

RESOLUTION 1999-102

AUTHORIZING A REVISION OF THE GREATER CLEVELAND
REGIONAL TRANSIT AUTHORITY'S SUBSTANCE ABUSE
POLICY COVERING SAFETY-SENSITIVE POSITIONS

WHEREAS, the Greater Cleveland Regional Transit Authority is required by the Federal Transit Administration to maintain a substance abuse program as a condition to receiving federal financial assistance;

WHEREAS, the Greater Cleveland Regional Transit Authority has a deep concern for the well-being of its employees and the safety of its patrons and public at large;

WHEREAS, the Greater Cleveland Regional Transit Authority has a governmental interest in ensuring the well-being of its employees, the safety of its patrons and traveling public is thereby justified in prohibiting employees from using drugs and alcohol on duty or while subject to being called for duty or having it in their system while on duty;

WHEREAS, having a clearly-defined substance abuse policy will assist the Board of Trustees and management in establishing a drug-free workplace which in turn would reduce accidents and casualties in the performance of its operation.

WHEREAS, the Greater Cleveland Regional Transit Authority has a need to revise the Substance Abuse Policy as a result of recent federal regulatory changes.


NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the revised Substance Abuse Policy shown in Attachment A hereto is hereby adopted as official policy of the Authority.

Section 2. That this Resolution shall become effective immediately upon its adoption.

Attachment A: Substance Abuse Policy for Safety Sensitive Employees

Adopted: _____ July 20 _____, 1999



President

Attest: 

General Manager/Secretary Treasurer

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES

1.0 PURPOSE/SCOPE

- 1.1 The Substance Abuse Policy for Safety Sensitive Employees described herein is designed to provide the safest possible transportation for the riding public and work environment for its employees. This policy establishes guidelines for the administration of the Authority's Drug and Alcohol Testing Program in accordance with FTA requirements.
- 1.2 Based on these requirements, the Authority requires all safety sensitive employees to submit to testing for the presence of alcohol and/or drugs. All employees must be free of drugs and/or alcohol when performing a safety sensitive function.

2.0 LEGAL AUTHORITY

- 2.1 49 CFR Part 40, Final Testing Procedures Rule Changes, (pp. 42996 – 43019), Aug. 19, 1994.
- 2.2 49 CFR Part 653 & 654, Final Drug and Alcohol Rule Changes, (pp. 62218-62240), Dec. 2, 1994.
- 2.3 49 CFR Part 653 & 654, Technical Corrections (pp. 12296-12300), Mar. 6, 1995.
- 2.4 49 CFR Part 40, Final Rule – New Drug Testing Custody and Control Form, (pp. 19535-19537) April 20, 1995.
- 2.5 49 CFR Part 654, Final Alcohol Rule Change – Suspension of Pre-employment Alcohol Testing, (pp. 247-24766), May 10, 1995.
- 2.6 49 CFR Part 40, Guidance on the Role of Consortia and Third Party Administrators, (pp. 38204-39205), July 25, 1995.
- 2.7 49 CFR Part 653 & 654, Final Drug and Alcohol Rule Changes – Volunteers and Post Accident Testing, (pp. 39618-39620), Aug. 2, 1995.
- 2.8 49 CFR Part 40, Final Rule – Amendments to Laboratory Certification Requirements, (pp. 37015-37017), July 16, 1996.
- 2.9 49 CFR Part 40, Final Rule – Amendment to Definition of “Substance Abuse Professional”, (pp. 37222-37224), July 17, 1996.
- 2.10 49 CFR Part 40, Final Rule – Procedures for Transportation Workplace Drug and Alcohol Testing Programs- Shy Bladder, (pp. 37693-37700), July 19, 1996.
- 2.11 49 CFR Part 653 & 654, Notice of Random Testing Rate (pp. 67962), Dec. 26, 1996; (pp. 68818-69919), Dec. 14, 1998.
- 2.12 49 CFR Part 653 & 654, Notice of Random Testing Rate (pp. 418-419), Jan. 6, 1998.
- 2.13 49 CFR Part 653 & 654, Notice of Random Testing Rate, (pp. 68818-69919), Dec. 14, 1998.
- 2.14 49 CFR Parts 653 & 654, Final Rule – “Maintenance “ Under Definition of Safety Sensitive Functions in Drug and Alcohol Rules (pp. 425-427), Jan. 5, 1999.
- 2.15 49 CFR Part 653 & 654, Prevention of Prohibited Drug & Alcohol use in Transit Operations, (pp. 67612-67613), Dec. 8, 1998.
- 2.16 49 CFR Part 29, Drug Free Workplace Act of 1998.
- 2.17 FTA Drug and Alcohol Regulation Updates.

