

A "safety-sensitive function" means any of, but not limited to, the following duties:

- Operating a revenue service vehicle (including when not in revenue service).
- Operating a nonrevenue service vehicle when required to be operated by a holder of a commercial driver's license.
- Controlling dispatch or movement of a revenue service vehicle.
- Maintaining (including repair, overhaul, and rebuilding) a revenue service vehicle or equipment used in revenue service.
- Carrying a firearm for security purposes.
- Additional Safety-Sensitive functions may be found in the position description for a particular job.

Included in the foregoing are supervisors who in fact perform safety-sensitive functions. Supervisors of covered employees who themselves do not perform safety-sensitive functions are excluded.

All Authority positions and their duties have been reviewed. Attached to this policy as Appendix E is a list of the safety-sensitive position titles identifying the persons subject to drug and alcohol testing based on this review. Every employee of the Authority who performs a safety-sensitive function must participate in this program as a condition of employment.

2. Prohibited Behavior/Drugs

Pursuant to the FTA regulations, all persons covered by this policy are prohibited at all times from using any of the following five (5) substances: marijuana; cocaine; opioids; amphetamines (includes Methamphetamines, MDMA, MDA); and phencyclidine. DOT expanded its drug testing panel in January 2018 to include four (4) "semi-synthetic" opioid drugs: hydrocodone, hydromorphone, oxycodone and oxymorphone. Covered employees may be tested for drugs at any time while on duty. Pursuant to the FTA requirements, each employee covered by this policy will be required to submit to drug testing administered in accordance with any of the following circumstances as described in detail in each case in Section IV.B.1.a. through f. of this policy: pre-employment; post-accident; reasonable suspicion; random; and return to duty and follow-up.

Additionally, separate from any DOT and FTA requirements:

- All persons covered by this policy are prohibited from using any of the following five (5) additional substances: barbiturates; benzodiazepine metabolites; methadone; methaqualone; and propoxyphene.
- The illegal use or abuse of any controlled substances*, Schedules I-V by Authority employees at any time is prohibited.

- Reporting for work in an impaired condition due to the use of a legally prescribed controlled substance Schedules II-V is prohibited.
- An employee may not have a legally prescribed controlled substance Schedules II-V in his/her system from the time of reporting for work until the conclusion of the workday unless employee has successfully passed a Fit for Duty medication evaluation from the Authority's third party medical service provider and/or MRO.
- An employee shall not knowingly accept relief from or permit an employee to work who is under the influence of a controlled substance.
- The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance and/or testing adulterants and substituting contraband on Authority property by any person at any time also is prohibited.

* "Controlled substance" means any of those substances identified in Schedules I through V of 21 CFR 1308. The terms "drugs" and "controlled substances" are interchangeable and have the same meaning.

3. Prohibited Behavior/Alcohol

a. Alcohol Concentration

All persons covered by this policy are prohibited from reporting to duty or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No Authority supervisory person having actual knowledge that a covered employee has an alcohol concentration of 0.04 or greater shall permit the employee to perform or continue to perform safety-sensitive functions.

b. On Duty Use

All persons covered by this policy are prohibited from using alcohol while on CTA property and/or performing safety-sensitive functions. No Authority supervisory person having actual knowledge that a covered employee is using alcohol while on duty and/or performing safety-sensitive functions shall permit the employee to perform duties and/or continue to perform safety-sensitive functions.

c. Pre-Duty Use

(1) General

All persons covered by this policy are prohibited from using alcohol within four (4) hours prior to performing safety-sensitive functions. No Authority supervisory person having actual knowledge that a covered employee has used alcohol within four (4) hours of performing a safety-sensitive function shall permit the employee to perform or continue to perform safety-sensitive functions.

(2) Employees Required to Report for Call

Employees who are in the work book and required to report for call

are subject to the restrictions identified in subparagraphs IV.A.3.a, b, and c(1). Upon receiving a call to report to duty, the following shall apply:

(a) The safety-sensitive employee will be allowed to acknowledge the use of alcohol at the time he/she is called to report to duty and the inability to perform his/her safety-sensitive function.

(b) The safety-sensitive employee must take an alcohol test if the covered employee has acknowledged the use of alcohol but claims the ability to perform his/her safety-sensitive function.

d. Use Following An Accident

Any person required to take a post-accident alcohol test under this policy is prohibited from using alcohol for eight (8) hours following the accident or until he/she undergoes a post- accident test, whichever occurs first.

e. Other Alcohol Related Conduct

No Authority supervisory person shall permit a covered employee tested under the provisions of this policy who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 to perform or continue to perform safety-sensitive functions until:

- a. The employee's alcohol concentration measures less than 0.02; or
- b. The start of the employee's next regularly scheduled duty period, but not less than eight (8) hours following administration of the test.

B. Detection

All covered employees are required to submit to drug and alcohol tests conducted in compliance with 49 CFR Parts 40 and 655.

1. Circumstances for Testing

a. Pre-Employment

All applicants for employment in safety-sensitive positions or employees being transferred into safety-sensitive positions will be informed in writing of the need to pass a required drug test as a condition of employment. No applicant or employee will be hired or transferred into a position involving the performance of safety-sensitive functions until CTA has received a verified negative drug test result. If a drug/alcohol test is cancelled or has a negative-dilute result, the Authority shall require the applicant to submit to and pass another test.

When a safety-sensitive employee or applicant has previously failed or refused a DOT pre-employment drug and/or alcohol test, the employee must provide proof of having successfully completed a referral, evaluation and treatment plan meeting DOT requirements. Additionally, any employee who has not performed a

safety-sensitive function for ninety (90) consecutive calendar days regardless of the reason, and the employee has not been in the Authority's random selection pool for at least 90 days, shall be required to take a pre-employment drug test with a verified negative result. If a pre-employment drug test is cancelled, the Authority shall require the applicant or employee to submit to and pass another test. All costs associated with the testing of a split sample shall be borne by the applicant.

b. Reasonable Suspicion Testing

All safety-sensitive employees covered by this policy shall submit to drug and/or alcohol tests when the Authority has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Such requests will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. The Authority may direct a safety-sensitive employee to undergo reasonable suspicion testing for alcohol only while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions. A safety-sensitive employee may be directed to undergo reasonable suspicion testing for drugs at any time while on duty.

A supervisor(s) or other company official(s) who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations and complete a Condition of Employee Report, a sample of which is attached as Appendix B.

If an alcohol test is not administered within two hours following the determination to conduct a reasonable suspicion test a record stating the reasons the alcohol test was not promptly administered shall be prepared and maintained on file. If an alcohol test is not administered within eight hours following the determination to test, attempts to administer an alcohol test must cease and the record shall be updated with the reason for not administering the test.

c. Post-Accident

All safety-sensitive employees covered by this policy who are involved in an accident will be required to submit to a drug and alcohol test. An "accident" is defined under 49 CFR Part 655.4 as an occurrence associated with the operation of an Authority vehicle in which:

- An individual dies;
- An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident;
- The public transportation vehicle involved is a bus, van, or automobile in which one or more vehicles (including non- FTA funded vehicles) incurs disabling damage as a result of the occurrence and is transported away from the scene by a tow truck or other vehicle; or
- The public transportation vehicle involved is a railcar and is removed from

operation.

In the case of any accident involving a fatality, each surviving safety-sensitive employee operating the Authority vehicle at the time of the accident will be tested. Additionally, any other safety-sensitive employees whose performance could have contributed to the accident, as determined by the Authority using the best information available at the time of the accident, will be tested.

In the case of any accident not involving a fatality, each safety-sensitive employee operating the Authority vehicle at the time of the accident will be tested unless the Authority determines, using the best information available at the time of the decision, that the safety-sensitive employee's performance can be completely discounted as a contributing factor to the accident. Additionally, for all nonfatal accidents, any other safety-sensitive employees whose performance could have contributed to the accident, as determined by the Authority using the best information available at the time of the accident, will be tested.

