



# UNITED TRANSPORTATION UNION

GENERAL COMMITTEE OF ADJUSTMENT  
UNION PACIFIC WEST • CENTRAL CALIFORNIA TRACTION • STOCKTON TERMINAL & EASTERN  
ALAMEDA BELT LINE • OAKLAND TERMINAL RAILROAD

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## VIA FAX AND USPS

February 15, 2006

Mr. Al C. Hallberg, Director  
Labor Relations  
Union Pacific Railroad Company  
10031 Foothills Boulevard  
Roseville, California 95747

Re: Substance Abuse Professional (List)

Dear Mr. Hallberg:

This letter references an issue raised at our February 8, 2006 conference held in Roseville, California.

Information uncovered in recent discipline hearings concerning alleged violations of the Union Pacific Railroad's Drug and Alcohol Policy indicates that violators are being denied referrals to Substance Abuse Professionals. Notwithstanding the Carrier's position with respect to Section 21 of the UP Drug and Alcohol Policy, it is this Committee's belief that such employer referrals are required by law. Please see 49 CFR Part 40 Section 287:

"As an employer, you must provide to each employee (including an applicant or new employee) who violates a DOT drug and alcohol regulation a listing of SAPs readily available to the employee and acceptable to you, with names, addresses, and telephone numbers. You cannot charge the employee any fee for compiling or providing this list. You may provide this list yourself or through a C/TPA or other service agent."

Please advise this office when the Carrier will comply with the federal regulation by providing drug and alcohol violators with treatment referrals.

Yours truly,

J. Kevin Klein  
General Chairperson

cc: Mr. John Babler, UTU Vice President  
All Local Chairpersons on this General Committee