

**NORTH COUNTY
TRANSIT DISTRICT**



Critical Incident Stress Plan

Rail Operations
49 CFR 272

June 1, 2022

Foreword

North County Transit District (NCTD) and its contractors are committed to implementing, maintaining, and constantly improving safety and operational practices and procedures to ensure it provides the best possible service to its customers and the communities that it serves.

This document defines the Critical incident Stress Plan that applies to employees who are directly engaged in rail operations. It will help employees to achieve a better quality of life by optimizing work and rest times.

NCTD is committed to the safety and security of its employees and contractors. All employees involved in operations should consider the following guiding principles:

SAFETY FIRST: Safety is the number one (1) rule that supersedes all plans and rules. Always put safety first.

CUSTOMER SERVICE: Growing ridership is imperative. Great customer service leads to increased ridership.

COMMUNITY: Remember when in uniform you represent NCTD. Each interaction with a member of the public is a chance to gain a new rider and supporter of the work we do as a team every day.

Revision Record

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1.0 Purpose

The purpose of this plan is to satisfy all requirements pursuant to 49 CFR § 272 and promote the health, safety, and well-being of employees, especially those who are or may be directly involved in critical stress incidents.

2.0 Scope

This plan is applicable to all employees who are subject to hours-of-service laws. This plan also applies to employees who are responsible for: inspecting, installing, repairing, or maintaining railroad track and infrastructure; and employees who are responsible for inspecting, repairing, or maintaining locomotives and rail cars.

NCTD regards employee safety as a priority and fully recognizes the individual needs of directly involved employees exposed to critical incidents. Critical incidents have the possibility to cause long-term impacts to mental, physical, cognitive, behavioral, and emotional health. NCTD has established this Critical Incident Stress Plan to offer training, timely relief from duty, and support services to directly involved employees.

3.0 Identifying Information

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Employee Assistance Program (EAP) Provider

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4.0 Definitions

Critical Incident:

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

Critical Incident Stress Debriefing (CISD): a facilitator-led group and peer-review process conducted soon after a critical event with individuals considered to be under stress from trauma exposure.

Directly involved employee means a railroad employee covered under CFR 49 § 272.7 and:

- 1) Whose actions are closely connected to the critical incident.
- 2) Witnesses the critical incident in person as it occurs or who witnesses the immediate effects of the critical incident in person; or
- 3) 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).

Employee and Assistance Program (EAP): NCTD’s Employee Assistance Program (EAP) is designed to provide assistance from mental health professionals to employees and their families with respect to addiction, emotional, psychological, and behavioral issues. The program provides services related to the prevention, problem identification, treatment referral, monitoring compliance, education, and consultation.

Home Terminal: an employee’s reporting point at the beginning of the tour of duty.

Post-Traumatic Stress Disorder (PTSD): a type of anxiety disorder that can occur after you have gone through an extreme emotional trauma that involved the threat of injury or death.

Psychological First Aid (PFA): an evidence-informed modular approach for assisting people in the immediate aftermath of disaster and terrorism: to reduce initial distress, and to foster short- and long-term adaptive functioning.

5.0 Overview

Employees who are directly involved in a critical incident as defined in this plan are at risk of a developing a wide range of psychiatric disorders. These include, but are not limited to:

- Normal stress reactions
- Post-Traumatic Stress Disorder (PTSD)
- Acute Stress Disorder (ASD)
- Depression

In addition to provided training, this plan includes the option to seek support services offered by EAP. These optional support services will assist the employee with coping mechanisms, reduce the likelihood of developing a disorder such as PTSD or ASD, recognize the symptoms of psychological disorders that sometimes occur because of a critical incident.

The EAP offers a host of available services and options to employees after a critical incident, including:

- Coping with the after-effects of a traumatic event
- Understanding a co-worker’s grief or illness
- Managing employees during times of stress and grief
- Dealing with a death in the workplace
- Talking to the recently bereaved
- Understanding trauma in the workplace
- Understanding trauma

EAP is also accessible to employees in several ways that ensure privacy and confidentiality. This includes scheduling tools, instant messaging, and online chat events with counselors.

In the case of “near miss” scenarios (e.g., situations which when seen in hindsight could have resulted in an accident, but which were narrowly avoided), NCTD reserves the right to objectively evaluate situations where a “near miss” has occurred for the potential to impair a directly involved employee’s ability to perform his or her job duties safely.

In all cases, the critical incident should arise out of and occur in the course of the employment during railroad operations, and should be:

- Clearly and precisely identifiable
- Objectively classified as a critical incident
- Unexpected in the normal or daily course of the employee’s employment or work environment
- Consistent with the requirements of this plan
- Occur outside the range of the normal human experience

6.0 Signs and Symptoms of Critical Incident Stress

The signs and symptoms of critical incident stress can be physical, emotional, cognitive, or behavioral. Individuals express stress in different ways and therefore manifest different reactions. The list below is not exhaustive but will help supervisors to identify workers who are exhibiting stress reactions.