Disabling damage means damage which prevented the departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, tail lights, turn signals, horn, or windshield wipers that makes them inoperative.

A decision not to administer a drug and alcohol test under this section, using the best available information at the time of the determination that the employee's performance could not have contributed to the accident, must be documented in detail, including the decision-making process used to reach the decision not to test.

Post-accident drug tests will be performed as soon as possible but no later than thirty-two (32) hours following the accident. Post-accident alcohol tests will be performed within two (2) hours but no later than eight (8) hours following the accident. If an alcohol test is not administered within two (2) hours following the accident, the Authority will prepare and maintain a record stating the reason(s) the test was not so administered. If an alcohol test still is not administered within eight (8) hours following the accident, all attempts to administer the test will cease.

If the Authority is not able to complete testing during this time frame, the Authority may utilize testing performed by Federal, State, or local officials to effectuate the purposes of this policy. The Authority will only utilize such testing when the testing conforms to the applicable Federal, State, or local testing requirements.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a safety-sensitive employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

An employee subject to post-accident testing who fails to remain available for such testing, including notifying the Authority of his/her location after leaving the scene of the accident, may be deemed to have refused to submit to testing.

d. Random

All safety-sensitive employees covered by this policy will be subject to FTA mandated random drug and alcohol testing. The random selection method will be a scientifically valid method, such as a random number table or a computer-based random number generator. Testing rates will meet or exceed the minimal annual percentage rate set each year by the DOT Administrator. The current year testing rates can be viewed on the Internet at <http://www.dot.gov/odapc/random-testing-rates>. The dates for administering unannounced testing of randomly-selected covered employees shall be spread reasonably throughout the calendar year including all days and hours during which safety-sensitive functions are performed, so as to ensure that all employees have a reasonable expectation that they might be called for a test on any day they are at work. Once the employee has been notified of selection for testing, the employee will be required to report immediately to the designated collection site.

Each employee selected for testing shall be tested during the selection period. A covered employee shall only be randomly tested for alcohol misuse just before, during, or after the performance of safety-sensitive functions by the employee. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Employees may only be excused from random testing if they are unavailable for the entire selection period. All selected employees who are available for testing within the selected period shall be tested.

e. Return to Duty

Any employee returning to a safety-sensitive position following a verified positive drug test result, an alcohol result of 0.04 or greater, or a refusal to submit to a test, will be required to be evaluated by a SAP, successfully complete a SAP recommended treatment and/or education program, and complete a return to duty test with a negative test result.

The employee must have a verified negative drug test result and/or alcohol test result of less than 0.02 to return to duty to perform a safety-sensitive function. If a drug test is cancelled, the employee will be subject to and required to pass another drug test.

In accordance with the federal regulations 49 CFR Part 40 Section 40.67, effective August 31, 2009, all return to duty drug testing will be conducted under direct observation.

f. Follow-Up

An employee who has returned to duty to perform a safety-sensitive function following a verified positive drug test result, an alcohol test of 0.04 or greater, or a refusal to submit to a test will be subject to unannounced follow-up testing for at least

twelve (12) months but not more than sixty (60) months. The frequency and duration of the follow-up testing will be determined by the SAP, but subject to the conducting of a minimum of six (6) tests during the first twelve (12) months after the employee has returned to duty. The SAP shall document the basis upon which a determination of follow-up testing in excess of both twelve (12) months and twenty four (24) months has been made.

In accordance with the federal regulations 49 CFR Part 40 Section 40.67, effective August 31, 2009, all follow-up testing will be conducted under direct observation.

Follow-up testing is separate from and in addition to the Authority's random testing program. Employees subject to follow-up testing also will remain in the standard random pool and will be tested whenever subject to random testing, even if as a result the employee is tested twice in the same month, week, or day.

The requirements of the SAP's follow-up plan "follow the employee" to subsequent employers or through breaks in service.

g. Non-FTA Testing

Separate from any FTA requirements, all applicants for employment in safety-sensitive positions or employees being transferred or reinstated into safety-sensitive positions will be required to submit to and pass a pre-employment drug and/or alcohol test administered as part of the pre-employment physical examination. If a pre-employment drug or alcohol test is cancelled, the Authority shall require the applicant to submit to and pass another test.

In addition from any FTA and DOT requirements, all Authority-mandated drug testing will be performed to detect for the presence of the following five (5) substances: barbiturates; benzodiazepine metabolites; methadone; methaqualone; and propoxyphene, in addition to the five (5) substances tested under the DOT testing regulations. Cutoff levels for the substances tested under the DOT testing regulations are those provided in 49 CFR Part 40.

Also separate from any FTA requirements, the Authority requires that all employees covered by this policy submit to a drug and alcohol test:

- i. In the event of an accident or any other incident involving a possible claim of injury or property damage not otherwise covered by the FTA regulations. At least one (1) non-bargaining unit employee shall complete a Condition of Employee Report.
- ii. Based upon a physician's objective medical judgment.
- iii. During a return to duty physical examination not otherwise covered by the FTA regulations for any employee performing or supervising an operating function.
- iv. To satisfy EAP requisites.

- v. When the Authority has reasonable suspicion to believe that a covered employee has used a prohibited drug and/or engaged in alcohol misuse when the employee is on Authority property or during the employee's tour of duty but is not otherwise covered by the FTA regulations.
- vi. If a drug/alcohol test is cancelled or has a negative-dilute result, the Authority shall require the employee to submit to and pass another test.

2. Conduct that Constitutes a Refusal to Submit to a Test

The following conduct will be regarded by the Authority as a refusal to submit to a drug and/or alcohol test:

- Failure to appear for any test (except a pre-employment test) within the time allotted by the Authority after being directed to do so by the Authority.
- Failure to remain at the testing site until the testing process is complete; provided that an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.
- Failure to provide a specimen; provided that an employee who does not provide a specimen because he/she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.
- Failure to provide a sufficient amount of urine, breath, and/or saliva (if the FTA approves the saliva process) and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- Failure to permit a directly observed or monitored collection when required per CFR 49 Part 40 Section 40.67.
- Failure or declining to take a second test the Authority or collector has directed the employee to take.
- Failure to undergo a medical examination or evaluation as required. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment.
- Failure to sign the certification at Step 2 of the Alcohol Testing Form.
- Failure to cooperate with any part of the testing process. (e.g. refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector).
- For an observed collection, failure to follow the observer's instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the employee has any type of prosthetic or

other device that could be used to interfere with the collection process.

- Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process.
- Admitting to the collector or MRO that the employee adulterated or substituted the specimen.
- An adulterated or substituted test result verified by an MRO.

V. METHODOLOGY

The Authority's testing program will conform to the standards established by the DOT in 49 CFR Part 40 as amended. All employees subject to testing under this policy will be given notice of the implementation of the policy. The Authority will make copies of 49 CFR Parts 40 and 655 readily available upon request of any employee subject to testing under this policy.

Separate from any FTA and DOT requirements, all Authority-mandated drug testing will be performed to detect for the presence of the following five (5) substances: barbiturates; benzodiazepine metabolites; methadone; methaqualone; and propoxyphene, in addition to the five substances tested under the DOT testing regulations. Cutoff levels for the substances tested under the DOT testing regulations are those provided in 49 CFR Part 40.

VI. ENFORCEMENT OF POLICY

A. Consequences of Verified Positive Drug Test, Refusal to Submit to a Drug Test, or Other Violation of the Policy

1. Applicants for Employment

An applicant for safety-sensitive employment covered under this policy who has a verified positive drug test result or refuses to submit to a drug test will be provided with a list of SAP's.

