

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2359

2001 SENATE INDUSTRY, BUSINESS AND LABOR
SB 2359

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2359

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date January 29, 2001

Tape Number	Side A	Side B	Meter #
1		x	31.6 to end
2	x		0 to 18.5
(Jan. 30/01) 2	x		53.5 to end
2		x	0 to 6.6
(March 28/01) 1	x		3.6 to 6.9
Committee Clerk Signature <i>Doris Pérez</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on SB 2359 to provide counseling services and leave for railroad crew members following an accident SEN. LARRY ROBINSON, District 24, sponsor. Recounted accident in Valley City in 1999, states there is a need to address the traumatic feelings and experiences suffered by engineers. There is a need for counseling and leave.

SENATOR ESPEGARD: There is no counseling now?

S ROBINSON: Not universal, not structured. There is a safety bill for the general public.

DON HUFF, ND Brotherhood of Locomotive Engineers, supports this bill. Recounted accident he had in 1999. To get counseling took one week and there was no time off.

SENATOR ESPEGARD: Nobody contacted you in one week?

D HUFF: Road managers and masters were there right after the accident.

SENATOR TOLLEFSON: Was this delay a singular instance or is this the general practice?

D HUFF: It varies. Counseling should be available within 48 hours.

MIKE MUSCHA, BLE ND State Legislative Board. Written testimony attached in favor of this bill.

RONALD HUFF: Recounted accident experience, urges do pass vote on this bill.

BRIAN J. SWEENEY, Legislative Counsel, Burlington Northern Santa Fe. Opposes mandated counseling, it's needless, inconsistent and potentially damaging. Written testimony attached, including copies of critical incident peer support program. What we already have in place is better. There is peer referral, counseling, peer group members contact employees. Employee assistance plan provides counseling and, if needed, referral to a professional counselor.

Employees insurance covers most services. We provide time-off if needed, sometimes to get back immediately after the accident is best. It is not good policy to mandate same treatment for all, it should be done on a case by case basis.

THOMAS KELSCH, Canadian Pacific Railroad, against this bill. Distributed copy of Critical Incident Response Program-Policy. This problem has to be addressed on a case by case basis, depending on the individuals and circumstances involved.

Hearing closed.

Jan. 30/01. Tape 2-A-53.5 to end; 2-B- 0 to 6.8.

Committee reconvened. All members present. Discussion held.

SENATOR EVERY: Canadian Pacific Policy not satisfactory, leaves too much to the discretion of the employer and is non specific. Burlington Northern's has more teeth, but both leave it to the discretion of the company to change the policy.

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Senate Industry, Business and Labor Committee

Bill/Resolution Number SB 2359

Hearing Date January 29, 2001

SENATOR ESPEGARD: It is not up to us to mandate policy on things such as days off, that's up to the company.

SENATOR MUTCH: The number of days off seems arbitrary.

SENATOR TOLLEFSON: Assessment time seems to be the key, but it shouldn't be put in the law.

SENATOR KREBSBACH: Time off should be decided on a case by case basis. Mr. Sweeney said that in 28 states have attempted similar legislation which has not passed.

SENATOR KLEIN: Move do not pass. **SENATOR ESPEGARD:** Second.

Roll call votes: 5 yes; 2 no . **Carrier:** **SENATOR MUTCH.**

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Senate Industry, Business and Labor Committee

Bill/Resolution Number SB 2359

Hearing Date January 29, 2001

March 28/01. Tape 1-A- 3.6 to 6.6 Committee reconvened. All members present. Committee studied and discussed House amendments.

Senator Espegard: All the House did is require a written policy, and that copies of it be given to all employees.

Senator Every: Motion: concur with House amendments. **Senator Espegard:** Second.

Roll call vote: 6 yes; 1 no. Motion carried. Floor assignment: **Senator Mutch.**

Date: 1/30/01

Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2359

Senate **Senate Industry, Business and Labor**

Committee

Subcommittee on

or

Conference Committee

Legislative Council Amendment Number

Action Taken

Do not pass

Motion Made By

Seconded

By

8 Klein

S Ep

[illegible]**Total**

(Yes)

No

2

Absent

D

Floor Assignment

Samford Mutch

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 31, 2001 8:03 a.m.

Module No: SR-17-1971
Carrier: Mutch
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

**SB 2359: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends
DO NOT PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2359 was
placed on the Eleventh order on the calendar.**

Date: 3/28/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2359

Senate Industry, Business and Labor

Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do concur

Motion Made By Sen Evers Seconded By Sen Borge

[illegible]

Total (Yes) 6 No 1

Absent

Floor Assignment Low Mutch

If the vote is on an amendment, briefly indicate intent:

C

O

N

T

NEXT FIGURE

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2359

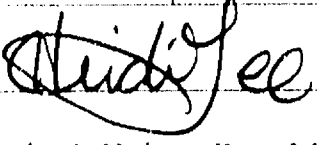
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2359

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date March 7, 2001

Tape Number	Side A	Side B	Meter #
2	X		16,9
		X	-59,7
Committee Clerk Signature 			

Minutes: Chairman R. Berg, Vice-Chair G. Keiser, Rep. M. Ekstrom, Rep. R. Froelich, Rep. G. Froseth, Rep. R. Jensen, Rep. N. Johnson, Rep. J. Kasper, Rep. M. Klein, Rep. Koppang, Rep. D. Lemieux, Rep. B. Pietsch, Rep. D. Ruby, Rep. D. Severson, Rep. E. Thorpe.

Rep Roxanne Jensen: Sponsor of bill as a safety issue to railroad employees.

Sen. Larry Robinson: Cosponsor of bill. This is a very concerning ordeal. We need to be assured that the engineer is in stable condition and thinking clearly before returning to work. This is a vehicle to improve a very serious problem.

Rep Ruby: What about putting this in codes of companies dealing in trucking and other industries?

Sen. Robinson: This is an uncontrollable situation unlike car or others.

Rep Severson: Did you look at current CSD team's?

Page 2

House Industry, Business and Labor Committee

Bill/Resolution Number SB 2359

Hearing Date March 7, 2001

Sen. Robinson: Yes and it is not working effectively.

Rep. RaeAnn Kelsch: (27.4) Cosponsor of bill to protect engineers. This is not something that happens in their job everyday and it is a very traumatic situation. The current solution is not working because it's not dealt with immediately.

Don W. Pfaff: *Engineer* I support this bill after being in a fatality. After calling EAP I wasn't called back for four days after the accident. It is too difficult to return with out time off to think.

Rep. Kasper: Are you a member of a union?

Pfaff: Yes I am.

Mike Muscha: (37.6) *Brotherhood of Locomotive Engineers* Supplied statistics, CP policy and
Written testimony.

Rep. Froseth: Is the use of reflective stripes still in practice?

Muscha: Yes, new cars have to come equipped.

Rep. Ruby: Could this be placed in the contract with the union?

Muscha: We have mergers that prevent effective action.

Ron Huff: (52.3) *Brotherhood BN* isn't getting their policy known to their engineers.

Tom Kelsch: *CP Railway* Opposed to bill. **Provided the Critical Incident Response Procedure.**

Mike Kirkenberg: *EAP administrator* Mandating this would not make this better. It should be part of the employers job to help the employee and include them in the decision process. Everyone has different needs when involved in a traumatic incident. I try to respect the employee but I call them within twenty-four hours.

Rep Lemieux: Do you know the general effects of a train accident?

Kirkenberg: I have some general knowledge but no direct effect of a train accident.

Rep Lemieux: Do the employees have the discretion to get out and stop?

Kirkenberg: Some lines give the employee the option. I don't know of any that don't have that option.

Rep Kasper: It doesn't say in this code that the employee has a voice.

Kirkenberg: They speak through me and I speak to the employer. I always offer counseling but I never force it.

Rep Severson: (11.1) Do you have a policy for delayed reaction?

Kirkenberg: I am always available for contact.

Rep Jensen: Can you work with the engineers to change the language?

Kirkenberg: I am open to that but I'm not in the position to be able to do that.

Dan Kuntz: *Burlington Northern Railway* Opposed with **written testimony**.

Rep Jensen: How do you propose to solve the problem?

Kuntz: The supervisors know the way it works.

Dan Zink: (31.3) *RRFWR* There are three small railway companies in ND and we don't support this because it treats all incidents and individuals the same. We would never jeopardize our crew by forcing employees back when they are unfit to do a good job.

Rep Thorpe: How do you have these types of situations?

Zink: In each of our incidents, each member of our crew had at least one day off and a group counseling session. We handle each person on an individual basis.

Mike Muescha: Work cycles prevent effective procedures. The process sounds good but it ultimately isn't realistic.

Ron Huff: *BNSF* This is just a minimum policy guideline.

Rep Lemieux: Would some react better with out a period of time off?

Huff: In order to be evaluated you do need the time off and you need time to react. Some think they can go back but later realize the effects.

Rep Ekstrom: What do the airlines do?

Huff: I'm unsure but police and fireman go through counseling.

Chairman Berg: We'll close the hearing on SB 2359.