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES
Page 2

- 2.18 Employee Performance Code.
- 2.19 RTA Bulletin No. 89-76 Prohibition Against Drugs in The Workplace, Dec. 5, 1989.
- 2.20 List of Safety Sensitive Classifications (Addendum B).
- 2.21 Federally Mandated Laboratory Testing Cut Off Limits. (Addendum D).

3.0 GENERAL PROVISIONS

- 3.1 This policy applies to all employees who are incumbents in safety sensitive positions, and to all applicants who may apply for or who may transfer to a safety sensitive position.
- 3.2 Policy Objectives are as follows:
 - To recognize, address and minimize the devastating effect pervasive drug use and alcohol misuse has on employees.
 - To encourage employees to participate in the Employee Assistance Program (EAP) and to assist employees who are plagued by problems associated with drugs and alcohol.
 - To clearly and concisely outline the procedures required to comply with the federal regulations.

4.0 CIRCUMSTANCES WHICH WARRANT TESTING

- 4.1 According to the FTA Drug and Alcohol Regulations, all safety sensitive employees are required as a condition of employment to submit to drug testing and alcohol testing. The use of marijuana, cocaine, amphetamines, opiates and phencyclidine is prohibited at all times and employees may be tested anytime while on Authority property and/or while in the performance of duty.
- 4.2 FTA requires drug and alcohol testing to be performed for the following:
 - Employment drug testing.
 - Prior to the transfer from a non-safety sensitive position to a safety sensitive position.
 - At any time when there is reasonable suspicion of drug/alcohol use.
 - At any time an employee is involved in a fatal or non-fatal accident as described in Section 5.4.
 - When an employee is selected for random testing.
 - When an employee returns from rehabilitation.
 - When an employee requires follow up testing required by the Substance Abuse Professional (SAP).

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES

Page 3

- 4.3 In addition to FTA requirements, GCRTA tests for the following:
- Alcohol testing at the time of employment physical examination.
 - As a condition of discipline due to previous offense under this policy.
 - When an employee is involved in a non-fatal accident, ruling out FTA, that is specifically noted in Section.
 - At the time of or during a work related physical examination.

5.0 TYPES OF TESTING REQUIRED

- 5.1 Employment or Pre-Placement Testing: The purpose of employment and pre-placement testing is to identify applicants or employees who may seek to apply and/or transfer from a non-safety sensitive position to a safety sensitive position who have current drug/alcohol problems.
- 5.2 Random Testing: The purpose of random testing is to identify employees who are using drugs and/or misusing alcohol, but are able to use the predictability of other testing methods to escape detection. Random testing serves as a strong deterrent to prevent employees from beginning or continuing drug use or alcohol misuse and assist in protecting the safety of the public, co-workers and the employee.
- 5.2.1 According to FTA regulations, all safety sensitive employees are required to participate in random testing for drugs and alcohol. The GCRTA will test safety sensitive employees in accordance with FTA regulated percentages. See Addendum D of this policy.
- 5.2.2 Per FTA Regulations, random testing must occur twenty-four (24) hours a day seven (7) days a week including holidays.
- 5.2.3 According to FTA Regulations, GCRTA is required to operate a random testing program utilizing a scientifically valid random number selection method to select candidates for testing.
- 5.2.4 FTA requires that the random notification and testing process shall occur throughout the workday and throughout the selection period.
- 5.3 Reasonable Suspicion Testing: The purpose of reasonable suspicion testing is to provide a method to identify drug or alcohol affected employees who may pose a danger to themselves and others in their performance of safety sensitive functions.
- 5.4 Post Accident Testing: The FTA Regulations require drug and alcohol testing in the case of certain mass transit accidents. Post accident testing is mandatory where there is a loss of life and for other non-fatal accidents. In the event of a non-fatal accident, according to the FTA, the burden rests with the Authority to prove that an employee did not contribute to the accident. In determining whether testing will occur, FTA testing requirements have priority over GCRTA testing requirements.