Additionally, separate from any FTA mandated requirements, any applicant for safety-sensitive employment covered under this policy who has a verified positive drug test result, refuses to submit to a drug test, or violates any other provision of this policy will be disqualified from consideration for employment with the Authority for a period of at least one (1) year from the date of testing.

2. Employees

Any safety-sensitive employee who has a verified positive drug test result or refuses to submit to a drug test will be removed immediately from performing any safety-sensitive function until or unless the employee successfully completes the return to duty process set forth in 49 CFR 40 Subpart O.

Additionally, separate from any FTA mandated requirements, any safety-sensitive employee covered under this policy who has a verified positive drug test result, refuses to submit to a drug test, or violates any other provision of this policy

will be subject to the provisions contained in Attachment H of the parties' collective bargaining agreement.

B. Consequences of Misuse of Alcohol, Refusal to Submit to an Alcohol Test, or Other Violation of the Policy

Any covered employee who has an alcohol concentration of 0.04 or greater or refuses to submit to an alcohol test, will be removed immediately from performing any safety-sensitive function, until or unless the employee successfully completes the return to duty process set forth in 49 CFR 40 Subpart O.

Additionally, separate from any FTA mandated requirements, any employee covered under this policy who has an alcohol concentration of 0.04 or greater, refuses to submit to a test, or violates any other provision of this policy will be subject to the provisions contained in Attachment H of the parties' collective bargaining agreement.

In the event of a positive alcohol test of 0.02 or greater but less than 0.04, the employee shall not be permitted to perform or to continue to perform safety-sensitive functions until:

- i. The employee's alcohol concentration measures less than 0.02; or
- ii. The start of the employee's next regularly scheduled duty period, but not less than eight (8) hours following administration of the test.

C. Union Involvement

Separate from any FTA or DOT requirement, if the Authority orders a union represented employee to submit to a drug and/or alcohol test:

- With respect to Sections IV.B.1.b, IV.B.1.c., and IV.B.1.g.i, and IV.B.1.g.iv, the Authority shall make a good faith effort to allow the union represented employee being ordered to submit to the test to have the opportunity to consult with a Union representative before submitting to the test, provided, however, that the failure of the Union representative to be present within thirty (30) minutes after notification to the Union in accordance with the procedure set forth below shall in no way affect the requirement of submission to the test if any of the conditions set forth in Sections IV.B.1.b, IV.B.1.c., IV.B.1.g.i, and IV.B.1.g.iv has been met.
- With respect to Section IV.B.1.g.ii, the Authority shall allow the union represented employee being ordered to submit to the test a reasonable opportunity to consult with a Union representative before submitting to the test unless the consultation would result in a delay in administering the test.

As regards the foregoing, the Authority shall notify the employee's union that one of its bargaining unit employees is being ordered to submit to testing as follows:

- Between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, the Authority shall call the employee's Union at the Union office.
- At all other times, the Authority shall call the Union at the telephone number of the

Board member at the specific location.

The Union reserves the right to change said notification telephone numbers upon fourteen (14) days advance written notice to Human Resources..

Notification to the Union is not necessary if a Union representative is present at the time the request is made, or if a situation exists which reasonably prevents the Authority from notifying the Union. In the event the Authority fails to notify the Union because it claims to have been reasonably prevented from doing so, the burden of showing such will be on the Authority.

The Authority shall, upon written permission of the employee, notify the Union of the results of any alcohol test within sixty (60) hours after the union represented employee has submitted to the test and/or within sixty (60) hours after the MRO has verified a positive drug test result with the employee; except that results of tests conducted pursuant to Section IV.B.1.g.iii shall be reported only where positive and results of tests pursuant to Section IV.B.1.g.iv shall be reported only where the employee has been found fit to work and the test results are positive. The Authority shall make available to the Union a copy of the testing result from the Medical Review Officer within twenty-four (24) hours after the report is received by the Authority upon written permission of the union represented employee.

Employees shall be reinstated to active status pending the result of any drug and alcohol test conducted pursuant to Sections IV.B.1.e. or IV.B.1.g.iii. If the test results show the presence of any controlled substance or alcohol, the employee shall be removed from service immediately and the Authority shall take further action consistent with the terms and provisions of this policy.

If the results of a drug test show the presence of any controlled substance, the employee shall have the right to request the split portion of the sample to be sent for testing to another DHHS-certified laboratory for analysis within seventy-two (72) hours of notification by the MRO to the employee of the positive test. All the costs associated with the storage of the split sample shall be borne by the Union.

D. Consequences of Negative Test for Union Represented Employees

Separate from any FTA or DOT requirements, if the analysis of the employee's urine, and/or breath specimen, and/or saliva (if FTA approves the saliva process) procured in connection with a drug or alcohol test conducted pursuant to Sections IV.B.1.b or IV.B.1.g establishes that the specimen is negative for the presence of controlled substances in conformity with 49 CFR Part 40 as amended, the employee shall be compensated for all time lost from work directly attributable to the order to take the test, provided there are no other rule violations which give rise to the order to take the test. Additionally, the employee shall be compensated at the rate of one and one-half (1 ½) times the employee's straight time hourly rate for all hours or portions thereof in excess of his/her scheduled work day that the employee is involved in activities directly attributable to the order to take the test. Further, if the order by the Authority to submit to the test has been made pursuant to Section IV.B.1.b above, and the analysis shows the employee is to be considered to have been unimpaired, the employee shall have the right to request a meeting to include the employee, a Union Representative, a member of the Human Resources Department, and the person who requested the employee to take the test. The Union shall notify the Authority in writing within fourteen (14) days after the results of the tests are available of the employee's request

for a meeting, and the meeting shall be scheduled at the convenience of the parties, but no later than fourteen (14) days after receipt by the Authority of the request, circumstances permitting. Whenever possible, the meeting will be scheduled during the employee's regular working hours, and the employee will be compensated at his/her regular rate of pay for any time lost. In the event the meeting cannot be scheduled during the employee's regular working hours, the employee shall be paid an amount equal to four (4) hours pay as compensation for the time spent at the meeting.

E. Dilute Specimen

Negative dilute results with a creatinine concentration equal to or greater than 2mg/dL, but less than or equal to 5mg/dL, will require an immediate recollection under direct observation. Negative dilute results of greater than 5mg/dL will require the employee to take another test immediately. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

VII. GRIEVANCE-ARBITRATION PROCEDURE FOR UNION REPRESENTED EMPLOYEES

Separate from any FTA or DOT requirement, any dispute concerning this policy shall be subject to the parties' grievance-arbitration procedures contained in their collective bargaining agreement.

VIII. APPLICABILITY OF POLICY TO AUTHORITY CONTRACTORS

All Authority contractor employees, and employees of third party contractors which operate transportation service for Authority contractors, who are engaged in the performance of safety-sensitive functions for the Authority are subject to the provisions of 49 CFR Parts 40 and 655, including the adoption of a drug and alcohol policy which complies with these regulations. Any contractor employee who violates these provisions will not be allowed to perform safety-sensitive functions in the Authority-funded service.

Contractors are required to ensure compliance with the applicable provisions of 49 CFR Parts 40 and 655 and must provide timely data to the Authority, as requested by the Authority, in order that the Authority may include such information in its mandated reports to the DOT and FTA. The Authority will make every reasonable effort to assist contractors in compliance, which may include offering Authority-obtained services for testing, MRO, and SAP reviews, and education and training, for the fee(s) charged to the Authority

IX. DRUG AND ALCOHOL TESTING SECTION OF THE COLLECTIVE BARGAINING AGREEMENT

This policy supersedes all prior Drug and Alcohol Policies. For Union Represented Employees, this policy supersedes all prior Drug and Alcohol Policies and shall be appended to the parties' collective bargaining agreement.