<u>Physical</u>	<u>Cognitive</u>	<u>Emotional</u>	<u>Behavioral</u>
Fatigue Chills Unusual thirst Chest pain Headaches Dizziness	Uncertainty Confusion Nightmares Poor attention Decision making ability Poor concentration, memory issues Poor problem- solving ability	Grief Fear Guilt Intense anger Apprehension Depression Irritability Chronic anxiety	Inability to rest Withdrawal Antisocial behavior Increased alcohol consumption Change in communications Loss/increase of appetite

The first symptoms may appear in the minutes and hours following the event and may include emotional shock and feelings of helplessness and isolation combined with feelings of inadequacy and insecurity. Most people who are dealing with critical stress feel angry, frustrated, helpless, worried, and anxious. They also may have negative, agitated, and have uncertain feelings about how to cope with the situation.

There is a full range of human responses to critical events, especially those of a single, sudden, and short duration event. Although one might expect that the nature and severity of the critical event predict the nature and severity of the post-critical responses, such is not usually the case. The symptomatic responses to critical situations are more dependent upon an individual's life history, vulnerability, and overall health status.

Typical Reactions following Critical Incident Stress

The employee may have various physical, cognitive, emotional, and behavioral reactions following hours, or days, after the initial occurrence.

Employee may respond differently to a given incident, therefore, there are no "good" or "bad" reactions, and the absence of a reaction may indicate possible psychological distress.

Exceptions to Policy Provisions

The following workplace conditions will not constitute a critical incident, and will not be subject to the provisions of this plan for critical incident stress:

- Terminations
- Demotions
- Transfers
- Disciplinary actions and major rule violations
- Changes in job assignments and working hours
- Changes in productivity expectations (ex: an employee's occupational responsibilities are increased or decreased)

However, any employee who is subject to any of the above personnel actions while also simultaneously being directly involved in a critical incident as defined in this plan will still be entitled to the applicable relief and support services afforded by this plan.

Closely Connected to a Critical Incident

An employee who is "closely connected" to a critical incident is intended to mean an employee whose actions directly contribute to the incident (those actions could be merely the actions of carrying out the individual's job functions, e.g., by operating a train), or whose contemporaneous actions (or inaction) directly contribute to the incident. An example of when an employee may be

“closely connected” to a critical incident, even though he or she is not at the incident scene and witnessing the incident in person, is a situation where an act or omission by that employee (such as a train dispatcher) causes or contributes to a critical incident (e.g., a train dispatcher grants a movement authority in error which results in a subsequent collision).

7.0 Training

Employees

Employees who could potentially be exposed to a critical stress incident shall be provided a copy of the NCTD Critical Incident Stress Plan and receive initial training that encompasses the following topics:

- Availability of care and treatment options if exposed to or involved in a Critical Incident.
- Requirements of Critical Incident Stress Plans.
- Signs and symptoms of critical incident stress.
- Common physical, emotional, cognitive, and behavioral reactions to critical stress.

Managers and Supervisors

Frontline managers and supervisors who are responsible for responding to a critical incident and providing the necessary requirements consistent with this plan to a directly involved employee shall receive training that encompasses the following topics:

- Requirements of Critical Incident Stress Plans.
- Signs and symptoms of critical incident stress.
- Active listening and understanding.
- Common physical, emotional, cognitive, and behavioral reactions to critical stress.
- Promoting and supporting resiliency.
- Psychological first aid (PFA).

8.0 Prohibitions

Under no circumstances will managers, supervisors or EAP personnel utilize a debriefing or defusing session subsequent to a critical incident. Specifically, any debriefings which are academically or medically defined or classified as Critical Incident Stress Debriefings (CISD) are strictly prohibited.

9.0 Notification

Managers and Supervisors

Managers and Supervisors responding to the scene of a critical incident or interacting with employees closely connected to a critical incident will offer the following relief and support options to all directly involved or closely connected employees:

- 1) Relief from the balance of the duty tour for each directly involved employee, after the

employee has performed any actions necessary for the safety of persons and contemporaneous documentation of the incident.

- 2) Timely transportation for each directly involved employee to the employee's home terminal, after the employee has performed any actions necessary for the safety of persons and contemporaneous documentation of the incident.
- 3) Counseling, guidance, and other appropriate support services.
- 4) Relief from duty tours subsequent to a critical incident for a period up to three days.
- 5) Additional leave (relief) from normal duty as may be necessary and reasonable to receive preventative services or treatment related to the incident or both.

When a critical incident occurs, the EAP Referral Agent is to be immediately contacted by the responding Manager or Supervisor.

