employee's acts or omissions contributed to the occurrence or severity of the accident or incident.

## 2. RULE VIOLATIONS

When an employee is directly involved in any of the following rules violations.

- A. Occupying a segment of track without authority.
- B. Passing a Stop Signal without authority.
- C. Passing a Stop and Proceed Signal without stopping.
- D. Crossing a railroad crossing at grade without authority.
- E. Failing to provide protection (against trains on adjacent tracks) for a train in emergency in multiple track territory.
- F. Operating a train at a speed that exceeds maximum authorized speed by at least 10 MPH, or by 50% when maximum authorized speed is less than 20 MPH.
- G. Opening a main track switch without permission of Train Dispatcher or Operator.
- H. Operating a switch under a train.
- I. Running through a switch improperly lined.
- J. Failing to apply or stop short of a derail as required.
- K. Failing to secure a hand brake or failure to secure sufficient hand brakes, when required.
- L. Issuing a Movement Permit Form D or establishing a route that fails to provide proper protection for a train.

## DEFINITIONS

**Train Accident**-A passenger, freight, or work train accident, including a switch movement, involving a collision, derailment, fire, explosion, act of God or other event involving the operation of on-track equipment that results in damages to railroad property greater than the current reporting threshold (\$6,300).

**Train Incident**-An event involving the movement of railroad on-track equipment that results in a casualty but in which railroad property damage does not exceed the current reporting threshold (\$6,300).

**Railroad Property Damage**-Damage to railroad on-track equipment, signals, track, structures and roadbed, including labor costs and other costs for repair or replacement in kind.

## SAMPLES

A Conrail Supervisor will supply a reasonable cause test kit to the Concorde collector conducting the test or to the medical facility performing the test.

Employees giving samples may be advised as to where their samples are to be tested.