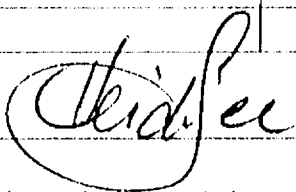
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2359(B)

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date March 14, 2001

Tape Number	Side A	Side B	Meter #
2	X		0-14.8
Committee Clerk Signature 			

Minutes: Chairman R. Berg, Vice-Chair G. Keiser, Rep. M. Ekstrom, Rep. R. Froelich, Rep. G. Froseth, Rep. R. Jensen, Rep. N. Johnson, Rep. J. Kasper, Rep. M. Klein, Rep. Koppang, Rep. D. Lemieux, Rep. B. Pietsch, Rep. D. Ruby, Rep. D. Severson, Rep. E. Thorpe.

Rep. Severson: Explained the bill.

Rep. Jensen: Provided amendments. Moved the amendments.

Rep. Kasper: Second.

Vice-Chairman Keiser: These amendments are a big improvement on the bill.

Rep. M. Klein: Are both parties in agreement?

Chairman Berg: They agreed to disagree.

Rep. Jensen: The engineers provided the amendments, the companies wouldn't support the amendments, and they would only support requiring a policy and nothing more.

Rep. Lemieux: "Upon the request of any crew member" is the critical wording here.

Rep. Severson: I don't think it's appropriate because the crew member doesn't often know what they want. A third party affiliate is a better choice. Only one railroad line doesn't have a specific policy and I don't feel it's right to mandate communication between employees and employers.

Rep. Jensen: I withdraw my motion.

Vice-Chairman Keiser: I believe we should have the two parties come to an agreement.

Rep. Kasper: I second.

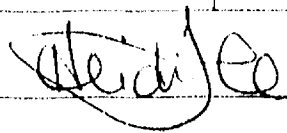
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2359(B)

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date March 19, 2001

Tape Number	Side A	Side B	Meter #
I	X		5,5-32.8
Committee Clerk Signature 			

Minutes: Chairman R. Berg, Vice-Chair G. Keiser, Rep M. Ekstrom, Rep R. Froelich, Rep G.

Froseth, Rep R. Jensen, Rep N. Johnson, Rep J. Kasper, Rep M. Klein, Rep Koppang,

Rep D. Lemieux, Rep B. Pietsch, Rep D. Ruby, Rep D. Severson, Rep E. Thorpe.

Rep Severson: Provided amendments .0103 & .0102 and explained.

Rep Jensen: I prefer .0102.

Rep Ruby: Why the expiration date?

Rep Severson: To allow an opportunity to revisit and to see if the problems have been solved.

Rep Ekstrom: How do railroads feel about sharing?

Rep Severson: They don't have a problem with that. My problem is that we are trying to mandate communication.

Rep Jensen: The problem with the policy is the enforcement.

Chairman Berg: Do we have to say annually?

Rep Jensen: No, just as long as they get it.

Page 2

House Industry, Business and Labor Committee

Bill/Resolution Number SB 2121(B)

Hearing Date March 19, 2001

Rep Severson: I would agree to add "provide the employees" to .0103.

Rep Ruby: I agree with that also.

Vice-Chairman Keiser: I move to adopt .0103 as it is.

Rep Severson: I second.

Rep Lemieux: I move to amend .0103 to add in "and provide a copy to each employee".

Rep Ekstrom: I second.

Vice-Chairman Keiser: I move to add an expiration date to the amendment.

Rep Piesteh: I second.

Rep Severson: I move a do pass as amended.

Rep Ekstrom: I second.

13 yea, 1 nay, 1 absent

Carrier Rep Severson

PROPOSED AMENDMENTS TO SENATE BILL NO. 2359

Page 1, line 8, replace "The corporation" with "Following a grade crossing accident or exposure to any other traumatic accident that results in loss of life to anyone, the railroad corporation shall relieve each crew member of the member's duties and transport each crew member involved in the accident or exposure to the member's residence by a means other than a train. To afford a crew member time for the necessary critical incident stress debriefing or counseling, the railroad corporation, upon the request of any crew member involved in the accident or exposure, shall grant the crew member a leave of up to three days with compensation and applicable benefits.

2. Upon employment, each railroad corporation shall provide a copy of the corporation's critical incident stress debriefing policy to each employee. At least annually, the corporation shall review the policy with the employee during the employee's annual performance review or at some other convenient time."

Page 1, remove lines 9 through 22

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2359

Page 1, line 1, replace "counseling services and leave for railroad crew members following" with "for a critical incident stress debriefing policy; and to provide an expiration date"

Page 1, remove line 2

Page 1, line 4, replace "**Railroad accident - Counseling**" with "**Critical incident stress debriefing policy**"

Page 1, line 5, replace "1. A" with "Each" and replace "provide counseling services or other" with "develop a"

Page 1, line 6, replace "services to every member of an operating crew involved in an" with "policy. The railroad corporation shall provide a copy of the policy to each employee. At least annually, the corporation shall review the policy with the employee during the employee's annual performance review or at some other convenient time."

SECTION 2. EXPIRATION DATE. This Act is effective through July 31, 2003, and after that date is ineffective."

Page 1, remove lines 7 through 22

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2359

Page 1, line 1, replace "counseling services and leave for railroad crew members following" with "for a critical incident stress debriefing policy."

Page 1, remove line 2

Page 1, line 4, replace "**Railroad accident - Counseling**" with "**Critical incident stress debriefing policy**"

Page 1, line 5, replace "1. A" with "Each" and replace "provide counseling services or other" with "develop a written"

Page 1, line 6, replace "services to every member of an operating crew involved in an" with "policy."

Page 1, remove lines 7 through 22

Re-number accordingly

Date: 3-19-01
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2354

House Industry, Business and Labor Committee

Legislative Council Amendment Number _____

Action Taken Amend. to amendment 10738.0103

Motion Made By Lemieux Seconded By Eklstrom

[illegible]

Total (Yes) _____ No _____

Absent _____

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3-19-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2359

House Industry, Business and Labor Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Severson Seconded By Ekstorm

Representatives	Yes	No	Representatives	Yes	No
Chairman- Rick Berg	✓		Rep. Jim Kasper	✓	
Vice-Chairman George Keiser	✓		Rep. Matthew M. Klein	✓	
Rep. Mary Ekstorm	✓		Rep. Myron Koppang		✓
Rep. Rod Froelich			Rep. Doug Lemieux	✓	
Rep. Glen Froseth	✓		Rep. Bill Pietsch	✓	
Rep. Roxanne Jensen	✓		Rep. Dan Ruby	✓	
Rep. Nancy Johnson	✓		Rep. Dale C. Severson	✓	
			Rep. Elwood Thorpe	✓	

Total (Yes) 13 No 1

Absent 1

Floor Assignment Rep Severson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2359: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2359 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "counseling services and leave for railroad crew members following" with "for a critical incident stress debriefing policy; and to provide an expiration date."

Page 1, remove line 2

Page 1, line 4, replace "Railroad accident - Counseling" with "Critical incident stress debriefing policy"

Page 1, line 5, replace "1. A" with "Each" and replace "provide counseling services or other" with "develop a written"

Page 1, line 6, replace "services to every member of an operating crew involved in an" with "policy and shall provide a copy of the policy to each employee."

SECTION 2. EXPIRATION DATE. This Act is effective through July 31, 2003, and after that date is ineffective."

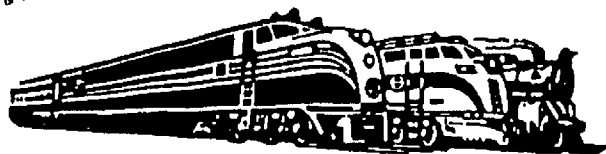
Page 1, remove lines 7 through 22

Renumber accordingly

2001 TESTIMONY

SB 2359

Brotherhood of Locomotive Engineers



Division 671

January 29, 2001

Enderlin, North Dakota 58027

Re: Senate Bill 2359

Mr. Chairman, Members of the Industry, Business, and Labor Committee,

My name is Mike Muscha. On behalf of the Brotherhood of Locomotive Engineers North Dakota State Legislative Board, I want to thank you for this opportunity to appear before this committee. I'm here in support of Senate Bill 2359 and I am asking for your help in passing this Bill.

SB 2359 is important and needed safety legislation. It will protect rail passengers and the general public residing in communities along our rail lines by ensuring that both freight trains and passenger trains in North Dakota are operated by alert and competent Locomotive Engineers and Conductors, free from any impairment caused by trauma of being involved in a fatal accident or other critical incident. It will also protect the crewmembers involved in such an accident by providing necessary counseling or critical incident stress debriefing (CISD) within 48 hours of the incident.

You may hear somebody testify today about a certain Railroads Critical Stress policy. A few of the railroads have good policies in force, but they are just policies. When railroads are bought and sold, management changes, as well as policies. A policy that sets guidelines to help us after a critical incident may not be there when we need it. A few years ago we had two railroads in the state, today we have five. SB 2359 would set standards for all railroads to follow.

+ Amtrak

Mr. Chairman, members of the committee, it's hard to explain the horror that an Engineer or Conductor experiences when faced with a helpless situation of striking a human being, whether that person is walking or in a vehicle at a grade crossing. Senator Klein, I certainly hope the woman we hit at Fessenden a few years ago was not one of your family members. Do you know that there were two other victims that day? Engineer Niedringhaus and Conductor Johanneson are two personal friends of mine and they were operating that train. Conductor Johanneson had to walk back and try to help that person and lend assistance to the Emergency Response Team. About one year later Conductor Johanneson and I were on a train at Wyndmere that struck and killed a person, who was sleeping or incapacitated in his vehicle, which was parked on the track. I had all I could do to get Mr. Johanneson to walk back to the crash site, as it's the conductor's responsibility to inspect the train and assist Emergency Response Teams. We were asked if we were ok and could we continue. We did it the old way, we just got back on the horse and rode. Members of the committee, if any one of you struck a person with your car on the way to the capital today, would you want to continue working? Would you

@ Johanneson

like the option of not continuing to operate and go home? I believe the answer would be yes.