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES

Page 4

- 5.4.1 In the event of a fatality, all surviving covered employees operating the mass transit vehicle at the time of the incident and all other covered employees whose performance may have contributed to the accident will be subject to FTA drug and alcohol testing.
- 5.4.2 In the event of a non-fatal accident, FTA defines an accident when one or more individuals require immediate transport to a medical facility; or when a bus or CRT vehicle is involved; or when a rail car is removed from service; or any vehicle involved receives disabling damage. All covered employees operating the mass transit vehicle will be subject to FTA drug and alcohol testing unless their performance can be completely discounted as a contributing factor based on the best information available at the time of the decision, as well as all other covered employees whose performance may have contributed to the accident.
- 5.4.3 The FTA specifically requires that post accident testing be administered as soon as practicable following the accident. The alcohol testing time limit is a maximum of eight (8) hours post accident. The drug testing time limit is a maximum of thirty-two (32) hours post accident.
- 5.4.4 When an employee is seriously injured, unconscious or dead, the FTA permits the Authority to obtain results through the applicable law enforcement agency.
- 5.4.5 In addition to FTA requirements, GCRTA policy warrants post accident testing when an employee either contributed to or cannot immediately be discounted from contributing to the accident, involving the following:
 - A pedestrian
 - A fixed object
 - Two or more GCRTA vehicles
 - A GCRTA vehicle striking the rear end of another vehicle
 - A head-on collision
 - A GCTRA vehicle sideswiping or broadsiding another vehicle
 - Physical damage greater than \$5,000
- 5.4.6 FTA mandated testing takes precedence over GCRTA required testing.

5.5 Return to Duty Testing: The purpose of return to duty testing is to provide a degree of assurance that a safety sensitive employee is currently drug and/or alcohol free and is able to return to work without undue concern of continued drug abuse or alcohol misuse.

- 5.5.1 According to FTA Regulations, whenever any of the following has occurred, the employee must first be evaluated by the Substance Abuse Professional (SAP) and pass a return to duty drug and/or alcohol test before returning to employment in a safety sensitive classification:
 - Has had a verified positive drug test result;
 - Has had a breath alcohol content (BAC) of 0.04 or greater; or
 - Has been involved in any other activity that violates the regulations including refusal to submit to testing.

- 5.6 Follow-up testing: The purpose of follow-up testing is to serve as motivation to the employee to remain free of prohibited substance(s) and to provide GCRTA assurance that the employee has not resumed the use of drugs and/or alcohol after rehabilitation.