MEMORANDUM OF UNDERSTANDING

- (1) To the extent any inconsistencies arise between the Chicago Transit Authority Drug and Alcohol Policy and Testing Program for Safety-Sensitive Employees ("the Policy") and any federal, state, or local laws, regulations, and ordinances, the latter shall control and shall supersede any inconsistent provisions of the Policy.
- (2) Appendix E: List of Safety-Sensitive Employees attached to the Policy set forth certain classifications of employees that the Authority deems to be "safety-sensitive" employees. The Unions preserve any and all claims and defenses either may have relative to whether any particular classification of employee has been properly included or excluded from Appendix E.

APPENDIX A

POLICY AND PROGRAM PERSONNEL

- Vice President, Alex Moreno - Human Resources
amoreno@transitchicago.com / 312-681-2600
- Drug and Alcohol Program Manager and Designated Employer Representative (DER)
Marie Marasovich - Human Resources
mmarasovich@transitchicago.com / 312-681-2223
- Substance Abuse Professional (SAP), Mark Ketterson - Human Resources
mketterson@transitchicago.com / 312-681-2216
- Drug and Alcohol Hotline
312-681-2225 ext. 5

APPENDIX B

CONDITION OF EMPLOYEE REPORT FORM 3134

CONDITION OF EMPLOYEE

EMPLOYEE DATA	Name _____ Badge # _____			
	Work Location _____		Classification _____	
	Date _____			
	Time Started Work _____		Time of Observation Accident/Incident _____	
OBSERVATION	BALANCE =	UNSURE ☐	QUESTIONABLE ☐	SURE ☐
	WALKING =	UNSTEADY ☐	QUESTIONABLE ☐	STEADY ☐
	SPEECH =	SLURRED ☐	QUESTIONABLE ☐	CLEAR ☐
	BEHAVIORS =	UNCOOPERATIVE ☐	QUESTIONABLE ☐	COOPERATIVE ☐
	EYES =	BLOODSHOT ☐	QUESTIONABLE ☐	CLEAR ☐
	BODY ODOR =	STRONG ☐	WEAK ☐	NONE ☐
QUESTIONS TO EMPLOYEE	Are you ill or injured? Yes ☐ No ☐			
	Explain the reason for your physical condition: _____ _____ _____ _____			
TEST NOTIFICATION	Please answer all questions:			
	1. Was employee ordered to submit to breath and urinalysis test? (Must attach Test Notification - Form 7788)		Yes ☐	No ☐
	2. Did Employee refuse breath and urinalysis test?		Yes ☐	No ☐
	3. Was employee informed of consequences for refusing test?		Yes ☐	No ☐
CWA'S OFFICIAL STATEMENT	4. Was an attempt made to notify the employee's union that the employee was ordered to submit to testing? Time of union notification _____		Yes ☐	No ☐
	Please check reason for report: Accident ☐ Incident ☐ Observation ☐ Other ☐			
	Please write brief statement identifying why test is being conducted: _____ _____ _____ _____			
	CWA Supervisor/Official: _____		Date and Time Written: _____	
Observation Confirmed By: _____		Date and Time Written: _____		

CTA 3134 (Rev. 10-24-93) Personal Information

INSTRUCTIONS:
Write - Work Location
Draw - Accident/Incident File

APPENDIX C

DRUG AND ALCOHOL TEST NOTIFICATION FORMS 7785.01, .02, and .03



CTA DRUG AND ALCOHOL TESTING NOTIFICATION for Injury on Duty (IOD)

If IOD needed immediate medical attention away from scene of accident and involves a CTA vehicle/train, you must use the Post-Accident Notification form (aka form 7785.02).

Instructions:
Write in block capital letters
Print name, date
Print Employee ID
Signature - Employee Only

SECTION A: CTA NOTIFYING AGENT MUST COMPLETE BUS ☐ RAIL ☐ MARIT ☐ OTHER ☐ (Specify)

Employee (EE) Name - LAST: _____ FIRST: _____
 EE Job Title: _____ Work Location: _____ Badge #: _____
 Work Injury Date: _____ (A) Work Injury Time: _____ Time Control Center Notified: _____ (See 7785.02)
 Time EE Sent to Clinic or Time Collector Arrived To Test EE: _____ Time EE Notified To Submit: _____ (See 7785.02)
 Test Type: ☐ Possible Claim of Injury

"If 2 hours have passed since Work Injury Time and Time Employee Notified To Submit, explain reason for delay in terms below."

Delay in Submitting: Is the accident involved but not administered within two (2) hours following the injury the reason why testing was not promptly administered must be documented in the event that an accident test is not administered within eight (8) hours following the injury within one hour after the accident is reported and documented. In the event a document is not administered within 24 hours following injury do not administer and end documentation.

Reason For Not Submitting: If you understand, using the best information available at the time of the decision, that the employee's performance can be accurately documented as a controlling factor to the event, you do not need to test employee. State Reason Below As To Why Employee Was Not Tested: Use back of form if needed.

Please to sure EE was not already tested by another unit or injury care clinic before contacting Control or before submitting for test

CTA Notifying Agent Printed Name _____ CTA Notifying Agent Signature _____ Badge # _____

SECTION B: EMPLOYEE TO READ AND SIGN

You are notified that you are involved in a drug and alcohol test according to CTA regulations. You are to report immediately to the designated testing location as directed by the designated CTA Notifying Agent. Your failure to immediately report to the designated testing location is an attempt to circumvent the testing process in violation of CTA rules that may result in disciplinary action up to and including discharge. If you are subject to a vehicle search or other inspection in any way, you must report to the designated testing location within the time frame specified in the CTA regulations. A copy of the test report is available upon request. Employee must return this form to the CTA Notifying Agent immediately upon completion of testing process.

Employee Signature _____ Badge # _____ Date (MM/DD/YY) _____

SECTION C: COLLECTOR MUST COMPLETE

Time Collector Received Call From Control Center: _____ Time Collector Arrived At Work Location: _____ (See 7785.02)
 If Collector's arrival time is more than one (1) hour after receiving call from Control Center, Collector must state reason for delay in arrival below:

"If 0 hours have passed since Work Injury Time (A.A.) DO NOT perform BAT"

☐ Alcohol - Time Alcohol Test Began: _____ Time Alcohol Test Completed: _____ (See 7785.02)

I certify that I did not perform BAT after 0hrs of Start of Incident Time (A.A.): _____ (please initial)

"If 32 hours have passed since Work Injury Time (A.A.) DO NOT perform drug test"

☐ Drug - Time Drug Test Began: _____ Time Drug Test Completed: _____ (See 7785.02)

☐ FIA Direct Observation (if applicable)

I certify that I did not perform Drug test after 32hrs of Start of Incident Time (A.A.): _____ (please initial)

Collector Printed Name _____ Collector Signature _____ Date (MM/DD/YY) _____

CTA 7785.01 (Rev 01/18) H&I/Drug and Alcohol Compliance, DAC-001



Product: *See above*
Price: \$14.95
Quantity: 100
Weight: 100 gms
Volume: 100 ml

Employee (EE) Name - LAST _____ FIRST _____
 EE Job Title _____ Work Location _____ Budget _____

Accident Date: (MARCH 2014) (A) Accident Time: (11:00 AM) Time Control Center Notified: (11:00 AM)
Time Collector Arrived: (11:00 AM) Time Employee Notified To Submit: (11:00 AM)

[illegible]

Resumes For Next Year's deadline only to avoid late submission. If possible, describe using the best information available at the time of the decision. Not the employer's performance review completely discarded as a deciding factor in the judgment. Employment must be full and complete. (40 CFR Part 63.644(a))

CTA Notifying Agent Printed Name	CTA Notifying Agent Signature	Badge #
SECTION B: EMPLOYEE TO READ AND SIGN		

[illegible]

Employee Signature	Badge #	Date
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Time Collector Received Call From: Control Center: _____ Time Collector Arrived At Work Location: _____
(See 24-Hour Chart) (See 24-Hour Chart)

