

**VICTOR L JANECEK**

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**From:** "VICTOR L JANECEK" <vjanecek@msn.com>  
**To:** "Bohne Bill" <Bill\_Bohne@IBEW.org>  
**Cc:** <vjanecek@msn.com>  
**Sent:** Monday, June 05, 2006 3:04 PM  
**Subject:** Alcohol and Substance abuse

Dear Brother Bohne:

This has reference to your fax dated May 17, 2006, at 3:30 p.m. EST. Enclosures were a letter to Mr. Young and Mr. Duffy, re: Safety and Drug and Alcohol Use.

Yes, all Organizations on the Union Pacific incur this same problem on account of the Carrier's change in authority and they have now placed Assistant Vice President D.J. Smith, Labor Relations, over the Employee's Assistance Program. He chooses to abuse the discipline system versus the health and cure system. In fact, he uses retaliation if an employee is caught and doesn't turn themselves in and denies them the Broadspire benefits claiming that they are not entitled to it, on account of being a dismissed employee.

However, these employees that he has stated as being dismissed are drawing sickness benefits under Railroad Retirement which is a qualification factor for Broadspire. These people who sign Waivers and seek treatment should be under and have been under a Leave of Absence for sickness thus entitling them to their health benefits.

To the best of my knowledge, the Union Pacific Railroad is the only railroad using these type of disciplinary tactics for treatment of an illness.

The UPGCA (Union Pacific General Chairmen's Association) in their last meeting in March 2006 agreed to take this issue to the next level of their superiors for their involvement and assistance. Therefore, I respectfully request that you stringently pursue this matter with the other Organizations on our behalf.

The Carrier's argument may be that this has been ongoing for two years and that is correct. I can speak for myself as vigorously pursuing this along with Assistant General Chairman Don Tortorice who is currently involved in addressing this issue on the SACP. However, we have been unsuccessful in resolving this outstanding issue of denying negotiated benefits, I.e. Broadspire to selective employees.

Those who turn themselves or their co-workers turn them in receive the national negotiated Broadspire benefits. Those employees who get tested and caught are denied the negotiated benefits of Broadspire for their sickness. I am sure everyone must agree that had the employee not had the disease of alcoholism, they would have never been disciplined.

If I can be of any further assistance, please advise. This will also confirm our telephone conversation on the date of May 31, 2006, to which I explained in detail our situation.

With best wishes, I remain

Fraternally Yours,

  
Vic Janecek

General Chairman, SC#2

6/5/2006