



POLICIES DOCUMENT

Title:	Voluntary Self Referral Policy
Policy Number:	20.00
Effective Date:	08/23/2005
Last Revised:	08/17/2007
Application:	All Employees

Voluntary Referral Policy

POLICY STATEMENT 20.00

Kansas City Southern and its United States subsidiaries (collectively called "the Company"), has established a voluntary referral policy whereby if any employee who is chemically dependent upon or abuses alcohol or other drugs may voluntarily refer himself or herself to a professional counselor or treatment center. When an employee makes a voluntary self-referral the Company will:

- A. Offer the assistance of a professional Employee Assistance Program (EAP) Counselor who will be able to assist the employee by putting him or her in contact with a professional counselor or treatment center in proximity to the geographical area in which the employee resides;
- B. Grant the employee a leave of absence, if necessary, while he or she is under treatment for his or her chemical dependency; and,
- C. Treat all matters concerning the employees absence, counseling and treatment as CONFIDENTIAL as reasonably possible, *except that with respect to a certified locomotive engineer or a candidate for certification. The Company may suspend or revoke the certification, as appropriate, if the employee at any time refuses to cooperate in a recommended course of counseling or treatment.*

GUIDELINES 20.01

- A. In order for an employee to receive the leave and counseling benefits mentioned above and maintain an employment relationship with the Company, he or she must:
 1. seek assistance of the aforementioned Counselor while off duty or otherwise unimpaired and in compliance with the Company's alcohol and drug rules prior to the time the employee has been charged with conduct deemed sufficient to warrant dismissal
 2. Obtain the EAP Counselor's recommendation for return to work prior to being allowed to return to service (the Counselor will not unreasonably withhold such recommendation);
 3. successfully complete a return-to-work medical examination, which includes a drug and alcohol screen.



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- B. Whatever the employee is compensated for leave under this policy will depend on a variety of factors including the availability of vacation, sick leave or other paid leave. Costs incurred during treatment at a treatment facility will not be paid by the Company. Employees should however, confer with their medical insurance company to determine what costs are covered under their medical insurance policy.
- C. The Company encourages its employees who feel they need professional counseling for a chemical dependency problem, to seek the assistance offered by this policy.
- D. The Company's EAP provider can be reached Toll Free at (800) 624-5544.

ADMINISTRATION 20.02

Questions regarding the interpretation and application of this policy should be directed to the General Director of Personnel Services.



POLICIES DOCUMENT

Title:	Co-Worker Referral Policy
Policy Number:	21.00
Effective Date:	08/23/2005
Last Revised:	08/17/2007
Application:	All Employees

Co-Worker Referral Policy

POLICY STATEMENT 21.00

In the interest of safety and accident prevention and in order to encourage the identification of railroad employees who abuse alcohol or drugs Kansas City Southern and its United States subsidiaries (collectively called "the Company") established the ***Co-Worker Referral Policy***. The intent of this policy is to allow an employee to come forward and identify a co-worker who has reported for work while under the influence of drugs or alcohol, without necessarily causing the co-worker to be disciplined for violation of the Company's alcohol and drug rule, General Code of Operating Rules ("Rule 1.5".)

A bargaining unit employee, who has been reported by a co-worker for violation of Rule 1.5 and chooses to waive an investigation on a Rule 1.5 charge, as provided herein, may invoke the privileges of this policy one time only. While the details of this policy pertain particularly to bargaining unit employees and their handling under their collective bargaining agreements, the spirit of this policy also applies to non-agreement employees who will be handled similarly.

GUIDELINES 21.01

A. GENERAL

1. The alleged violation must come to the attention of the Company as a result of a report by a co-worker that the reported employee is apparently unsafe to work with or appears to be in violation of Rule 1.5.
2. After reviewing a report of violation, a company official will arrange to promptly observe and talk to the reported employee. If the company official reasonably determines that the employee is in violation of Rule 1.5, he or she will remove the employee from service immediately. The company official will also advise the employee that if this is his or her first Rule 1.5 offense, the employee has the right to waive an investigation on the rule charge but, in doing so, he or she must contact the Company's Employee Assistance Program (EAP) within forty-eight (48) hours of the date he or she was removed from service.
3. Upon being contacted by an employee removed from service under this policy, an EAP counselor will schedule an interview with the employee and complete an evaluation of the employee, both to be done within ten (10) days of the date contacted by the employee, unless it becomes necessary to refer the employee for



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further evaluation. In each case, all necessary evaluations will be completed within twenty (20) days of the date in which the employee contacts the EAP.

4. If after evaluating the employee, the EAP counselor determines that the employee is not affected by an identifiable and treatable mental or physical disorder relating to the employee's use of alcohol or drugs, the employee will be returned to service within five (5) days of the completion of such evaluation. If deemed necessary by the counselor, the employee will be required to participate in a program of education and training concerning the effects of alcohol and drugs on occupational or transportation safety.

B. TREATMENT REQUIRED

1. If it is determined by the counselor, after evaluation, that the employee is affected by psychological or chemical dependency on alcohol or drugs, the affected employee must:
 - a. undertake and successfully complete a course of treatment deemed acceptable by the counselor;
 - b. upon the counselor's recommendation that the employee be returned to service, pass a return-to-work medical examination which will include a drug or alcohol screen;
 - c. if deemed necessary by the counselor, the employee must participate in a follow-up treatment program not to exceed two (2) years from the date employee is returned to service.
 - d. If the alcohol or drug dependent employee fails to comply with the provisions of (a) or (c) above, he or she will be subject to discipline under the applicable Company rules. If the employee fails to pass the required medical examination or drug and alcohol screen mentioned in (b) above, such employee will not be allowed to return to service until he or she does pass the required medical examination and drug and alcohol screen. A drug and alcohol screen which detects the presence of a drug or controlled substance or alcohol will be considered a failure.
2. When an employee has been determined by the counselor to be psychologically or chemically dependent on alcohol or drugs, the Company will:
 - a. immediately grant the affected employee a leave of absence sufficient to complete the course of treatment recommended by the counselor;
 - b. allow the employee to return to service upon the recommendation of the counselor and successful completion of the required medical examination and drug and alcohol screen.
 - c. Whatever the employee is compensated for leave under this policy will depend on a variety of factors including the availability of vacation, sick leave or other paid leave. Costs incurred during treatment at a treatment facility will not be paid by the Company. Employees should however, confer with their medical insurance company to determine what costs are covered under their medical insurance policy.



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