The men and women that I represent in the state of North Dakota that operate trains through our state are asking for the same consideration when they are involved in a serious accident involving a fatality or serious bodily injury. These people are responsible for operating high speed passenger and freight trains and should be able to protect themselves and the public in the event that they are traumatized as a result of such a serious accident. This is why we are asking you to vote favorably upon SB 2359.

Thank you for your consideration,

Sincerely,

Mike Muscha

Mike Muscha

Chairman BLE North Dakota State Legislative Board

*There are Good Policies around the State -
CN - BN talking about Merging
Need Consistency in Law*

IL

POST -ACCIDENT COUNSELING

Legislation mandating post-accident counseling services for train crews, while well-intentioned, is needless, would deal with post-accident trauma improperly, is inconsistent with itself, and is potentially damaging to the employees it seeks to help.

Legislation Is Not Needed:

The railroad industry has recognized that involvement in a grade crossing accident can be a traumatic event for railroad employees. In recent years, railroads have implemented programs to provide post-accident counseling services for employees. Every Class I railroad in the country and most of the regional and short-line carriers have such programs in place already. The programs typically call for having a professional counselor meet with the employee as soon as possible after the accident and arrange for follow-up sessions as the employee needs them. Railroads generally pay for the first few sessions directly. If more are required, that cost is covered by the employee's insurance program.

We are unaware of any other private sector industry that provides such services to its employees on this scale. The legislation would mandate this service in the only industry that already provides it. It would make more sense to require it of the trucking industry, whose drivers are involved in accidents and airlines, whose pilots are involved in near-misses.

Legislation Would Deal With Problem Improperly:

Counseling legislation typically requires that the service be made available, that a diagnosis be given to determine if the employee suffers from post-traumatic stress and that the employee be allowed to take some time off of work with pay following the accident. If the railroad determines the employee is at fault in the accident, the time off would be without pay. Further, upon returning to work, the engineer can require that a back-up engineer be on the train in case the engineer finds himself unable to cope with the stress.

Almost every one of those provisions is improper, according to professionals who designed the counseling programs in place on America's railroads. Some are potentially harmful to the employee.

First, post-traumatic stress cannot be diagnosed immediately after an accident. It often takes weeks or months to manifest itself. That is why it's called *POST*-traumatic.

Second, professionals believe that in most cases the best therapy includes having the employee return to work, not stay away. If the counselor who meets with the employee after the accident determines the employee should not return to duty, then those arrangements are made.

Third, the legislation requires the railroad to make a quick determination of blame for the

accident when the engineer is just starting to deal with the trauma of the accident. This would be understandably hard on the engineer.

Fourth, if the engineer cannot return to duty without a backup engineer, he is not ready to return to service -- period. It would be unsafe to have a person operating a train in such a state of mind. Counselors sometimes have engineers who have been in accidents make some trips as backup engineers before returning to full duty. But it would be inappropriate to have a person that unstable actually operating the train.

The Legislation Is Inconsistent With Itself:

The legislation mandates that a professional counselor work with the individual, but then turns all decisions over to the individual. Why even have a counselor if the employee is given sole control over major elements of the course of therapy?

The Legislation Is Potentially Harmful to the Employee:

This legislation appears to assume that all people react the same way to accidents. It tries to impose a standard form of therapy and, where there is any discretion, gives full control to the person who needs assistance and may have judgment problems. As noted, it removes the counselor's judgment in such things as returning to work. A wrong decision there could make the situation worse, not better, for the employee. It calls for counselors to immediately make diagnoses that cannot be made for some time. It creates an unneeded state of tension and animosity between the employee and railroad when blame must be determined immediately.

BNSF



BRIAN J. SWEENEY
Legislative Counsel
Executive Director - Government Affairs

Burlington Northern Santa Fe

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St. Paul, MN 55101
651-298-2458
651-298-7352 Fax

DAKOTA DIVISION**BNSF****CRITICAL INCIDENT
PEER SUPPORT PROGRAM****STATEMENT OF GOALS AND OBJECTIVES****Goals**

To provide support and assistance to fellow employees and family members involved in critical incidents.

To assist fellow employees and family members in a healthy and steady recovery from trauma.

OBJECTIVES

Contact fellow employees and family members after grade crossing or other serious incidents and provide a brief explanation of the Peer Support Program.

Provide employees an opportunity to discuss their critical incident / trauma stress experience.

Offer information about potential critical incident stress to employees and family members.

Refer employees / family members to the Employee Assistance Services if further assistance is requested.

QUALIFICATIONS

A volunteer with an interest in assisting others through difficult situations.

Ability to communicate effectively with fellow employees and family members.

Have experience and training concerning the recovery process associated with traumatic events.

BURLINGTON NORTHERN SANTA FE

DAKOTA DIVISION

PEER SUPPORT TEAM CRITICAL INCIDENTS TRAUMA



The Peer Support Program has been developed for employees and family members affected by an incident leading to loss of life, serious injury or emotional trauma. Peer Support Team members can provide educational and emotional support to victims and referrals to EAP Managers for further assistance if needed.

It is the Dakota Division Peer Support Team's goal to provide emotional support and assist employees and their family members in recovery from trauma. One of the best support systems for an employee involved in a traumatic incident consists of co-workers. These co-workers, along with spouses, are trained volunteers who have had similar experiences and can offer confidential support and information to help employees and their families cope with the aftermath of a critical incident.

After a traumatic event, everyone experiences symptoms in their own way. These symptoms may include shock, anger, grief, guilt and anxiety. Employees involved in serious incidents sometimes experience feelings of loss, grief and a sense of responsibility for causing the incident they witnessed. These feelings may adversely affect their ability to work.

It is beneficial to the Dakota Division employees to have an established procedure to assist employees involved in serious incidents resulting in injury or loss of life. All employees, from all crafts, that are directly exposed to traumatic incidents will be relieved of their duties and given the opportunity to communicate with a Peer Support Team member. The Dakota Division will provide it's employees with these benefits under the stated guidelines without any loss of compensated wages.

1. In the event of a grade crossing incident or exposure to any other traumatic incident, that results in loss of life to either an employee or civilian, the entire crew involved will be relieved of their duties and transported to their home (residence) via a means other than a train. **NO EXCEPTIONS!**
2. In the event of a grade crossing incident or exposure to any other traumatic incident, resulting in serious injury, the entire crew involved will be given an option: A. to be relieved of their duties and transported to their home (residence) via a means other than a train. B. continue their tour of duty.
3. If a crew elects to continue their tour of duty after being involved in an incident described in the above #2 situations, at a minimum, the supervisor responding to the incident will conduct a debriefing to interview / evaluate the crew members present state to determine that they are capable to continue their tour of duty. The crew will be relieved of their duties and transported to their home (residence) via a means other than a train, if necessary, as determined by the responding supervisor.

Implementation of the Peer Support Program enables us to contact and treat employees as soon as possible after a critical incident. With the assistance of the Dakota Division Peer Support Team, we hope to ensure our employees become survivors rather than victims of critical incidents.

BURLINGTON NORTHERN SANTA FE

DAKOTA DIVISION

BNSF

PEER SUPPORT PROGRAM PROTOCOL

To activate the Dakota Division Peer Support Team, the following will be implemented.

1. When grade crossings accidents or other serious incidents occur, the Dispatcher's office is immediately notified.
2. The Dispatcher's office will then contact the local supervisor on duty overseeing that territory.
3. The local supervisor will contact a Peer Support Team member to inform him or her of the situation.
4. The Peer Support Team member will make contact with the employee as soon as possible after the incident to offer assistance, support and encouragement.
5. Any contact that the Peer Support Team member has with an employee will be confidential. The Employee Assistance Counselor will be available to the team member as a consultant to provide on going support and feedback.
6. Employees who are not experiencing problems in functioning as a result of the incident will continue to work as normally assigned.
7. Employees who are experiencing difficulties or if the Peer Support Team member is concerned about an employee, he or she will be encouraged to contact the Employee Assistance Counselor.
8. The Employee Assistance Counselor will arrange for counseling, either while the employee continues to work his or her normal duties, or while in the Medical Management Program.
9. Follow-up will be provided by both, the Peer Support Team member and the Employee Assistance Counselor.

It is hoped that such services will be needed on few occasions. However, such incidents can be devastating to the employee. Professional counseling services can facilitate the acceptance of loss and allow levels of employees to resume their duties and family responsibilities.

