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**49 CFR Part 272**

**Critical Incident Stress Plan**

**UNION PACIFIC RAILROAD COMPANY PLAN**

**Submitted December 5, 2015**  
**Updated February 24, 2016**

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### **Request for Approval of Electronic Submission**

As provided for in 49 CFR 272.103, Union Pacific maintains a plan to provide relief to employees involved in critical incidents. Union Pacific hereby submits its plan to FRA for approval as provided for in §272.103 Union Pacific hereby submits its plan and request for approval thereof electronically and, as required by §272.105, has previously served notice of its intent to do so. Simultaneous with its filing with the FRA, Union Pacific certifies it has served a copy of its submission on the international/national president of each labor organization listed below who represents its employees who may be subject to this part<sup>1</sup>.

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<sup>1</sup> §272.103(b); §272.105

**A copy of Union Pacific's submission was sent via Certified Mail to the following labor representatives:**

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<sup>2</sup> 49 CFR §272.106(b)(2)

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## **SECTION 1: INTRODUCTION**

On June 23, 2014, the Federal Railroad Administration issued a final rule, Critical Incident Stress Plans (“CISP”), 49 CFR Part 272, in response to the 2008 Rail Safety Improvement Act (RSIA).

Part 272 defines a “critical incident” for purposes of satisfying the regulatory requirements, and establishes the minimum standards for critical incident stress plans includes allowing a directly involved employee to obtain relief from the remainder of the tour of duty, providing for the directly-involved employee’s transportation to the home terminal (if applicable), and offering a directly-involved employee appropriate support services following a critical incident. This final rule requires that each railroad subject to this rule submit its plan to FRA for approval.

Union Pacific Railroad’s Critical Incident Plan mirrors the FRA regulatory requirements and was implemented prior to the RSIA regulatory mandate. The plan establishes a procedure for railroad professionals to promptly respond with sensitivity and confidentiality to the needs of employees involved in critical incidents in the interests of safety and employees’ health and wellbeing. The plan has been reviewed in the context of the FRA safety regulation, 49 CFR §272, Critical Incident Stress Plans, and is described in this document.

## **SECTION 2: SCOPE**

A *critical incident* is defined as either—

- (1) An accident/incident reportable to the FRA under 40 CFR Part 225 that results in a fatality, loss of limb, or a similarly serious bodily injury; or
- (2) A catastrophic accident/incident reportable to FRA under 49 CFR Part 225 that could be reasonably expected to impair a directly-involved employee’s ability to perform his or her job duties safely.

Events such as these may adversely impact an employee’s ability to perform job functions safely and efficiently for a period of time, due to physical, emotional or psychological reactions.

A *directly-involved employee* is defined as a railroad employee covered under 49 CFR § 272.7—

- (1) Whose actions are closely connected to the critical incident.
- (2) Who witnesses the critical incident in person as it occurs or who witnesses the immediate effects of the critical incident in person; or

(3) Who is charged to directly intervene in, or respond to, the critical incident (excluding railroad police officers or investigators who routinely respond to and are specially trained to handle emergencies).

This Critical Incident Plan covers procedures for Union Pacific Railroad employees if they are directly involved in a critical incident as defined in 49 CFR § 272.9.

The Plan provides employees with options for relief from duty following a critical incident. It also allows for flexibility within the plan framework so that each critical incident can be handled commensurate with its needs.

### **SECTION 3: RESPONDING TO A CRITICAL INCIDENT**

**Step 1:** The employee(s) with knowledge of a critical incident should immediately notify the responsible manager (i.e. train dispatcher, manager mechanical, etc.) and state the exact nature of the incident.

**Step 2:** The responsible manager (train dispatcher, manager mechanical, etc.) notifies Response Management Communications Center (RMCC) 1-888-877-7267.

**Step 3:** RMCC notifies the manager(s) assigned to respond of the critical incident.

**Step 4:** RMCC notifies the National Employee Assistance Help Line (NEAHL).

**Step 5:** The National Employee Assistance Helpline (NEAHL) notifies the Manager of Peer Support for TE&Y, and/or the Coordinator of Peer Support for Mechanical and Engineering.

#### **A. Informing Directly Involved Employees<sup>3</sup>**

Managers are required to notify directly involved employee(s) of the option to request relief from duty following a Critical Incident:

- (1) When responding to a critical incident the responding manager (s) will focus on the employees first, and the operating tasks second.
- (2) The responding manager (s) will provide their name(s), title(s), and role(s) to the affected employee(s).
- (3) The responding manager(s) will notify the employee(s) of the option to be relieved from duty.