EAP can be contacted at 1-800-242-6220

If voicemail is received, leave a brief message along with the required information and that it is a critical incident stress related call. EAP services are available on a 24 hours per day, 7 days per week basis for these situations.

The Manager and Supervisor will supply the EAP referral agent with information regarding the incident and the contact information for all directly involved employees. The following information will be provided to the EAP within two (2) hours of the critical incident.

- 1) An overview of the events taking place, the extent of injuries to employees, passengers, and trespassers, and additionally whether there are fatalities.
- 2) How long the train is going to be delayed; what was the train's destination; and when do they expect the directly involved employees to return to their home terminal.
- 3) Names, telephone numbers, and employee identification numbers of the directly involved employees.

Managers and Supervisors responding directly to the scene or site of a critical incident will ensure that initial personal contact is made with all directly involved employees. They will also explain the next steps of the critical incident process but should refrain from any further diagnosis.

If the directly involved employee believes that they have been traumatized by the critical incident and cannot continue their work duties, they will be relieved for the duration of their work assignment. **This is completely at the directly involved employee's discretion** and is not mandatory. The Manager or Supervisor shall then arrange for timely transportation from the scene of the critical incident to the employee's home terminal.

Timely transportation to be offered includes:

- Manager or Supervisor transporting the directly involved employee(s) in a vehicle
- Arranging for designated contract transportation.
- If acceptable, allow the directly involved employee(s) to ride in the body of the next scheduled passenger train, if that train will provide direct passage to the employees' home

terminal

10.0 Relief from Subsequent Duty

The responding Manager or Supervisor will notify all directly involved employees as soon as practicable of their option to be relieved from their current assignment for up to the next three (3) subsequent calendar days. The available relief will begin on the next calendar day following the day on which the critical stress incident occurred. Any directly involved employee electing to receive relief from a future assignment will be afforded this option without loss of earnings.

If the directly involved employee is previously scheduled to receive a rest or vacation day from their normal assignment and it happens to fall within the allotted three (3) calendar days afforded to them, then those periods of not performing service for the railroad shall constitute as having satisfied this part. The directly involved employee will be unavailable for performing any service for the railroad during this time.

If a directly involved employee requires additional leave from their regular assignment, in order to facilitate his or her treatment or services, the employee must:

1. Provide physical or electronic documentation to their Manager or Supervisor from the EAP counselor or a Physician that supports that the employee will require further absence from duty based on an articulable medical or professional opinion; or
2. Provide physical or electronic documentation to his or her Manager or Supervisor from the EAP counselor or physician that substantiates and supports that, based on the employee's clinical diagnosis, they will require additional or on-going medical treatment.

Physical and electronic documentation such as a professional medical diagnosis or an opinion from the employee's elected health care professional or EAP counselor should be promptly submitted to the Critical Incident Plan Administrator identified in this plan.

Due to NCTD's privacy and confidentiality requirements as well as those found in the Health Insurance Portability and Accountability Act (HIPPA), managers and supervisors will not have access to employee health information such as a clinical or medical diagnosis from a health care practitioner, physician or EAP counselor.

Any documentation received by a Manager or Supervisor regarding medical documentation on an affected employee must be immediately forwarded to HR.

11.0 Joint Operations

If conducting joint operations with other railroads, the provisions of this plan will remain fully applicable to all directly involved NCTD employees who are operating on territory controlled by NCTD.

“Good Samaritan”

For employees of foreign railroads operating trains on NCTD track, those employees will be governed by their respective railroad's applicable Critical Incident Stress Plan. If the railroad is not required to have a Critical Incident Stress Plan, NCTD will make every reasonable effort to notify a directly involved employee of a different railroad of the resources available for exposure to a critical stress incident.

12.0 Employee and Assistance Program (EAP)

The EAP will receive information from the responding Manager, Supervisor, or the Critical Incident Stress Administrator regarding the details of the event. Based on the information collected and the situation, a plan will be established contingent upon the assessment of the EAP counselor and the Manager or Supervisor. The appropriate support services will be facilitated or coordinated by EAP and the Critical Incident Stress Plan Administrator.

As a first step, EAP conducts a crisis management consultation by phone with the Critical Incident Stress Plan Administrator or Manager or Supervisor reporting the incident. The specifics of the incident are discussed, and the EAP counselor works with the manager to determine an appropriate level of response. If needed, EAP staff is immediately dispatched to the incident. Recommendations may include some or all of the following critical incident stress management services:

- Reminders of EAP availability to all employees at the location.
- Referral of a particularly troubled employee to EAP services.
- Distribution of educational recovery materials related to the incident.
- Communication of online educational resources available through the EAP.
- Telephonic meetings for managers and employees.

EAP will contact the employees as soon as possible following the incident. EAP will initiate direct contact with the employees involved, offering professional counseling assistance, and explaining the short- and long-term potential effects of exposure to such incidents. If EAP is unable to contact the employee within the specified time frame, it is the employee's responsibility to contact EAP if they need services.