BURLINGTON NORTHERN SANTA FE

Tom Kelsoch
Handout

From: Darrell Ward/war0006/CPR@CPR on 01/12/2001 16:23 EST
To: John Bergene/ber0021/CPR@CPR
cc:
Subject: PRIVATE MESSAGE: U.S. CRITICAL INCIDENT RESPONSE PROGRAM - POLICY
KEYWORDS: FINAL-2/08/2000

Subject		Department-	
CANADIAN PACIFIC RAILWAY		Safety & Regulatory Affairs	
U.S. CRITICAL INCIDENT RESPONSE		U.S. Casualty Management	
PROGRAM(CIRP) - POLICY		EFF. 2-1-00	Number
Initiator	Approved	Revised	
B.R. Toole,	E.V. Dodge,		
Director Casualty	Executive Vice President		
Management			

1.0 INTRODUCTION

- 1.1 Canadian Pacific Railway regards employee safety as a priority and fully recognizes the individual needs of employees exposed to traumatic events, that can lead to long term difficulties. Consequently, Canadian Pacific Railway has developed this Critical Incident Response Program (CIRP) adapted for its U.S. operations, which is designed to offer timely assistance to individuals in these situations.
- 1.2 The Company's U.S. Employee Assistance Program will administer the Critical Incident Response Program.
- 1.3 For purposes of this document only, the terms "traumatic event" and "critical incident" will be used interchangeably.
- 1.4 Formal critical incident stress debriefing is a psychological and educational process that utilizes specially trained mental-health professionals in order to mitigate the impact of a critical incident and accelerate the return of personnel to routine functions after the incident.
- 1.5 This intervention is designed to accelerate normal recovery processes in normal people who are experiencing normal reactions to abnormal circumstances, and to identify those individuals who may seem to be exhibiting more than the expected and normal responses to trauma.
- 1.6 Post-traumatic stress disorder (PTSD) is the development of characteristic symptoms following a psychologically distressing and traumatic event in which the person has experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others, in which the person's response involved intense fear, helplessness or horror. The stressors producing this syndrome would be markedly distressing to almost anyone. PTSD is a clinical diagnosis characterized by:

- | | | |
|----|---------------------------------|---|
| A. | A Traumatic event | T |
| B. | Persistently Re-experienced | R |
| C. | Persistent Avoidance | A |
| D. | Symptoms of Arousal | U |
| E. | Duration of more than one Month | M |
| F. | Anxiety distress or impairment | A |

1.7 The symptoms of PTSD may be physical, cognitive, emotional or behavioral in nature; if no support or intervention is available following the development of PTSD, from 25 - 30% of the persons involved may experience some long term difficulties. The diagnosis is not made if the disturbance lasts less than a month.

2.0 TRAUMATIC EVENT - DEFINITION AND HUMAN RESPONSE

2.1 A traumatic event is defined as one in which a person(s) has experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others.

2.2 A traumatic event, many times called a critical incident, can induce sufficient emotional impact to cause a person to experience unusually strong reactions which have the potential to interfere with his or her ability to function either at the time of the incident, or later. However, what is a traumatic event for one person may not be for another. It depends on one's perception of vulnerability and the amount of control the person has, or had, over the situation. Such incidents could include:

- A. serious accidents, fatalities or dramatic events in the workplace (e.g. explosion or suicide);
- B. catastrophes (e.g. plane or train crash);
- C. criminal acts (e.g. hold-up and hostage-taking);
- D. tragedies (e.g. massacre);
- E. natural disasters (e.g. earthquake);
- F. traumatic railway accidents, including level crossing accidents, derailments, etc.

2.3 This type of event is generally perceived by everyone as a high stress factor as a result of the threat it poses, the violence it involves, the emotional impact, as well as the psychological distress it generates.

2.4 There is a full range of human responses to traumatic events, especially those of a single, sudden, and short-lived event. While it is a basic human response to trauma to have a heightened arousal (increased pulse, hyperventilation), sleep disruption, and repetitive thoughts and imagery in one's mind for a few days following a traumatic event, such responses do not constitute a psychiatric disorder and are rarely disabling. A very small percentage of individuals involved in traumatic events develop ongoing symptomatic responses to such events.

- 2.5 Although one might expect that the nature and severity of the traumatic event might predict the nature and severity of the post-traumatic responses, such is not usually the case. The symptomatic responses to traumatic situations are more dependent upon an individual's life history, vulnerability, and overall health status.

3.0 USUAL REACTIONS FOLLOWING A TRAUMATIC EVENT

- 3.1 In the hours following the event, the employee may have various physical, cognitive (mental function), emotional and behavioral reactions. In general, the state gradually diminishes over the following days to possibly weeks, and in a small percentage of cases can take longer.
- 3.2 Every individual responds differently to a given incident, therefore, there are no "good" or "bad" reactions, even the absence of a reaction may indicate possible psychological distress.

4.0 POTENTIAL REACTIONS FOLLOWING A TRAUMATIC EVENT

- 4.1 Physical/Behavioral Reactions: Restlessness, nausea, tremors, shaking, fatigue, eating problems, tenseness, sleep disruption, dizziness, headaches, increased blood pressure, sexual problems, nightmares or flashbacks.
- 4.2 Emotional/Social Reactions: Anxiety, anger or feelings of rage, difficulty concentrating, reliving the incident, guilt, feeling lost or abandoned, memory problems, avoiding reminders of the situation, sadness, depression, feeling numb, moodiness or irritability, withdrawing from family or friends.
- 4.3 Symptoms of Traumatic Stress: The first symptoms may appear in the minutes following the event and may include emotional shock and feelings of helplessness and isolation combined with feelings of inadequacy and insecurity. Most people who are dealing with traumatic stress feel angry, frustrated, helpless, worried and anxious. They also may have negative, agitated and uncertain feelings about how to cope with the situation.

5.0 PURPOSE OF POST-TRAUMA INTERVENTION

- 5.1 It must be noted there are two types of post-trauma intervention: group intervention and individual intervention.
- 5.2 In both cases, the purpose is to help employees by allowing them to express their distress and by educating them on the possible impacts of traumatic events, thereby enabling them to master the situation.

6.0 TYPES OF POST-TRAUMA INTERVENTIONS

- 6.1 Post-trauma Interventions -- may be utilized at the discretion of the EAP depending upon the severity of a critical incident.

Interventions include defusing, formal debriefing, follow up services and individual consultations.

- 6.2 Defusing -- is a mini debriefing for a small work group conducted away from the scene shortly after the incident which lasts no more than 30-40 minutes. During this time, information and advice on stress, normal reactions and coping is provided by the mental health professional. It is also a time for personnel to begin processing the event and involved employees should be allowed to talk as much, or as little as, needed. A defusing may eliminate the need for a formal debriefing.
- 6.3 Formal debriefing -- is ideally conducted within 24-72 hours of the incident. It is a psychological and educational process to assist employees by allowing them to express their reactions in a safe environment and educating them on the impact of traumatic events, thereby enabling them to reduce symptoms and accelerate their process to return to normal functioning. It provides peer support and a place for reality orienting. It is not considered therapy and is strictly confidential and voluntary. A formal debriefing usually takes one to three hours to complete.
- 6.4 Follow up services -- are conducted in the weeks or months following an incident, as a group or individually as necessary. It may include an informal debriefing session, phone or personal follow up, all to minimize delayed stress symptoms.
- 6.5 Individual consultations -- include one to one counseling for concerns related to the incident conducted by a mental health professional. Individual sessions may take place after a formal debriefing, if necessary, or in lieu of a formal debriefing if only one or two persons are involved in the incident.

7.0 ADVANTAGES OF POST-TRAUMA INTERVENTION

- 7.1 There are several advantages to post-traumatic intervention, both for the individual and the Company. For the individual, intervention allows them to gain peer support and begin the healing process effectively while minimizing the risks of long term physical and emotional effects which can interfere with one's home and work life.
- 7.2 Early intervention benefits the Company by preventing future accidents, reducing unnecessary absenteeism, decreasing the number of medical and mental health claims, reducing litigation, increasing employee loyalty and trust as well as increasing morale.
- 7.3 Employees and/or their supervisors should be encouraged to contact the Employee Assistance Program at 1-800-777-0618 for questions or to schedule any post trauma intervention after critical incidents.

8.0 CRITICAL INCIDENT RESPONSE PROCEDURES (MANAGER'S ROLE)

- 8.1 When a traumatic incident occurs involving serious bodily injury, serious assault (or threats thereof), horrific events, or fatalities, the Employee Assistance Program Administrator

(EAP) is to be immediately contacted by either the responding manager, the dispatching office, or the involved employees.

- 8.2 The Employee Assistance Program can be contacted at 1-800-777-0618; if voice mail is activated, press "0" and stay on the line. EAP services are available 24 hours/day, 7 days/week for crisis situations.
- 8.3 Managers in charge at the scene of a traumatic event will ensure that an initial personal contact is made with involved employees to begin the de-briefing process. As much as practicable, involved employees should be removed from immediate area of the event.
- 8.4 Managers at the scene will not try to be counselors, but will use simple good judgement to assess the obvious emotional responses of employees involved. They will have one-on-one discussions with each employee, and/or a general group discussion, depending on their assessment of the situation, to help and allow employees to express their distress and to begin the process of educating them on the possible impact of such traumatic events. They will also explain the next steps of the Critical Incident Response Program and its benefits to involved employees.
- 8.5 On an individual basis the manager may make the decision to relieve the employees directly involved in a critical incident for the remainder of their tour of duty. Several rules of thumb are: to relieve the employee(s) if a co-worker fatality is involved; or, if the event is obviously horrific; or, if the obvious emotional condition of the employee so dictates; or if their continued service poses concern about continued safety of the operation.
- 8.6 Managers, in cooperation with the EAP, may allow employees to miss up to the next three consecutive days/shifts with pay, depending on individual employee assessments. Experts advise that while it might be helpful to some individuals in reducing post traumatic reactions to have a few days away from work, it can very well be the worst thing to do for many other individuals, for whom the best practice would be to immediately return to a regular work schedule and normal duties. Time away from work will not be mandatory, and will require EAP approval and medical substantiation when requested.
- 8.7 On a case-by-case basis, additional time off, compensation, and medical treatment will be determined by Health Services under the direction of the Chief Medical Officer and in conjunction with the EAP.
- 9.0 CRITICAL INCIDENT RESPONSE PROCEDURES (EAP'S ROLE)
- 9.1 The EAP will collect information regarding the details of the event such as description of the incident, names of the employees involved, etc.
- 9.2 Based on the information collected and the situation, a plan will be established which may include scheduling a defusing and/or formal debriefing session or individual sessions

depending on assessment of the need by the EAP.