6.0 DRUG AND ALCOHOL TESTING

- 6.1 Breath Alcohol Testing: Only an Evidential Breath Testing device (EBT) that is approved by the National Highway Traffic Safety Administration (NHTSA) will be used. A certified Breath Alcohol Technician (BAT) must perform the confirmation tests. A safety sensitive employee must not consume alcohol while performing a safety sensitive function four (4) hours prior to performing a safety sensitive function and up to eight (8) hours following an accident or until the employee undergoes post accident testing, whichever occurs first. At all other times testing alcohol is only permissible just before an employee performs safety sensitive duties, during that performance or just after an employee has performed covered duties. FTA requirements provide authorization for testing for alcohol and taking action on the findings, regardless of whether it was ingested as beverage alcohol or in a medicinal or other preparation.
- 6.2 The FTA regulations prohibit an employee with an alcohol concentration of 0.04 or greater to perform a safety sensitive duty until she/he has been evaluated by a SAP and has passed a return to duty test. In the event that an employee has an alcohol concentration of 0.02 but less than 0.04, FTA requires re-testing if the employee is to return to a safety sensitive position before eight (8) hours. However, GCRTA requires that an employee with an alcohol concentration of 0.02 but less than 0.04 must be removed from duty for eight (8) hours or until a retest shows an alcohol concentration of less than 0.02.
- 6.3 Drug Testing: Following FTA regulations, urine drug testing will consist of testing for marijuana, cocaine, opiates, phencyclidine and amphetamines. GCRTA reserves the right to test for other drugs such as barbiturates, non-barbiturate sedatives and non-amphetamine stimulants. In the event these optional tests are to be performed, they will be performed separately from FTA testing. Testing procedures will consist of specimen collection, laboratory testing, Medical Review Officer review and SAP referral if needed.
- 6.4 Medical Review Officer: In accordance with FTA Regulations, when a test results in a confirmed positive drug test, the employee will be contacted by the Medical Review Officer (MRO). The MRO will interpret the employee's confirmed positive test by reviewing the individual's medical history; affording the employee an opportunity to discuss the test result; deciding whether there is legitimate medical explanation for the result; and informing the employee that she/he has 72 hours in which to request a test of the split sample. MRO services are provided by contract with a certified physician. (See Addendum A)

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES

Page 6

- 6.5 Substance Abuse Professional (SAP): The SAP must be a licensed physician, a licensed or certified psychologist and a licensed/certified employee assistance professional, or certified alcohol and drug abuse counselor that has knowledge of and clinical experience in the diagnosis and treatment of substance abuse-related disorders. The role of the SAP is to evaluate if an employee with a verified positive test or who has refused a test is in need of assistance in resolving problems associated with prohibited drug use or alcohol misuse. The SAP also evaluates if an employee has complied with treatment recommendations, recommends when the employee is ready for return to duty and recommends the required number of follow up drug/alcohol tests after the employee returns to duty. (See Addendum A)
- 6.6 Specimen Collection: Only Federal custody and control forms will be used for FTA mandated drug and alcohol testing and non-Federal custody and control forms for GCRTA defined testing. The testing performed for GCRTA defined testing will test for the same five (5) drugs as defined by DOT under the same stringent DOT requirements. All collection sites will follow DOT collection protocol.
- 6.7 Laboratory Standards: All drug testing under the FTA regulations must be completed in a laboratory certified by the Department of Health and Human Services (DHHS). All drug tests will comply with DOT regulations that require an immunoassay test to be performed on the initial test and gas chromatography/mass spectrometry (GS/MS) to be used for confirmation testing for positives. The selected laboratory must also provide secure storage for split samples and provide periodic summation reports consistent with 49 CFR Part 40. The laboratory must comply with the federally mandated cut-off limits for minimum quantity of drug detected in the initial and confirmation testing. (See Addendum A for laboratory identification and Addendum D for testing cut-off limits)

7.0 DISCIPLINARY CONSEQUENCES OF DRUG USE AND MISUSE OF ALCOHOL

Under FTA regulations, unless otherwise stated, discipline for policy violations shall be determined by the employer. Therefore, the GCRTA has implemented a disciplinary process for any employee who tests positive for drugs and/or alcohol under the Substance Abuse Administrative Policy and Procedure.

8.0 RESPONSIBILITY FOR PROGRAM ADMINISTRATION

The General Manager is responsible for the implementation of this policy and has designated that the Drug and Alcohol Program will be administered by the Medical Services Coordinator. Medical Services is located at the GCRTA Main Office Building, 1240 W. 6th Street, Cleveland, OH 44113.