EAP staff will conduct an assessment to determine the well-being of the employee and the level of additional assistance necessary. The employee will be provided with basic stress management techniques to assist in coping. The employee is reassessed in 24-hour increments for minimally a 3-day period. In three telephone sessions, the EAP will assess the employee, providing psychological first aid, educating them on typical emotional reactions, and evaluating the employee's return to work readiness.

On-site wellness seminar related to the incident; and an On-site defusing session held individually with each directly involved employee(s) may be done at the discretion of NCTD after consultation with EAP.

Upon completion of treatment or counseling, contact with the CISP Administrator will be made by EAP providing general updates and necessary information, while protecting confidentiality for the employees. EAP will work with the Manager, Supervisor or CISP Administrator to ensure the timely return to work of the employee.

13.0 Critical Incident Reportability Under Part 225

Generally, the occurrence of a critical incident will not be reportable under the regulation, particularly when there are no injuries to be evaluated for potential reportability. NCTD is not required to seek out information on mental illnesses from its employees. Mental illness cases are only to be considered when an employee voluntarily presents an opinion from the healthcare professional that the employee has a mental illness and that it is work related.

In accordance with 49 CFR § 225, Accident and Incident Reporting, NCTD will record only those mental illnesses verified by a healthcare professional with appropriate training and experience in the treatment of mental illness. If NCTD does not believe the reported mental illness is work related, the employer may refer the case to a Physician or Other Licensed Health Care Professional (PLHCP) for a second opinion.

14.0 Instruction for Submitting Critical Incident Stress Plans

§272.103 Submission of critical incident stress plan for approval by the Federal Railroad Administration.

- 1) Each railroad subject to this part shall submit to the Federal Railroad Administration, Office of Railroad Safety, 1200 New Jersey Avenue SE, Washington, DC 20590, for approval, the railroad's critical incident stress plan no later than 12 months after June 23, 2014.
- 2) Each railroad subject to this part shall:
 - a) Simultaneously with its filing with FRA, serve, either by hard copy or electronically, a copy of the submission filed pursuant to paragraph (a) of this section or a material modification filed pursuant to paragraph (e) of this section on the international/national president of any non-profit employee labor organization representing a class or craft of the railroad's employees subject to this part; and
 - b) Include in its submission filed pursuant to paragraph (a) of this section or a material modification filed pursuant to paragraph (e) of this section a statement affirming that the railroad has complied with the requirements of paragraph (b)(1) of this section, together with a list of the names and addresses of the persons served.
- 3) Not later than 90 days after the date of filing a submission pursuant to paragraph (a) of this section or a material modification pursuant to paragraph (e) of this section, a labor organization representing a class or craft of the railroad's employees subject to this part, may file a comment on the submission or material modification.

- a) Each comment shall be submitted to the Associate Administrator for Railroad Safety and Chief Safety Officer, FRA, 1200 New Jersey Avenue SE, Washington, DC 20590; and
- b) The commenter shall certify that a copy of the comment was served on the railroad.
- 4) A critical incident stress plan is considered approved for purposes of this part if and when FRA notifies the railroad in writing that the critical incident stress plan is approved, or 120 days after FRA has received the railroad's critical incident stress plan, whichever occurs first.
- 5) After FRA's initial approval of a railroad's critical incident stress plan, if the railroad makes a material modification of the critical incident stress plan, the railroad shall submit to FRA for approval a copy of the critical incident stress plan as it has been revised to reflect the material modification within 30 days of making the material modification.
- 6) Upon FRA approval of a railroad's critical incident stress plan and any material modification of the critical incident stress plan, the railroad must make a copy of the railroad's plan and the material modification available to the railroad's employees identified in §272.7.
- 7) Each railroad subject to this part must make a copy of the railroad's plan available for inspection and reproduction by the FRA.

§272.105 Requirement to file critical incident stress plan electronically

- 1) Each railroad subject to this part must submit its critical incident stress plan and any material modifications to that plan electronically through FRA's Web site at:
<http://safetydata.fra.dot.gov/OfficeofSafety/CISP>
- 2) The railroad's electronic submission shall provide the Associate Administrator with the following:
 - a) The name of the railroad.
 - b) The names of two individuals, including job titles, who will be the railroad's points of contact.
 - c) The mailing addresses for the railroad's points of contact.
 - d) The railroad's system or main headquarters address located in the United States.
 - e) The email addresses for the railroad's points of contact.
 - f) The daytime telephone numbers for the railroad's points of contact; and
 - g) An electronic copy of the railroad's critical incident stress plan or any material

- modifications to that plan being submitted for FRA approval.
- 3) FRA may electronically store any materials required by this part.

Appendix A – Process Flow