- 9.3 The appropriate intervention will be facilitated or coordinated by the EAP within 24-72 hours of the event. The EAP will arrange for and begin the processes of intervention including Defusing, Formal De-Briefing, Individual Consultations, and Follow-up Services, as deemed necessary. Immediate intervention, Defusing, and Formal De-Briefing will be paid for by the company. Although referrals will be provided by the EAP, individual counseling services and follow-up services will be the responsibility of the employee and/or as provided by their insurance.
- 9.4 The EAP will perform immediate outreach. The outreach will entail initiating direct contact with the employees involved, offering professional counseling assistance and explaining the short and long term potential effects of exposure to such incidents. An explanation of the Critical Incident Response Program will be provided and employees will be encouraged to participate immediately, and/or as needed in the future.
- 9.5 Debriefings will generally include only those employees who were directly involved in the critical incident. Although participation is strongly encouraged, it is voluntary and strictly confidential. Formal De-Briefings will be conducted in a private, secure environment which is free of interruptions. Usually this will be done at off-site locations such as motel/hotel conference rooms, provider facilities, or company facilities nearby, but remote from the scene if practicable.
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- 9.8 Follow up with individuals either individually or in a group format will be provided as necessary.

10.0 CONTACT INFORMATION

- 10.1 For further information on the U.S. Critical Incident Response Program, contact the Employee Assistance Program at 1-800-777-0618.

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- 11.1 The administration and interpretation of this policy is the responsibility of the Director Casualty Management.

From: Darrell Ward/war0008/CPR@CPR on 01/12/2001 16:23 EST
 To: John Bergene/ber0021/CPR@CPR
 cc:
 Subject: PRIVATE MESSAGE: U.S. CRITICAL INCIDENT RESPONSE PROGRAM - POLICY
 KEYWORDS: FINAL-2/09/2000

Subject		Department-	
CANADIAN PACIFIC RAILWAY		Safety & Regulatory Affairs	
U.S. CRITICAL INCIDENT RESPONSE		U.S. Casualty Management	
PROGRAM(CIRP) - POLICY		EFF. 2-1-00	Number
Initiator	Approved	Revised	
B.R. Toole,	E.V. Dodge,		
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11.0 POLICY ADMINISTRATION AND INTERPRETATION

- 11.1 The administration and interpretation of this policy is the responsibility of the Director Casualty Management.

**TESTIMONY OF BURLINGTON NORTHERN SANTA FE RAILWAY
SB 2359**

► **SB 2359 IS UNNECESSARY**

BNSF opposes SB 2359 because, although it may be well-intentioned, the Legislation is unnecessary and in some cases counter-productive.

BNSF recognizes the potential traumatic effect that grade crossing accidents can cause to train crew members. As a result, BNSF and other railroads have implemented programs to provide post-accident counseling for employees. Every Class I railroad and most of the regional and short-line railroads have such programs in place. The programs typically provide for a counselor to meet with the employee as soon as possible after the accident and arrange for follow-up sessions as necessary.

Attached to this testimony is a written policy adopted by BNSF's Dakota Division which is typical of the policy used by BNSF on its system. The key elements of this policy are:

- In the event of an accident involving a fatality, the entire crew is relieved of its duties and transported to their homes by means other than a train. If the accident involves a serious injury but not a fatality, the crew is given the option to continue its tour of duty or to be relieved of its duties and be transported home by another means.
- A peer support program has also been established in North Dakota by which fellow employees with experience and training concerning the recovery process associated with traumatic events are available to provide educational and emotional support to other employees experiencing traumatic stress. The employee may also be encouraged to contact an Employee Assistance Program (EAP) counselor. BNSF also has trauma counselors available for its employees that may be experiencing traumatic stress.

BNSF is unaware of any other industry that provides this level of support to its employees in dealing with instances of traumatic stress. SB 2359 would mandate a counseling program on the one industry that already provides this service for its employees. If this Legislation is good for the railroad industry, it should also be good for all public and private employees who might experience traumatic stress such as truck drivers or other motor vehicle operators, law enforcement personnel such as highway patrol and police officers,

and emergency personnel such as fire fighters and ambulance attendants. BNSF believes the railroad industry should not be singled out for this type of mandate when its industry has already implemented programs to address the problem.

► **SB 2359 TREATS ALL SITUATIONS THE SAME**

SB 2359 attempts to create a "one size fits all" solution to instances of post-traumatic stress. A proper counseling program recognizes that accident situations and an employee's reactions to those situations must be dealt with on a case-by-case basis. SB 2359 attempts to deal with a complicated issue by imposing a single solution for every situation by providing debriefing and then three day's paid leave regardless of the circumstances. The Committee will undoubtedly hear testimony of accident situations that had a traumatic effect on one or more crew members. On the other hand, accidents occur which have virtually no traumatic effect on the crew. For example, an accident occurred about three years ago on BNSF's line when an automobile hit a moving train at a point about one mile behind the engine. Although this was a serious accident, the crew members were unaware that an accident had even occurred until after they arrived at their destination a couple of hundred miles from the accident. SB 2359 would mandate the same procedure in dealing with this situation as it would for the situation where employees are seriously traumatized as a result of an accident.

► **SB 2359 DEALS WITH THE SITUATION IMPROPERLY**

SB 2359 has four primary provisions. It provides that: (1) counseling services be made available; (2) the employee be given three days off duty following the accident; (3) the railroad can withhold pay during the off duty days if it determines the employee was at fault in the accident; and (4) an engineer can request a back-up engineer after the engineer returns to work. The last three of these provisions are not an appropriate response to deal with post-traumatic stress in all instances.

There is no rationale to support a requirement that every member of the operating crew involved in an accident be relieved from duty for three days. There is no evidence that relieving an employee from duty will reduce the impact of traumatic stress. To the contrary, professionals believe that in many cases the best therapy includes having the employee return to work and a normal schedule -- not stay away. If a counselor who meets with an employee after an accident determines the employee should not return to duty, then those arrangements can be made as well as the length of time the employee should be relieved of duty. For some employees, relief from duty may be appropriate. For others, however, off duty time may actually be detrimental to the employee's dealing with the accident. Selecting an arbitrary three days as a mandatory time away from work may make the employee's return to work worse or impede the employee's therapy in dealing with the

stress. For those employees, the Bill is mandating the wrong type of therapy. [See attached letter from Dr. Jon C. Crook]

SB 2359 also requires the railroad to make a quick determination of blame for the accident when the crew is just starting to deal with the trauma of the accident. In most cases, this is not the proper time to be assessing blame. Requiring the railroad to make this determination, could create legal implications regardless of whether the railroad does or does not ultimately assess any blame on its crew members.

The Bill also allows an engineer to request an assistant to accompany the engineer after he/she returns to work. If the engineer cannot return to duty without a back-up engineer, they are not ready to return to service. BNSF does not want an employee at the controls of a train if the crew member is unable to return to work without a back-up engineer. Counselors sometimes have engineers who have been in accidents to take trips as back-up engineers before returning to full duty, however, it would be inappropriate to have an engineer operate a train before he/she is actually ready to do so. BNSF has a tremendous investment in its crews and equipment and would not jeopardize the safety of its crews, its equipment, or the public by having the equipment operated by an engineer that was not fully capable of doing so.

• **SB 2359 WOULD NOT SOLVE THE ANECDOTAL SITUATIONS**

Testimony in support of SB 2359 before the Senate IB&L Committee described an incident in which a young engineer, although not involved in the accident, nonetheless observed a fatality while his train was waiting on a siding adjacent to where the accident occurred. While the young engineer may have been affected by this accident, SB 2359 would not have applied to his situation because he was not involved in the accident. More importantly, the incident demonstrates one of the problems with SB 2359. Although the young engineer may have experienced traumatic stress from witnessing the fatality, his situation would be similar to that of a passing motorist or a co-worker of the fatality who might have observed the accident. Although current railroad policies would provide counseling services to the engineer, no such counseling would be available to the motorist or fellow co-worker. Moreover, while the engineer would have the opportunity to be immediately relieved from duty or would be assisted in his duties by another crew member, SB 2359 would not provide counseling to the passing motorist or the fellow employee nor relieve them from their employment or operation of their vehicle.

▶ **OTHER STATES HAVE REJECTED SIMILAR LEGISLATION**

A number of states within BNSF's operating territory including Minnesota and Wisconsin have introduced Legislation similar to SB 2359 in recent years. In each of those states, the Legislation has been defeated.