- 8.1 Any employee may review the referenced regulations and cited reference materials of this policy in the Medical Services Office by appointment.

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES
Page 7

- 8.2 Employees may request a copy of any of their own drug and/or alcohol test results. All requests must be in writing.

9.0 PERIODIC REVIEW AND AMENDMENT

- 9.1 The drug and alcohol policies delineated herein shall be subject to review and revision by the Board of Trustees at least annually based on regulatory changes. This does not preclude the Board of Trustees from revising specific policies included herein or from adding additional policies should the Board of Trustees determine that the best interests of the public and/or the Authority would be served by making such a revision.
- 9.2 Amendments or revisions to these drug and alcohol policies can be initiated or proposed by any member of the Board of Trustees or by the General Manager.
- 9.3 Proposed amendments or revisions to these policies shall be subject to review and study by the Operations Committee of the Board of Trustees. The Operations Committee will make recommendations on any proposed amendment or revision by majority vote, as defined in the by-laws, before said amendment or revision will become official policy of the Authority.

Adopted by Resolution No. 1989-13, December 11, 1989
Amended by Resolution No. 1994-229, December 20, 1994
Amended by Resolution No. 1998-24, February 17, 1998

Addendum A

Medical Review Officer(MRO)

Dr. Ronald Hawes, M.D.
East Side Occupational Health Center
4450 St. Clair Avenue
Cleveland, Ohio 44103
(216)431-0927

Substance Abuse Professional (SAP)

Judy Marinich, MA, AT, LSW, M.Eds., CCDC
Recovery Resources
3950 Chester Avenue
Cleveland, Ohio 44114
(216) 371-4256

Laboratory Drug Testing

MedTox Laboratories
DHHS, SAMHSA, National Laboratory Certification Program Certificate
Lab Cod # 2400665278
402 West County Road D
St. Paul, Minnesota 55112
1-800-823-3244

GCRTA Drug & Alcohol Program Administration

Linda K. Tancek
Medical Services Coordinator
Root McBride Building
1240 W. 6th Street
Cleveland, Ohio 44113
(216)566-5106

Addendum B

Safety Sensitive Positions

Job Title	Job Classification	FTA Criteria
CRT Operator	137	1
Equipment Helper	142	4
Hostler – Part Time	147	1
Laborer	152	2
Community Circulator	188	1
Community Circulator – Part Time	189	1
Transit Police Officer – Part Time	336	5
Vehicle Servicer	346	2
Hostler – Full Time	347	1
Laborer	352	2
Operator – Full Time	437	1
Operator – Part Time	438	1
Transit Police Officer – Full Time	440	5
Equipment Servicer	442	3
Body Mechanic	446	4
Equipment Mechanic	447	4
Sub station Maintainer	448	4
Signal Maintainer	450	3
Track Maintainer	452	4
Line Maintainer	453	2
Maintainer	453	2
Rapid Transit Electrical Maintainer	459	4
Mail Truck Driver	469	2
Assistant Operations Instructor	459	1
Rapid Transit Equipment Body Mechanic	521	4
Rapid Transit Equipment Electrician	522	4
Rapid Transit Equipment Mechanic	523	4
Rapid Transit Brake Mechanic	524	4
Rapid Transit Machinist	525	4
Rapid Transit Machinist	526	4
Automotive Brake Mechanic	528	4
Maintenance Leader	529	4
Bus Operations Supervisor	531	3
Rail Operations Supervisor	532	3
Heating/Air Conditioning Mechanic	535	4
Transit Police Sergeant	540	5
Equipment Body Mechanic	541	4
Equipment Electrical Unit Mechanic	542	4
Equipment Electrician	543	4
Equipment Mechanic	545	4
Equipment Repair Leader	547	4
Maintenance Technician	548	4
Maintenance Leader	549	4