If Collector's arrival time is more than one (1) hour after receiving call from Control Center, Collector must state reason for delay in arrival below:

*** 8 hours have passed since Start of Resident Time (A.A.) DO NOT perform BAT***

☐ Alcohol - Time Alcohol Test Began: _____ Time Alcohol Test Completed: _____

I certify that I did not perform BAT after this Start of Incident Time (A.A.): _____ (please Initial)

[32 hours have elapsed since Start of Accidents Time (A.A.) DO NOT perform drug test

☐ Drug-Time Drug Test Begun Time Drug Test Completed ☐ Time to Administer Drug

I certify that I did not perform Dair test after 22hrs of Start of Incident Time (A.A.): _____ (please initial)

Collector Printed Name _____ Collector Signature _____ Date (MM/DD/YY) _____

cta 7265-00 (Rev. 01/02) HB/Disposal/Recycling Compliance, DeCrom



Distributions:
 Week - Week London Day
 Cherry - Wk, 1230
 Fox - Southern Day
 Diamond - Columbia Day

SECTION A: CTA NOTIFYING AGENT MUST COMPLETE

BUS ☐ RAIL ☐ MANT ☐ OTHER ☐ PROPERTY

Choose One: ☐ Random Test ☐ Reasonable Suspicion Test ☐ Follow-Up Test

Employee (EE) Name - LAST: _____ FIRST: _____

EE Job Title: _____ Work Location: _____ Badges: _____

Date: _____ (A) Incident Time: if applicable _____ Time Control Center Notified: if applicable _____
(month/year) (hour:minute) (hour:minute)

Time Collector Arrived: _____ Time Employee Notified To Submit: _____ (See M-1000 Chart)

* From available samples (see - most complete collection of GC data (2014) and BOP and send to DCR.

[illegible]

Remember For Next Reading (applies only to non-fatal accidents): If you are a supervisor, using the best information available at the time of the accident, did the employee's performance create a safety situation as a contributing factor to the accident, provide instructions to the employee. (see CPRT Form 608A-4(a))

CIA Notifying Agent Printed Name _____ CIA Notifying Agent Signature _____ Badge # _____

SECTION II: EMPLOYEE TO READ AND SIGN

SECTION II: EMPLOYEE TO READ AND SIGN

You are notified that you are to submit to a drug and/or alcohol test in accordance with EAP/CPI regulations. You are to report immediately to the designated testing location as directed by the above noted CWA Monitoring Agent. Your failure to immediately appear as directed, or your inability to fully participate in or complete the testing process as directed, may be considered a refusal to submit to a drug and/or alcohol test. This refusal may result in disciplinary action up to and including discharge, compromise the testing process's confidentiality, violation of testing regulations, and/or CWA policy. You are to remain at the testing location until you are notified to leave. If you are unable to provide a suitable breath or urine specimen in accordance with the test results, you must sign a refusal to test which can result in disciplinary action up to and including discharge. A copy of the testing protocol is available upon request. Employee must return to the CWA Monitoring Agent immediately upon completion of testing process.

Employee Signature

Badge #

Date (MM/DD/YYYY)

SECTION C: COLLECTOR MUST COMPLETE

Time Collector Received Call From Control Center (Approximate) _____ (Use 24-Hour Clock) Time Collector Arrived At Work Location _____ (Use 24-Hour Clock)

If collector's arrival time is more than one (1) hour after scheduling and State Control Calling, collector must state reason for delay in report below:

*** 8 hours have passed since Start of Incident. Time (A.A.) DO NOT perform BAT ***

☐ Alcohol - Time Alcohol Test Began: _____ Time Alcohol Test Completed: _____
(See 24 Hour Chart) (See 24 Hour Chart)

I certify that I did not perform BAT after three of Start of Incident Time (A.A.): _____ (please initial)

^{***} 32 jurors have perished since Start of Incident Time (SITA) DO NOT perform drug test^{***}

☐ Drug - Time Drug Test Begins _____ Time Drug Test Completed _____
(See 24 Hour Clock) (See 24 Hour Clock)

☐ FTA Direct Observation (if applicable) _____ (please print name)
 Date of Observation: _____ Time of Start of Incident (A.A.): _____ (please print name)

I certify that I did not perform Drug test after 32hrs of Start of Incident Time (A.A.): _____ (please Print)

Collector Printed Name _____ Collector Signature _____ Date (MM/DD/YY) _____

cta 7765.08 (Rev 08/15) HHS/ Drug and Alcohol Compliance, DAC-007

APPENDIX D

DRUG AND ALCOHOL TEST PROTOCOL FORM 0762



COLLECTION PROTOCOL FOR URINE SPECIMEN (Effective 08/31/09)

1. Upon receiving notification that you must submit to a drug test, you must report directly to the testing area. Upon completing the test, you must report back to your manager/supervisor.
2. You will be required to provide your CTA photo ID for positive identification purposes. Faxes or photocopies of identification will not be accepted. If you do not have your CTA photo ID, a CTA representative will be asked to identify you for the collector.
3. You will be directed to provide your CTA ID numbers to be written on the drug testing custody and control form (CCF) by the collector.
4. You will be directed to verify that the information contained under Step 1, Section C of the CCF is correct. The collector will ask you to verify this information.
5. You will be shown these protocols which explain the basic collection procedure. You will also be shown the instructions contained on the reverse side of the CCF.
6. You will be directed to remove outer clothing (e.g. coveralls, jacket, coat, hat). You must leave these garments and any beltcase, purse, cell phone or other personal belongings with the collector. **Failure to comply with these directions will constitute a refusal to test.** You may keep your wallet.
7. You will be directed to empty your pockets and display the items in them to the collector.
8. You are not to list on the CCF medications that you are currently taking. (You may make notes of medications on the back of the Donor copy of the CCF for your own convenience, but these notes must not be transmitted to anyone else.)
9. You will be instructed to wash and dry your hands. You may not wash your hands again until after delivering the urine specimen to the collector. You will not be given further access to water or other materials that could be used to adulterate or dilute a urine specimen.
10. You will be directed to select an individually wrapped or sealed collection container from collection kit materials. You must unseal or break the seal of the collection container. You will not be allowed to take anything from the collection kit into the room used for urination except the collection container.
11. You will be directed to go into a private restroom or closed stall for collection. There you must provide a urine specimen of at least 45 mL. If you fail to provide either a urine specimen or a urine specimen of sufficient quantity, you will be given no more than three hours to produce a satisfactory urine specimen. **NOTE: An attempt at providing a urine specimen is required.**
12. If the drug test is a return-to-duty test or a follow-up test, it must be conducted under direct observation. Directly observed collection procedures require that employee raise his/her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show the observer (of the same gender as the employee) by turning around that the employee does not have a prosthetic device. After it has been determined that the employee does not have such a device, the employee is permitted to return clothing to its proper position for observed urination. The observer then watches the employee urinate into the collection container. Specifically, the observer watches the urine go from the employee's body into the collection container.
13. Do not flush the toilet. Return the urine specimen to the collector as soon as you have completed the void. At no time will the urine specimen be left unattended.
14. Following the collection, the collector will ensure that a sufficient amount of urine (45mL) was provided. Within four minutes after being given the urine specimen, the collector will check the temperature of the urine specimen to ensure it is within the acceptable range of 32-38° C/90-100° F. The collector will also check for signs of tampering.
15. In your presence, the collector will do the following:
 - a. Check the box on the CCF (Step 2) indicating that this was a split specimen collection.
 - b. Show you that the seals on the urine specimen bottles are intact.
 - c. Break the seal on the urine specimen bottles in your presence.
 - d. Pour at least 30 mL of urine from the collection container into one urine specimen bottle to be used for the primary urine specimen.
 - e. Pour at least 15 mL of urine from the collection container into the second urine specimen bottle to be used for the split specimen.
 - f. Place and secure the lidcaps on the bottles.
 - g. Seal the bottles by placing the tamper-evident bottle seals over the bottle caps/lids and down the sides of the bottles.
 - h. Write the date on the tamper-evident bottle seals.
16. You will then be directed to initial the tamper-evident bottle seals for the purpose of certifying that the bottles contain the urine specimen you provided.
17. You will be directed to read and sign the certification statement on the Medical Review Officer copy of the CCF and to provide your printed name, the current date, day and evening contact telephone numbers, and (where required) date of birth.
18. Following completion and review of the CCF by the collector, you will be given the Donor copy of the CCF. The collector will place the sealed urine specimen bottles and the Laboratory copy of the CCF in the appropriate pouches of the plastic bag. The collector will secure both pouches of the plastic bag. You and the collector will initial the tamper-evident bag. You will then be directed to leave the collection area.