▶ **CONCLUSION**

The railroad industry, perhaps more than any other industry, has recognized the effect of traumatic stress and implemented programs to provide counseling service to its employees. Those programs are correctly designed to have the flexibility to deal with each situation and each employee individually. In contrast, SB 2359 assumes that all people react the same way to accidents and attempts to impose a single method for dealing with every accident and every employee without any assurance the remedy is correctly dealing with the trauma. BNSF believes that counseling and treatment of traumatic stress is an issue that must be appropriately dealt with by the employee and employer and should not be legislated.

DAKOTA DIVISION**BNSF****CRITICAL INCIDENT
PEER SUPPORT PROGRAM****STATEMENT OF GOALS AND OBJECTIVES****Goals**

To provide support and assistance to fellow employees and family members involved in critical incidents.

To assist fellow employees and family members in a healthy and steady recovery from trauma.

OBJECTIVES

Contact fellow employees and family members after grade crossing or other serious incidents and provide a brief explanation of the Peer Support Program.

Provide employees an opportunity to discuss their critical incident / trauma stress experience.

Offer information about potential critical incident stress to employees and family members.

Refer employees / family members to the Employee Assistance Services if further assistance is requested.

QUALIFICATIONS

A volunteer with an interest in assisting others through difficult situations.

Ability to communicate effectively with fellow employees and family members.

Have experience and training concerning the recovery process associated with traumatic events.

BURLINGTON NORTHERN SANTA FE

DAKOTA DIVISION

BNSF


PEER SUPPORT TEAM CRITICAL INCIDENTS TRAUMA

The Peer Support Program has been developed for employees and family members affected by an incident leading to loss of life, serious injury or emotional trauma. Peer Support Team members can provide educational and emotional support to victims and referrals to EAP Managers for further assistance if needed.

It is the Dakota Division Peer Support Team's goal to provide emotional support and assist employees and their family members in recovery from trauma. One of the best support systems for an employee involved in a traumatic incident consists of co-workers. These co-workers, along with spouses, are trained volunteers who have had similar experiences and can offer confidential support and information to help employees and their families cope with the aftermath of a critical incident.

After a traumatic event, everyone experiences symptoms in their own way. These symptoms may include shock, anger, grief, guilt and anxiety. Employees involved in serious incidents sometimes experience feelings of loss, grief and a sense of responsibility for causing the incident they witnessed. These feelings may adversely affect their ability to work.

It is beneficial to the Dakota Division employees to have an established procedure to assist employees involved in serious incidents resulting in injury or loss of life. All employees, from all crafts, that are directly exposed to traumatic incidents will be relieved of their duties and given the opportunity to communicate with a Peer Support Team member. The Dakota Division will provide its employees with these benefits under the stated guidelines without any loss of compensated wages.

1. In the event of a grade crossing incident or exposure to any other traumatic incident, that results in loss of life to either an employee or civilian, the entire crew involved will be relieved of their duties and transported to their home (residence) via a means other than a train. **NO EXCEPTIONS!**
2. In the event of a grade crossing incident or exposure to any other traumatic incident, resulting in serious injury, the entire crew involved will be given an option: A. to be relieved of their duties and transported to their home (residence) via a means other than a train. B. continue their tour of duty.
3. If a crew elects to continue their tour of duty after being involved in an incident described in the above #2 situations, at a minimum, the supervisor responding to the incident will conduct a debriefing to interview / evaluate the crew members present state to determine that they are capable to continue their tour of duty. The crew will be relieved of their duties and transported to their home (residence) via a means other than a train, if necessary, as determined by the responding supervisor.

Implementation of the Peer Support Program enables us to contact and treat employees as soon as possible after a critical incident. With the assistance of the Dakota Division Peer Support Team, we hope to ensure our employees become survivors rather than victims of critical incidents.

BURLINGTON NORTHERN SANTA FE

DAKOTA DIVISION

BNSF

PEER SUPPORT PROGRAM PROTOCOL

To activate the Dakota Division Peer Support Team, the following will be implemented.

1. When grade crossings accidents or other serious incidents occur, the Dispatcher's office is immediately notified.
2. The Dispatcher's office will then contact the local supervisor on duty overseeing that territory.
3. The local supervisor will contact a Peer Support Team member to inform him or her of the situation.
4. The Peer Support Team member will make contact with the employee as soon as possible after the incident to offer assistance, support and encouragement.
5. Any contact that the Peer Support Team member has with an employee will be confidential. The Employee Assistance Counselor will be available to the team member as a consultant to provide on going support and feedback.
6. Employees who are not experiencing problems in functioning as a result of the incident will continue to work as normally assigned.
7. Employees who are experiencing difficulties or if the Peer Support Team member is concerned about an employee, he or she will be encouraged to contact the Employee Assistance Counselor.
8. The Employee Assistance Counselor will arrange for counseling, either while the employee continues to work his or her normal duties, or while in the Medical Management Program.
9. Follow-up will be provided by both, the Peer Support Team member and the Employee Assistance Counselor.

It is hoped that such services will be needed on few occasions. However, such incidents can be devastating to the employee. Professional counseling services can facilitate the acceptance of loss and allow levels of employees to resume their duties and family responsibilities.

BURLINGTON NORTHERN SANTA FE

CORPHEALTH

March 6, 2001

The North Dakota State Legislature
State Capitol
600 East Boulevard Ave.
Bismarck, ND 58505-0360

Dear Members of the Legislature:

I am writing in opposition to S.B. 2359, which deals with post-accident counseling for railroad employees. The bill, while well-intended, is potentially harmful to the employees it tries to help.

First, I wish to note that the Burlington Northern and Santa Fe Railway already provides the counseling services mandated in the bill. In fact, we not only provide counseling, we also have established a support network of employees who have experienced traumatic events and have been trained to provide support to their coworkers. Through our Employee Assistance Program, employees who are in major accidents are contacted by one of these coworkers, interviewed by an EAP counselor and referred to a local professional counselor. The counseling fees are covered through the employee's insurance, and the company picks up the co-payment for the first four visits.

The bill creates problems in dealing with these situations by mandating that employees be given time off of work following an accident. In some cases, that is necessary and those arrangements can be made by the employee with his or her counselor and supervisor. However, an extended time off of work can often be the absolute worst thing for the employee. Our experience shows that in many cases it is best for the employee to return to work promptly in order to avoid the self-blame, depression and self-destructive behavior that often follows such an accident. This bill would remove one of the most critical decisions from the employee and the professional counselor and mandate a course of treatment that could have disastrous consequences for the employee.

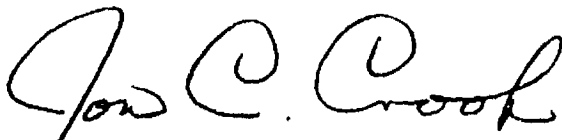
Further, the bill calls for the use of a backup engineer when the individual returns to duty. Our policy is that while we may sometimes have the individual work as a backup engineer as part of his or her recovery, we do not want them to actually work as an engineer until they are ready to handle the job. The safety of the general public and our employees are too important to risk by a system such as that proposed in this bill.

CORPHEALTH, INC.

1300 SUMMIT AVENUE • SUITE 600 • FORT WORTH, TEXAS 76102 • (817) 332-2519 • FAX (817) 835-9100

I applaud the legislature for exploring this subject. The trauma of being in an accident can severely affect our employees. Some are never able to return to work after this type of experience. However, I must regretfully urge the legislature to not pass this bill, because it is not in the best interests of our employees.

Sincerely,

A handwritten signature in cursive script that reads "Jon C. Crook". The signature is written in dark ink and is positioned above the printed name and title.

Jon C. Crook, Ph.D.
Clinical Director
BNSF Employee Assistance Program

Brotherhood of Locomotive Engineers North Dakota State Legislative Board

MICHAEL R. MUSCHA — CHAIRMAN - DIV. 671-500

R.R. 1, BOX 57

ENDERLIN, ND 58027

PHONE: 701-437-3338



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March 7, 2001

Re: Senate Bill 2359

Mr. Chairman, Members of the Industry, Business, and Labor Committee,

My name is Mike Muscha. On behalf of the Brotherhood of Locomotive Engineers North Dakota State Legislative Board, I want to thank you for this opportunity to appear before this committee. I'm here in support of Senate Bill 2359.

SB 2359 is important and needed safety legislation. It will protect rail passengers and the general public residing in communities along our rail lines by ensuring that both freight trains and passenger trains in North Dakota are operated by alert and competent Locomotive Engineers and Conductors, free from any impairment caused by trauma of being involved in a fatal accident or other critical incident. It will also protect the crewmembers involved in such an accident by providing necessary counseling or critical incident stress debriefing (CISD) within 48 hours of the incident.

You may hear somebody testify today about a certain Railroads Critical Stress policy. A few of the railroads have good policies in force, but they are just policies. When railroads are bought and sold, management changes, as well as policies. A policy that sets guidelines to help us after a critical incident may not be there when we need it. A few years ago we had two railroads in the state, today we have five. SB 2359 would set standards for all railroads to follow.