#### **B. Offering Timely Release from Duty<sup>4</sup>**

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<sup>3</sup> 49 CFR §272.101(a)

<sup>4</sup> 49 CFR §272.101(b)

Managers must, as soon as practical, at the site of the incident, offer each directly involved employee(s) the option for relief from the balance of his or her duty tour following a critical incident:

- (1) If the employee(s) is to be relieved from the balance of the duty tour, the responding manager will immediately arrange for relief.
- (2) Managers will oversee any actions necessary for the safety of persons and contemporaneous documentation of the incident that may require the employee(s) involvement prior to release.

### **C. Offering Timely Transportation<sup>5</sup>**

Following a critical incident, managers are required to offer timely transportation to each directly involved employee(s) following a critical incident as soon as practicable, after the employee has performed any action necessary for the safety of persons and contemporaneous documentation of the incident. The responding manager(s) will coordinate and ensure timely transportation to each directly involved employee(s) home terminal.

### **D. Offering Counseling, Guidance and Support<sup>6</sup>**

Directly involved employee(s) will be offered counseling, guidance and support services following a critical incident:

- (1) Union Pacific will offer counseling, guidance and support to each directly involved employee who opts to receive such services.
- (2) Follow-up care, if necessary, for the employee(s) may be coordinated by the Union Pacific Employee Assistance Professional (EAP) and NEAHL.
- (3) Union Pacific may utilize its Peer Support network of volunteers to support fellow employees following a critical incident. The role and support services of the network are to compliment but not supplant management or professional services. UP will continue to leverage the volunteer network to the extent the Peer Support program is available.

### **E. Permitting Relief from Subsequent Duty<sup>7</sup>**

Employee(s) directly involved in a critical incident will be permitted relief from the duty tour. Management will work with the affected employee(s) regarding return to duty:

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<sup>5</sup> 49 CFR §272.101(c)

<sup>6</sup> 49 CFR §272.101(d)

<sup>7</sup> 49 CFR §272.101(e)



- (1) Responsible managers shall offer each directly involved employee the option for relief from duty tour subsequent to a critical incident for a period of up to three days.
- (2) The directly involved employee may be required to seek services with and provide a certificate from a health care practitioner (e.g. Certified Employee Assist. Professional, clinical psychologist, personal licensed psychiatrist, clinical social worker or physician) that the employee is in consultation with the practitioner during that period of relief.
- (3) The Union Pacific critical incident plan does not restrict the directly involved employee from his or her choice of health care practitioner following a critical incident.
- (4) When directly involved employee(s) needs or requests time off from the responding manager, the manager must communicate with the appropriate supervisors and confirm with the affected employee(s) the time/dates the employee will be off duty as the result of the critical incident.

#### **F. Permitting Additional Relief from Normal Duty<sup>8</sup>**

Directly involved employee(s) will be permitted such additional relief from normal duty as may be necessary and reasonable to receive preventive services or treatment related to the incident:

- (1) If more than 72 hours is requested, the Superintendent or designee, the Engineering department designee or Mechanical department designee must authorize this time.
- (2) If more than 72 hours is requested out of service, this time must also include the employee calling the National Employee Assistance Help Line to open a profile and request service from a health care practitioner (e.g. Certified Employee Assist. Professional, clinical psychologist, personal licensed psychiatrist, clinical social worker or physician) with documented visits and certificate to support employees request for additional relief.
- (3) The Union Pacific critical incident plan does not restrict the directly involved employee from his or her choice of health care practitioner following a critical incident.

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<sup>8</sup> 49 CFR §272.101(f)

## **G. Procedures for Critical Incidents on Other Railroads<sup>9</sup>**

Employees directly involved in a critical incident on another railroad's property will be offered relief pursuant to Union Pacific's Critical Incident Plan. The manager notified of the incident will coordinate with the other railroad and follow the same procedures utilized to relieve and assist employees directly involved in a critical incident on Union Pacific property in coordination with the other railroad.

### **SECTION 4: TRAINING AND COMMUNICATION OF PLAN REQUIREMENTS**

Union Pacific delivers a computer based training program to managers who are responsible for implementing the plan and who supervise employees who could potentially be directly involved in a critical incident. In addition, Union Pacific provides employees with safety and situational awareness training. Information and resources regarding how to cope with stress, options for leave, counseling and other support services are available on the employee website and periodically communicated through a variety of sources. All Peer Support volunteers are trained in pre-incident education and training in Psychological First Aid.

Union Pacific posts information about the plan requirements and resources on its employee website and delivers communications to the affected workforce through regular communication channels such as newsletters, posters, employee electronic mail and bulletins.

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<sup>9</sup> 49 CFR §272.101(g)