Issued by - CTA Human Resources, Drug and Alcohol Compliance
CTA 0762 (Rev. 02/15) Human Resources 8.5 x 11



COLLECTION PROTOCOL FOR ALCOHOL BREATH TESTING (Effective 08/25/08)

1. Upon receiving notification that you must submit to an alcohol test, you must report directly to the testing area. Upon completing the test, you must report back to your manager/supervisor.
2. You will be required to provide your CTA photo ID for positive identification purposes. Faxes or photocopies of identification will not be accepted. If you do not have your CTA photo ID, a CTA representative will be asked to identify you for the Breath Alcohol Technician (BAT).
3. You will be directed to provide your CTA ID numbers to be written on the alcohol testing form (ATF) by the BAT.
4. You will be directed to verify that the information contained under Step 1, Sections A and B of the ATF is correct. The BAT will ask you to verify this information.
5. You will be shown three protocols which explain the testing procedure. You will also be shown the instructions contained on the reverse side of the ATF.
6. You will be directed to complete Step 2 on the ATF and to sign the certification. *Refusal to sign this certification will constitute a refusal to test.*
7. You will be directed to select an individually wrapped or sealed mouthpiece from the testing materials. The BAT will open the individually wrapped or sealed mouthpiece and insert it into the Evidential Breath Testing Device (EBT).
8. You will be instructed to blow steadily and forcefully into the mouthpiece for at least six seconds or until the device indicates that an adequate amount of breath has been obtained.
9. If you are unable to provide a sufficient amount of breath on the first attempt, you will be given another opportunity to provide a sufficient amount of breath. *Refusal to make this attempt will constitute a refusal to test.*
10. The BAT will show you the displayed test result.
11. *If the test result is an alcohol concentration of less than 0.02, no further testing will be conducted.*
12. *If the test result is an alcohol concentration of 0.02 or higher, you will be directed to take a confirmation test following a waiting period of at least 15 minutes.*

Additionally:

a. Concerning the waiting period, you will be told:

- i. Not to leave the immediate testing area.
- ii. Not to eat, drink, spit anything (e.g. cigarette, chewing gum) into your mouth, or belch.
- iii. The reason for the waiting period (i.e. to prevent an accumulation of mouth alcohol from leading to an artificially high reading);
- iv. That following these instructions concerning the waiting period is to your benefit; and
- v. That the confirmation test will be conducted at the end of the waiting period, even if the waiting period instructions have not been followed.

b. While in your presence, the BAT will conduct an air blank on the EBT before beginning the confirmation test. You will be shown the reading. The test will proceed following an air blank reading of 0.00.

c. The BAT will open the individually wrapped or sealed mouthpiece and insert it into the EBT. You will then be instructed to read the sequential test number displayed on the EBT.

d. You will be instructed to blow steadily and forcefully into the mouthpiece for at least six seconds or until the device indicates that an adequate amount of breath has been obtained. The BAT will show you the displayed test result as well as the unique test number printed out by the EBT.

e. If the result of the confirmation test is lower than 0.02, nothing further will be required of you.

f. If the result of the confirmation test is 0.02 or higher, you will be directed to sign and date Step 4 of the ATF.

APPENDIX E

CTA SAFETY-SENSITIVE LIST FOR EXEMPT AND UNION REPRESENTED EMPLOYEES

Assembler Helper	3369	Lineman	2633
Assistant Foreman Steel Fabrication Shop	1216	Lineman Helper	2634
B Electrician	1375	Machine Shop Foreman (Skokie)	1191
B Electrician (Light Maintenance)	5562	Machinist	1962
B Electrician (Substation Maintenance)	1371	Machinist (Frog Shop)	1249
Blacksmith & Welder	1146	Machinist (Rail)	4679
Blacksmith & Welder (Frog Shop)	2727	Machinist Foreman	2578
Blacksmith & Welder (Skokie)	0974	Machinist Leader A	2554
Blacksmith & Welder Foreman	1145	Mechanical Engineer III	3078
Bus & Truck Mechanic	1421	Mechanical Unit Assembler	3922
Bus & Truck Mechanic Foreman	1423	Mechanical/Electrical Engineer III	6254
Bus & Truck Mechanic Leader	2600	Mechanical/Electrical Engineer IV	6255
Bus Body Chassis Specialist	6151	Mobile Bus Mechanic	2211
Bus Controller	5478	Power Controller	3665
Bus Handler	1039	Quality Assurance Inspector	3996
Bus Instructor I	0133	Rail Carbody Inspector	6100
Bus Instructor II	3433	Rail Controller	5479
Bus Mechanic	2433	Rail Controls Inspector	6099
Bus Operator	0110	Rail Customer Service Representative / Security Controller	3982
Bus Quality Improvement Technician	6267	Rail Equipment Engineer II	3289
Bus Service Supervisor I	0173	Rail Equipment Engineer IV	6258
Bus Service Supervisor II	3432	Rail HVAC Repairer	6098
Bus Servicer	1441	Rail Instructor I	3430
Bus Servicer Apprentice	6211	Rail Instructor II	3431
Car Repairer A	1437	Rail Instructor III	6203
Car Servicer	0399	Rail Janitor Apprentice	8923
Car Servicer Apprentice	6208	Rail Leader/Pilot	6102
Carpenter	1205	Rail Quality Improvement Technician	6268
Carpenter A	1340	Rail Service Supervisor II	3434
Carpenter Foreman	2674	Rail Technician	6097
Carpenter Foreman (Skokie)	1190	Rail Terminal Supervisor	3676
Carpenter Foreman (S-Shops)	1330	Rail Truck Shop Repairer	6101
Carpenter Leader	0346	Rapid Transit Operator	2129
Cash Box Puller	2683	Roadmaster II	6204
Combined Rail Operator	4381	Roadmaster III	6205
Communications Technician	3237	Senior Garage Instructor	2537
Customer Assistance Supervisor	5528	Senior Utility Service Coordinator	6246
Electrical Engineer Coordinator	6263	Service Truck Chauffeur	1267
Electrical Engineer II	3304	Signal Engineer I	6217
Electrical Engineer III	3070	Signal Engineer II	6218
Electrical Maintainer Specialist	2314	Signal Engineering Coordinator	6222
Electrical Worker	0970	Signal Foreman	0810