Mr. Chairman, members of the committee, it's hard to explain the horror that an Engineer or Conductor experiences when faced with a helpless situation of striking a human being, whether that person is walking or in a vehicle at a grade crossing. I certainly hope the woman we hit at Fessenden, the man at Sheldon, the man at Wyndmere, or the semi driver at Fingal were not family members of this committee. Do you know that there were other victims on those days? Engineer Niedringhaus and Conductor Johanneson are two personal friends of mine and they were operating the train in Fessenden. Conductor Johanneson had to walk back and try to help that person and lend assistance to the Emergency Response Team. About one year later Conductor Johanneson and I were on a train at Wyndmere that struck and killed a person, who was sleeping or incapacitated in his vehicle, which was parked on the track. I had all I could do to get Mr. Johanneson to walk back to the crash site, as it's the Conductor's responsibility to inspect the train and assist Emergency Response Teams. We were asked if we were ok and could we continue. We did it the old way, we just got back on the horse and rode. We cannot continue to do this. We must get some time to get over the incident and get back into our work rest cycle. We should not be asked to continue our tour of duty, with this on

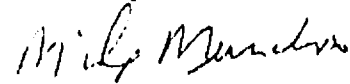
our minds. We are many times handling dangerous commodities and operating through the cities across North Dakota at high speeds. We must be rested and have a clear mind to do our job safely.

Members of the committee, if any one of you struck a person with your car on the way to the capital today, would you want to continue working? Would you like the option of not continuing to work that day and go home? I believe the answer would be yes.

The men and women that I represent in the state of North Dakota that operate trains through our state are asking for the same consideration when they are involved in a serious accident involving a fatality or serious bodily injury. These people are responsible for operating high speed passenger and freight trains and should be able to protect themselves and the public in the event that they are traumatized as a result of such a serious accident. This is why we are asking you to vote favorably upon SB 2359. If there are any questions, I will answer them if I can.

Thank you for your consideration,

Sincerely,



Mike Muscha

Chairman BLE North Dakota State Legislative Board

NORTH DAKOTA GRADE CROSSING INCIDENT STATISTICS

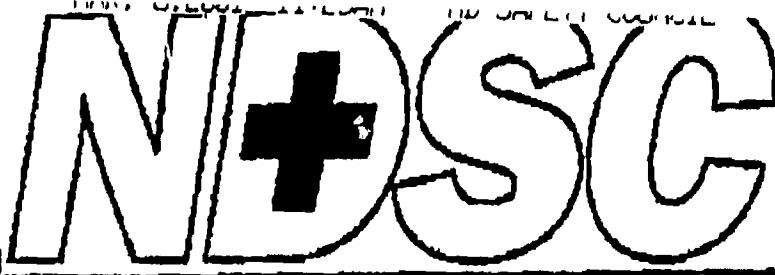
<u>DATE</u>	<u>Collisions</u>	<u>Fatalities</u>	<u>Injuries</u>
2000 (preliminary)	17	6	1
1999	17	1	3
1998	23	6	7
1997	21	1	7
1996	33	4	13
1995	38	7	18
1994	20	2	12
1993	36	7	16
1992	31	6	14

North Dakota Operation Lifesaver
Tammy Wagner
111 North 6th Street
Bismarck, ND 58501
(701) 223-6372 or 1-800-932-8890
Email: tammyw@ndsc.org

March 6, 2001

**OPERATION
LIFESAVER**





NORTH DAKOTA SAFETY COUNCIL

Bismarck, ND 58501
Telephone: 701-223-6372
FAX: 701-223-0087
In State Watts: 800-932-8890
e-mail ndsc@ndsc.org
www.ndsc.org

facsimile transmittal

TO: MIKE MUCHA
COMPANY: CP RAIL SYSTEM
FROM: Tammy Wagner, North Dakota Safety Council
FAX: 701-437-3338
DATE: March 6, 2001
TOTAL NUMBER OF PAGES INCLUDING COVER: 2

Mike,

Attached is North Dakota's highway-rail grade crossing preliminary statistics through December 2000.
This information only represents vehicle/train collisions.

My records indicate that North Dakota experienced two trespassing fatalities and one person was injured while trespassing on railroad property during 2000.

Should you need further information, please contact me.

Subject		Department -	
CANADIAN PACIFIC RAILWAY		Safety & Regulatory Affairs	
U.S. CRITICAL INCIDENT RESPONSE		U.S. Casualty Management	
PROGRAM(CIRP) - POLICY		EFF. 2-1-00	Number
Initiator	Approved	Revised	
B.R. Toole,	E.V. Dodge,		
Director Casualty	Executive Vice President		
Management			

1.0 INTRODUCTION

- 1.1 Canadian Pacific Railway regards employee safety as a priority and fully recognizes the individual needs of employees exposed to traumatic events, that can lead to long term difficulties. Consequently, Canadian Pacific Railway has developed this Critical Incident Response Program (CIRP) adapted for its U.S. operations, which is designed to offer timely assistance to individuals in these situations.
- 1.2 The Company's U.S. Employee Assistance Program will administer the Critical Incident Response Program.
- 1.3 For purposes of this document only, the terms "traumatic event" and "critical incident" will be used interchangeably.
- 1.4 Formal critical incident stress debriefing is a psychological and educational process that utilizes specially trained mental-health professionals in order to mitigate the impact of a critical incident and accelerate the return of personnel to routine functions after the incident.
- 1.5 This intervention is designed to accelerate normal recovery processes in normal people who are experiencing normal reactions to abnormal circumstances, and to identify those individuals who may seem to be exhibiting more than the expected and normal responses to trauma.
- 1.6 Post-traumatic stress disorder (PTSD) is the development of characteristic symptoms following a psychologically distressing and traumatic event in which the person has experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others, in which the person's response involved intense fear, helplessness or horror. The stressors producing this syndrome would be markedly distressing to almost anyone. PTSD is a clinical diagnosis characterized by:
 - A. A Traumatic event T
 - B. Persistently Re-experienced R
 - C. Persistent Avoidance A
 - D. Symptoms of Arousal U
 - E. Duration of more than one Month M

F. Anxiety distress or impairment A

- 1.7 The symptoms of PTSD may be physical, cognitive, emotional or behavioral in nature; if no support or intervention is available following the development of PTSD, from 25 - 30% of the persons involved may experience some long term difficulties. The diagnosis is not made if the disturbance lasts less than a month.
- 2.0 TRAUMATIC EVENT - DEFINITION AND HUMAN RESPONSE
- 2.1 A traumatic event is defined as one in which a person(s) has experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others.
- 2.2 A traumatic event, many times called a critical incident, can induce sufficient emotional impact to cause a person to experience unusually strong reactions which have the potential to interfere with his or her ability to function either at the time of the incident, or later. However, what is a traumatic event for one person may not be for another. It depends on one's perception of vulnerability and the amount of control the person has, or had, over the situation. Such incidents could include:
 - A. serious accidents, fatalities or dramatic events in the workplace (e.g. explosion or suicide);
 - B. catastrophes (e.g. plane or train crash);
 - C. criminal acts (e.g. hold-up and hostage-taking);
 - D. tragedies (e.g. massacre);
 - E. natural disasters (e.g. earthquake);
 - F. traumatic railway accidents, including level crossing accidents, derailments, etc.
- 2.3 This type of event is generally perceived by everyone as a high stress factor as a result of the threat it poses, the violence it involves, the emotional impact, as well as the psychological distress it generates.
- 2.4 There is a full range of human responses to traumatic events, especially those of a single, sudden, and short-lived event. While it is a basic human response to trauma to have a heightened arousal (increased pulse, hyperventilation), sleep disruption, and repetitive thoughts and imagery in one's mind for a few days following a traumatic event, such responses do not constitute a psychiatric disorder and are rarely disabling. A very small percentage of individuals involved in traumatic events develop ongoing symptomatic responses to such events.
- 2.5 Although one might expect that the nature and severity of the

traumatic event might predict the nature and severity of the post-traumatic responses, such is not usually the case. The symptomatic responses to traumatic situations are more dependent upon an individual's life history, vulnerability, and overall health status.

3.0 USUAL REACTIONS FOLLOWING A TRAUMATIC EVENT

- 3.1 In the hours following the event, the employee may have various physical, cognitive (mental function), emotional and behavioral reactions. In general, the state gradually diminishes over the following days to possibly weeks, and in a small percentage of cases can take longer.
- 3.2 Every individual responds differently to a given incident, therefore, there are no "good" or "bad" reactions, even the absence of a reaction may indicate possible psychological distress.

4.0 POTENTIAL REACTIONS FOLLOWING A TRAUMATIC EVENT

- 4.1 Physical/Behavioral Reactions: Restlessness, nausea, tremors, shaking, fatigue, eating problems, tenseness, sleep disruption, dizziness, headaches, increased blood pressure, sexual problems, nightmares or flashbacks.
- 4.2 Emotional/Social Reactions: Anxiety, anger or feelings of rage, difficulty concentrating, reliving the incident, guilt, feeling lost or abandoned, memory problems, avoiding reminders of the situation, sadness, depression, feeling numb, moodiness or irritability, withdrawing from family or friends.
- 4.3 Symptoms of Traumatic Stress: The first symptoms may appear in the minutes following the event and may include emotional shock and feelings of helplessness and isolation combined with feelings of inadequacy and insecurity. Most people who are dealing with traumatic stress feel angry, frustrated, helpless, worried and anxious. They also may have negative, agitated and uncertain feelings about how to cope with the situation.

5.0 PURPOSE OF POST-TRAUMA INTERVENTION

- 5.1 It must be noted there are two types of post-trauma intervention: group intervention and individual intervention.
- 5.2 In both cases, the purpose is to help employees by allowing them to express their distress and by educating them on the possible impacts of traumatic events, thereby enabling them to master the situation.

