

GENERAL COMMITTEE OF ADJUSTMENT

united transportation union

UNION PACIFIC RAILROAD COMPANY
(Former C&NW Railway Co.)

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CIRCULAR LETTER NO. 1

May 19, 2009

TO ALL LOCAL CHAIRPERSONS:

Dear Sirs and Brothers:

As an ongoing process - in the General Chairman's office, we send out Circular Letters as circumstances dictate in regard to issues that are of importance to all of our Membership. We are requesting that you read these documents at your Union Meetings for the Membership's benefit and also place them on bulletin boards for those Members who cannot attend the Union Meeting. Incorporated below are issues of importance for our Membership.


◆ **Strip-Search Drug Testing Rule Upheld:**

The United States Court of Appeals, District of Columbia Circuit, has upheld the Department of Transportation rules requiring "direct observation" for return-to-work and follow-up drug tests for employees who have previously violated the prohibitions on illicit drug usage. These direct observation rules require an employee to remove clothing to facilitate detection of devices intended to circumvent the testing procedures.

The regulations requiring direct observation were scheduled to be effective August 27, 2008, but were stayed pending the appeal of the UTU, other rail labor groups, and several rail corporations. The ruling of the Circuit Court places the regulations in effect immediately. The UTU Legal Counsel advises that employees reporting for return-to-work (from a violation of prohibited drug use) or follow-up testing should be prepared to comply with the direct observation procedures at any time.

Trusting this information will aid you in keeping our Membership informed of issues confronting us and with best personal wishes, I remain

Fraternally yours,


Michael J. Reedy
General Chairman, G.C.A.

MJR:jg

cc: M. B. Futhey, Jr. President - UTU
A. Martin, III, Assistant President - UTU
K. N. Thompson, General Secretary/Treasurer - UTU