Electrical Worker Leader	2556	Signal Helper	2128
Emergency Service Chauffeur	1269	Signal Maintainer	2127
Emergency Service Helper	1268	Signal Maintenance Coordinator	6221
Engine Washer	1616	Signal Relay Foreman	4426
Engineer II - Civil	6231	Specification/Quality Assurance Engineer IV	6262
Engineer II - Structural	6236	Structure Engineering Coordinator	6239
Engineer III - Civil	6232	Structure Maintenance Coordinator	6240
Engineer III - Structural	6237	Sub Assembler	3370
Engineer IV - Civil	6233	Substation Attendant	2602
Engineer IV - Power	7257	Supervisor Clerk	6228
Engineering Assistant	1381	Supervisory Chauffeur-Garage Man	1234
Equipment Tech II	2424	Switchman	0263
Equipment Tech III	2592	Telephone Lineman	6155
Equipment Technician I	2689	Testing Engineer I	2367
Extra Board	5497	Testing Engineer II	0881
Flagman	6202	Testing Engineer III	5031
Foreman 'B' Electricians	2595	Testing Engineer IV	6054
Foreman 'B' Electricians	1374	Testing Engineer V	6055
Foreman Electrical Workers	1321	Tire Repairer	2655
Foreman Steel Fabrication Shop	1254	Tool Maker	0988
Garage Instructor I	2203	Towerman 'A' And 'B'	0292
Garage Instructor II	3502	Track Maintenance Coordinator	6245
Heavy Duty Equipment Operator	2207	Track Maintenance Equipment Operator	2704
Inspection Terminal Instructor I	2302	Track Welder	0577
Inspection Terminal Instructor II	2303	Trackman	3366
Ironworker	0853	Universal Rail Supervisor I	6195
Ironworker Foreman	0993	Universal Rail Supervisor II	6196
Ironworker General Foreman	3458	Upholsterer	1052
Key Instructor	6227	Work Car Crane Operator	2581
Line Foreman	2632	Work Train Conductor	5420
		Yardmaster	4926

CTA SAFETY-SENSITIVE LIST FOR EXEMPT EMPLOYEES

POSITION TITLE	JSN	POSITION TITLE	JSN
Assistant Chief Rail Equipment Engineer	7665	Senior Manager, Bus Operations Instruction	8773
Chief Bus Equipment Engineer	7044	Senior Manager, Construction	8676
Chief of Fire Protection, Response and Training	8091	Senior Manager, Emergency Preparedness	8471
Chief Rail Equipment Engineer	7046	Senior Manager, Signal Maintenance	7487
Coordinator, Bus Maintenance	8915	Senior Manager, Structural Maintenance	7492
Coordinator, Quality Improvement - Bus	8593	Senior Manager, Track Maintenance	7500
Coordinator, Quality Improvement - Facilities	8642	Senior Manager, Transit System Safety	8577
Coordinator, Quality Improvement - Rail	8594	Senior Manager, Transportation - Rail	8488
Coordinator, Rail Car Appearance	7128	Senior Project Manager, Vehicle Procurement	8893
Coordinator, Safety Training and Quality Control	8904	Senior Safety Officer	8646
Coordinator, Technical Writing and Quality Control	8905	Senior Transit System Safety Officer	8620
Engineer II, Communications	7735	Technical Trainer - Rail	8114
Engineer IV - Communications	7768	Transit System Safety Officer	8616
Investigator	7748	Manager, Transportation - Rail	7807
Manager, Bus Operations	8261	Manager, Transportation Instruction	7505
Manager, Bus Supervision	8531	Project Manager	7549
Manager, Construction Management Oversight	7398	Project Manager - Construction	8171
Manager, Facilities Maintenance	7419	Safety Officer	7566
Manager, Janitorial Services	8641	Security Specialist	8287
Manager, Maintenance - Bus	7804	Senior Construction Safety Engineer	8647
Manager, Maintenance - Rail	7805	Senior Coordinator, Power & Way Support	8723
Manager, Rail Car Appearance	7463	Senior Industrial Hygienist	7589
Manager, Rail Customer Service	8346	Senior Manager, Bus Operations Instruction	8773
Manager, Rail Operations - Instruction	8774	Senior Manager, Construction	8676
Manager, Signal Engineering	7454	Senior Manager, Emergency Preparedness	8471
Manager, Structure Engineering	7500	Senior Manager, Signal Maintenance	7487
Manager, Track Engineering	7903	Senior Manager, Structural Maintenance	7492
Manager, Transportation - Rail	7807	Senior Manager, Track Maintenance	7500
Manager, Transportation Instruction	7505	Senior Manager, Transit System Safety	8577
Project Manager	7549	Senior Manager, Transportation - Rail	8488
Project Manager - Construction	8171	Senior Project Manager, Vehicle Procurement	8893
Safety Officer	7566	Senior Safety Officer	8646
Security Specialist	8287	Senior Transit System Safety Officer	8620
Senior Construction Safety Engineer	8647	Technical Trainer - Rail	8114
Senior Coordinator, Power & Way Support	8723	Transit System Safety Officer	8616
Senior Industrial Hygienist	7589		

CTA SAFETY-SENSITIVE LIST FOR EXEMPT
EMPLOYEES SUBJECT TO CHANGE

1

UPDATED OCTOBER 2008

APPENDIX F

ATU ATTACHMENT H / EMPLOYEE ASSISTANT PROGRAM FOR SUBSTANCE USE FOR UNION REPRESENTED EMPLOYEES

ATTACHMENT H

Employee Assistance Program (EAP)

Part of Wage and Working Conditions Agreement between CTA and 241 & 308 ATU

A. Services

The services of the Employee Assistance Program (EAP) will be available to full-time permanent employees who have completed one year of continuous service who voluntarily request assistance from the EAP, to first time rule violator under the circumstances described in Section B below, and to their family members or significant others who seek advice or assistance in the areas listed below. In addition, the services of the EAP will be available to individual part-time employees who have completed one year of continuous service and who voluntarily request assistance from the program or who are first-time rule violators under the circumstances described in Section B below. The areas for which advice or assistance may be sought are the following:

1. **Substance Abuse**

Services for the treatment of substance abuse is available to eligible employees upon formal enrollment into the EAP and subject to the terms and conditions herein and the employee's chosen health care plan.

2. **Financial, Legal and Domestic Relations Problems**

Services to assist with financial, legal or domestic relations problems are available to eligible employees without formal enrollment into the EAP.

3. **Other**

Services to assist with emotional problems and other problems which affect the employee's job performance are available to eligible employees without formal enrollment into the EAP subject to the terms and conditions of the employee's chosen health care plan.

Services of the EAP are available to employees designated as Full-Time Permanent (FTP), Full-Time Temporary (FTT), Part-Time (PT) and Special-Part-Time (SPT).

B. Participation

1. **Volunteers**

Volunteers are those employees eligible to participate in EAP who request the assistance of the EAP on their own. The option of participating in the EAP as a volunteer will not be available to an employee after he or she has been notified to submit to breath/urine testing under CTA Drug and Alcohol Policy and Testing Program for Safety-Sensitive Employees and supplemental Policy for Non-Safety-Sensitive Employees, nor can an employee become a volunteer when subject to disciplinary action in order to avoid the discipline.

2. First Time Rule Violators

- a. If an employee eligible to participate in EAP, as defined in Section A above, with three (3) or more years of service violates the Authority's rules concerning alcohol, drug or controlled substance abuse (i.e. a rule violator), he/she may seek and be granted admission to the EAP subject to the following limitations:
- b. An employee who tests positive for alcohol (above specified limits), controlled substances or narcotics in the event of a vehicular accident involving a possible claim of personal injury or property damage will be discharged for the first such rule violation.
- c. In the case of a first time rule violator with three (3) or more years of continuous service, except in vehicular accident involving the possible claim of personal injury or property damage as defined by the "Attachment H Appendix", the rule violation alone will not constitute a basis for justifiable discharge.
- d. A first time rule violator with less than three (3) years of continuous service will be discharged on the basis of the rule violation alone. For a temporary employee who is hired as a part-time or full-time employee, any period between the time of his resignation and his acceptance of the first job opening offered to him will be included in the computation of continuous service, provided the employee has resigned from temporary employment for the purpose of obtaining part-time or full-time employment.
- e. A first time rule violator who refuses to participate in the EAP when provided the opportunity by the CTA, or by an arbitration decision will be discharged.
- f. An employee who has had more than one rule violation as defined above will be discharged.
- g. An employee who, prior to September 26, 1990, has participated more than once in the EAP program as a rule violator and/or a volunteer, because of drug and/or alcohol abuse may be allowed to participate in the program one additional time during the course of his or her employment. Such an employee will not be given access to the EAP as a rule violator if their previous participation was as a rule violator as defined above.