6.0 TYPES OF POST-TRAUMA INTERVENTIONS

- 6.1 Post-trauma Interventions -- may be utilized at the discretion

of the EAP depending upon the severity of a critical incident. Interventions include defusing, formal debriefing, follow up services and individual consultations.

- 6.2 Defusing -- is a mini debriefing for a small work group conducted away from the scene shortly after the incident which lasts no more than 30-40 minutes. During this time, information and advice on stress, normal reactions and coping is provided by the mental health professional. It is also a time for personnel to begin processing the event and involved employees should be allowed to talk as much, or as little as, needed. A defusing may eliminate the need for a formal debriefing.
- 6.3 Formal debriefing -- is ideally conducted within 24-72 hours of the incident. It is a psychological and educational process to assist employees by allowing them to express their reactions in a safe environment and educating them on the impact of traumatic events, thereby enabling them to reduce symptoms and accelerate their process to return to normal functioning. It provides peer support and a place for reality orienting. It is not considered therapy and is strictly confidential and voluntary. A formal debriefing usually takes one to three hours to complete.
- 6.4 Follow up services -- are conducted in the weeks or months following an incident, as a group or individually as necessary. It may include an informal debriefing session, phone or personal follow up, all to minimize delayed stress symptoms.
- 6.5 Individual consultations -- include one to one counseling for concerns related to the incident conducted by a mental health professional. Individual sessions may take place after a formal debriefing, if necessary, or in lieu of a formal debriefing if only one or two persons are involved in the incident.

7.0 ADVANTAGES OF POST-TRAUMA INTERVENTION

- 7.1 There are several advantages to post-traumatic intervention, both for the individual and the Company. For the individual, intervention allows them to gain peer support and begin the healing process effectively while minimizing the risks of long term physical and emotional effects which can interfere with one's home and work life.
- 7.2 Early intervention benefits the Company by preventing future accidents, reducing unnecessary absenteeism, decreasing the number of medical and mental health claims, reducing litigation, increasing employee loyalty and trust as well as increasing morale.
- 7.3 Employees and/or their supervisors should be encouraged to contact the Employee Assistance Program at 1-800-777-0618 for questions or to schedule any post trauma intervention after critical incidents.

8.0 CRITICAL INCIDENT RESPONSE PROCEDURES (MANAGER'S ROLE)

- 8.1 When a traumatic incident occurs involving serious bodily injury, serious assault (or threats thereof), horrific events, or fatalities, the Employee Assistance Program Administrator (EAP) is to be immediately contacted by either the responding manager, the dispatching office, or the involved employees.
- 8.2 The Employee Assistance Program can be contacted at 1-800-777-0618; if voice mail is activated, press "0" and stay on the line. EAP services are available 24 hours/day, 7 days/week for crisis situations.
- 8.3 Managers in charge at the scene of a traumatic event will ensure that an initial personal contact is made with involved employees to begin the de-briefing process. As much as practicable, involved employees should be removed from immediate area of the event.
- 8.4 Managers at the scene will not try to be counselors, but will use simple good judgement to assess the obvious emotional responses of employees involved. They will have one-on-one discussions with each employee, and/or a general group discussion, depending on their assessment of the situation, to help and allow employees to express their distress and to begin the process of educating them on the possible impact of such traumatic events. They will also explain the next steps of the Critical Incident Response Program and its benefits to involved employees.
- 8.5 On an individual basis the manager may make the decision to relieve the employees directly involved in a critical incident for the remainder of their tour of duty. Several rules of thumb are: to relieve the employee(s) if a co-worker fatality is involved; or, if the event is obviously horrific; or, if the obvious emotional condition of the employee so dictates; or if their continued service poses concern about continued safety of the operation.
- 8.6 Managers, in cooperation with the EAP, may allow employees to miss up to the next three consecutive days/shifts with pay, depending on individual employee assessments. Experts advise that while it might be helpful to some individuals in reducing post traumatic reactions to have a few days away from work, it can very well be the worst thing to do for many other individuals, for whom the best practice would be to immediately return to a regular work schedule and normal duties. Time away from work will not be mandatory, and will require EAP approval and medical substantiation when requested.
- 8.7 On a case-by-case basis, additional time off, compensation, and medical treatment will be determined by Health Services under the direction of the Chief Medical Officer and in conjunction with the EAP.
- 9.0 CRITICAL INCIDENT RESPONSE PROCEDURES (EAP'S ROLE)

- 9.1 The EAP will collect information regarding the details of the event such as description of the incident, names of the employees involved, etc.
- 9.2 Based on the information collected and the situation, a plan will be established which may include scheduling a defusing and/or formal debriefing session or individual sessions depending on assessment of the need by the EAP.
- 9.3 The appropriate intervention will be facilitated or coordinated by the EAP within 24-72 hours of the event. The EAP will arrange for and begin the processes of intervention including Defusing, Formal De-Briefing, Individual Consultations, and Follow-up Services, as deemed necessary. Immediate intervention, Defusing, and Formal De-Briefing will be paid for by the company. Although referrals will be provided by the EAP, individual counseling services and follow-up services will be the responsibility of the employee and/or as provided by their insurance.
- 9.4 The EAP will perform immediate outreach. The outreach will entail initiating direct contact with the employees involved, offering professional counseling assistance and explaining the short and long term potential effects of exposure to such incidents. An explanation of the Critical Incident Response Program will be provided and employees will be encouraged to participate immediately, and/or as needed in the future.
- 9.5 Debriefings will generally include only those employees who were directly involved in the critical incident. Although participation is strongly encouraged, it is voluntary and strictly confidential. Formal De-Briefings will be conducted in a private, secure environment which is free of interruptions. Usually this will be done at off-site locations such as motel/hotel conference rooms, provider facilities, or company facilities nearby, but remote from the scene if practicable.
- 9.6 Arrangements will be made by the EAP to provide assistance for employees who request it even though they were not directly exposed, but had close relationships to those who were. Distribution of educational materials to any impacted non-employees will be at the discretion of the responding Company representative and the EAP.
- 9.7 Upon completion of the intervention(s), contact with the appropriate managers will be made by the EAP providing general updates and necessary information, while at the same time protecting the strictest confidentiality for individual employees.
- 9.8 Follow up with individuals either individually or in a group format will be provided as necessary.

10.0 CONTACT INFORMATION

- 10.1 For further information on the U.S. Critical Incident Response

Program, contact the Employee Assistance Program at
1-800-777-0618.

11.0 POLICY ADMINISTRATION AND INTERPRETATION

11.1 The administration and interpretation of this policy is the responsibility of the Director Casualty Management.

Critical Incident Response Procedure

Before there is need for incident response, I want to take the opportunity to go over the procedures should one occur in your area.

At the Scene

When a critical incident occurs, contact the Employee Assistance Program (EAP) administrator, Mike Kirkeberg, as soon as possible. The number for the EAP is 1-800-777-0618. If there is no answer at that number, call the 24 hour line at 1-800-824-9892. Someone there will contact Mike Kirkeberg, 24 hours a day/7 days a week.

If you are at the scene of a critical incident (CI), you should make the initial contact with the employee. See each employee involved, ask how they are doing, and observe how they are doing. If possible, get the involved employees away from the scene of the incident. You don't have to counsel the employee, but it will be important to make a general assessment of the emotional tone of the individual employee(s), and to leave a positive, encouraging impression. You can and should also begin the process of stress reduction by explaining the next steps of the Critical Incident Response Program. You can do this individually, with a small group, or if necessary, a large group. The key principle here is that whatever the employee(s) are experiencing, it is a normal reaction of a normal person to an abnormal event.

Be sure to have the phone number of the Employee Assistance Program available and provide it for each employee:

The phone number for the EAP is 1-800-777-0618, or 612-347-8482 in the Minneapolis/Saint Paul area. If it is outside of business hours, the employee can also contact the 24 hour line at 1-800-824-9892. Again, someone at that number will always know how to reach the EAP Administrator.

The employee's call to the EAP is not mandatory, but should be strongly suggested. Whether or not the employee calls, Mike Kirkeberg will check in with them in the following 24 hours, following their appropriate rest.

Relief from Service

At the scene, you may be considering whether the employee should be relieved from service for the remainder of the trip. Several basic rules of thumb to consider when making this decision are....

Has there been an co-worker fatality?

Is the event obviously horrific?

Does their emotional state dictate that they be relieved?

Does anything about the incident or the employee pose a threat to continued safety of all concerned?

Does the employee feel fit to continue?

The answers to these questions, the employee's input, and your own good judgement will determine whether or not the employee should be relieved.

Time Off

Some employees may need time off. The decision to grant up to three shifts/days with pay is made by the Administrator Employee Assistance Program in collaboration with the manager on the scene. This decision is made on a person by person basis. It may be appropriate for some employees to take time off. For others, it may be exactly the wrong thing to do. Employees will return to service automatically following time off granted (if any), unless further time off is deemed necessary by EAP.

If warranted, an employee may be withheld from service longer for safety or mental health considerations. This time off may be granted with approval from the EAP, in coordination with the Chief Medical Officer, Health Services, as well as consultation with the manager. In these rare occurrences, the EAP will notify management and keep them informed on a need to know basis.

If you have questions about this process, or other concerns, please contact the Employee Assistance Program directly at 1-800-777-0618.