3. Independent Treatment Services

Employees who independently receive alcohol and/or substance abuse treatment services, and who either request payment for such services through a CTA health benefit program, or through some other health care program not associated with the CTA, must notify the Employee Assistance Program in writing within ten (10) days from the beginning of treatment. Such employees shall be treated as volunteer in accordance with section B.1 as of the date they notify the Employee Assistance Program. If an employee fails to provide notice as required under this paragraph, such employee shall be treated as a rule violator in accordance with Section B.2. In addition, they will be held personally liable for all costs associated with said treatment.

Employees who choose to participate in HMOs will waive any claim to confidentiality between themselves and the HMO and/or HMO-affiliated treatment physicians concerning alcohol and/or substance abuse treatment and will permit said HMO and/or physicians to notify the Authority if they seek such treatment from said HMO and/or treating physician. They also agree to fully

participate in any initial and/or follow-up monitoring program as determined by the Administrator/Coordinator of the EAP.

C. Treatment Programs

1. The Substance Abuse Professional to whom the participant's case has been referred will determine what professional assistance, if any, is necessary to resolve the individual's problems.
2. If a treatment program is necessary, the employee will not be allowed to continue in active service in his or her present occupation unless the Authority determines that the employee's occupation and the nature and severity of his/her problem does not require removal from service or job duties.
3. Notwithstanding paragraph 2 above, employees who perform safety-sensitive functions and have entered the EAP due to an alcohol, narcotic or controlled substance use/abuse problem shall be removed from service. Employees will be returned to service only after receiving certification from the CTA Medical Review Officer.
4. A full-time permanent employee who has completed one year continuous service and volunteers into the EAP because of an alcohol, narcotics or controlled substance use/abuse problem is eligible to sign into the sick book and additionally is eligible for the following:
 - a. The employee is eligible to avail himself or herself of the weekly indemnity insurance benefit of \$200 per week while the employee is participating in an authorized and approved detoxification and rehabilitation program for a total of sixteen (16) weeks. The indemnity insurance benefit will be available for a second time during the course of employment for a total eight (8) weeks. In no event shall the weekly indemnity insurance benefit exceed a total of twenty-four (24) weeks during the course of employment.
 - b. The employee will be eligible for hospital insurance benefits for hospital administered detoxification rehabilitation three (3) times during the course of employment.
5. A part-time employee who has completed one (1) year of continuous service and volunteers into the EAP because of an alcohol, narcotics or controlled substance use/abuse problem is eligible to sign into the sick book and additionally is eligible for hospital insurance benefits for hospital administered detoxification rehabilitation three (3) times during the course of employment.
6. Upon successful completion of the initial phase of a treatment program prescribed by the Substance Abuse Professional, but in no event sooner than eight (8) weeks after entering the EAP, a volunteer whose current job classification at the time of entering the EAP is safety-sensitive will be returned to the active status in his/her former classification, subject to the applicable procedures and restrictions, and provided the volunteer has been approved to return

to duty by the Substance Abuse Professional and been found fit for duty by the CTA Medical Review Officer, subject to the voluntary announced relapse provision in Section G.4.

Upon successful completion of the initial phase of a prescribed treatment program, but in no event sooner than four (4) weeks after entering the EAP, a volunteer whose job classification at the time of entering the EAP is non-safety-sensitive will be returned to active status in his/her former non-safety-sensitive classification, subject to the applicable procedures and restrictions, and provided the volunteer has been approved to return to duty by the Substance Abuse Professional and been found fit to return by the CTA Medical Review Officer, subject to the voluntary announced relapse provision in Section G.4.

Upon successful completion by a volunteer of a prescribed treatment program, and prior to his or her return to active status, the EAP shall provide the volunteer with a written confirmation that he or she has been released to return to active status, the date he or she entered the Program, and that the time spent in inactive status as directed by the EAP shall not be charged as absenteeism.

7. Any volunteer who participates in a treatment plan prescribed by the Substance Abuse Professional and who fails to satisfactorily participate in said treatment program, or who otherwise fails to satisfy all terms and conditions of his/her EAP participation as determined by the Substance Abuse Professional, or who the CTA Medical Review Office finds unfit to return to duty, shall be made a rule violator provided the employee has no prior rules violation subject to the terms and conditions of Section B.2.
8. An employee may volunteer into the EAP because of an alcohol, narcotics, or controlled substance use/abuse problem three (3) times during the course of his employment. An employee who, prior to September 26, 1990, has participated more than once in the EAP program as a rule violator and/or a volunteer because of drug and/or alcohol abuse, may be allowed to participate in the program one additional time during the course of his or her employment. Such an employee will not be given access to the EAP as a rule violator if said previous participation was as a rule violator.
9. Any first time rule violator who is eligible and is permitted by the CTA or by arbitral remedy in a discharge case to participate in the EAP shall not be eligible for any weekly indemnity insurance benefits. A first time rule violator shall be entitled to the following other benefit:

The employee will be eligible for hospital insurance benefits for hospital administered detoxification-rehabilitation three (3) times during the course of employment. However, failure to make the appropriate patient advocate notice and or failure to contact the Administrator/Coordinator of the EAP within ten (10) days of said treatment will result in the employee being held responsible for all such billings. Contact with the employee's health care provider only, will not fulfill this notice requirement.

10. Upon successful completion of the initial phase of a prescribed treatment program, but in no event sooner than sixteen (16) weeks after entering the Employee Assistance Program, a rule violator will be returned to active status in his or her former classification, subject to applicable procedures and restrictions.

11. Any rule violator who participated in a treatment plan prescribed by the Substance Abuse Professional and who fails to satisfactorily participate in said treatment program, or who otherwise fails to satisfy all terms and conditions of his/her EAP participation, as determined by the Substance Abuse Professional, or who the CTA Medical Review Officer finds unfit to return to duty, shall be terminated.
12. Although an employee may be accepted into the EAP because of an alcohol, narcotics, or controlled substance use/abuse problem as a rule violator only once during the course of his/her employment, such an employee will have the right to volunteer three (3) times into the Program for this problem during the course of employment. However, no employee shall have access to the EAP as either a volunteer or a rule violator, or a combination of the two, more than three times during his/her employment. (Therefore, an employee may either volunteer three (3) times, or be a volunteer twice (2) and a rule violator once (1) during his/her employment.)
13. Any employee who is not actively working in his/her regular classification as a result of participating in the EAP is entitled to receive upon request and on the same basis as all other employees, payment for any unused vacation. Such vacation payment will not be given during the same period as an indemnity payment.
14. It is understood, however, that nothing herein shall serve to provide benefits to employees who would not otherwise be entitled to same under Article 15 (Insurance and Sickness Benefits) of the collective bargaining agreement.

D. Restrictions

An employee suffering from an alcohol/narcotics/substance use/abuse or psychiatric impairment will be removed from safety-sensitive classification. An employee in a safety-sensitive classification shall be deemed suffering from psychiatric impairment when the employee's condition in a safety-sensitive classification poses a safety risk to self, the public, or other employees.

E.1 Return to Former Classification

An employee who has been removed from his or her occupation for undergoing treatment as a result of entering the Employee Assistance Program to receive treatment for alcohol/narcotics/substance use or psychiatric problems will be returned to his or her former position under the following circumstances:

Alcohol/Narcotics/Controlled Substances:

- a. The employee has actively and successfully participated in the prescribed program of treatment;
- b. The employee passes a physical examination certified by the Medical Review Officer and requalifies for his or her position through normal procedures; and