Safety Sensitive Classifications – Page 2

Job Title	Job Classification	FTA Criteria
Signal Maintenance Technician	550	4
Special Equipment Operator/Mechanic	552	4
Rapid Transit Air conditioning Mechanic	553	4
CRT Group Leader	554	2
CRT Dispatcher	557	3
Motor Repair Leader	567	4
Operations Instructor	611	1
Vehicle Maintenance Instructor	612	1
Rapid Transit Assistant Shop Supervisor	623	4
Electronic Technician	624	4
Zone Supervisor	634	3
Assistant Section Supervisor	645	2
Tower Control Supervisor	645	3
Crew Chief	646	4
Assistant Equipment Supervisor	647	4
Substation Maintainer	648	2
Assistant Maintenance Supervisor	649	4
Signal Technician	650	4
Lead Signal Technician	651	4
Assistant Track Supervisor	652	4
Line Maintainer	653	4
Special Equipment Operator	654	4
CRT Road Supervisor	658	3
Transit Police Lieutenant	1060	5
Assistant Equipment Supervisor	1069	4
Load Dispatcher	1137	3
Training Specialist – Transportation	1141	1
Supervisor – Radio Control	1147	3
Supervisor – Maintenance	1172	4
Training Specialist – Maintenance	1242	4
Transit Police Commander	1248	5
Supervisor – Rail Traffic	1249	3
Rapid Transit Shop Supervisor	1252	4
Supervisor – CBM	1258	4
Supervisor –Traffic	1259	3
Supervisor – Plumbing Maintenance	1264	4
Supervisor – Electrical Maintenance	1265	4
Bus Supervisor	1266	3
Superintendent – CRT Equipment	1267	4
Supervisor – Track	1273	4
Supervisor – CBM (nonex)	1951	4
Rapid Transit Shop Supervisor (nonex)	1953	4
Supervisor – Signals	1956	4
Supervisor – Power	1957	4
Student Driver Trainee	9909	1

Safety Sensitive Classification – Page 3

FTA Criteria utilized to identify a safety sensitive function as noted in column 3 of this Addendum

- 1. Operates a revenue service vehicle in or out of service**
- 2. Operates a non-revenue vehicle requiring a CDL**
- 3. Controls dispatch or movement of a revenue service vehicle**
- 4. Maintains a revenue service vehicle or maintains equipment used in revenue service**
- 5. Carries a firearm for security purposes**

***Job classifications 447 and 541 include Sign Shop personnel. Sign Shop personnel who perform graphic identification and decal functions but perform no actual mechanical work on the body, interior or components of the coach are exempt as Safety Sensitive.

Addendum C

Random Testing Rates

Effective January 1, 1999 the current random drug and alcohol testing rates are as follows:

- **At least 50% of the total number of safety sensitive employees will be drug tested**
- **At least 10% of the total number of safety sensitive employees will be alcohol tested**

Reference: Federal Register vol. 63, No 239, Monday, December 14, 1998.

Addendum D

Laboratory Testing Cut-off Limits for the Minimum Quantity of Drug Detected

The following laboratory testing cut off limits are federally mandated for the minimum quantity of drug detected in the initial test and the confirmation test:

Drug to be tested	Initial Test Cut off Limit	Confirmation Test Cut off limit
Canabinoid	50 ng/ml	15 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Opiates	2000 ng/ml	2000 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml
Amphetamines	1000 ng/ml	1000 ng/ml

(49 CFR Part 40, Federal Register, November 25, 1998)

Addendum E

Life Consequences of Drug Abuse and Alcohol Misuse

Both drug abuse and alcohol misuse are serious and complex issues that have far reaching consequences, not only for the individual affected, but on family, friends and co-workers. When an individual uses drugs or alcohol, everything that is important, such as family, friends, job, money, and self respect are at risk. Addiction gradually consumes more and more of an individual's time, energy and health. Any list of behavioral signs cannot be completely accurate for everyone, however, the most important sign to watch for is a marked change in behavior that could signal that there is a drug or alcohol problem. Some of the possible symptoms of drug abuse or alcohol misuse are as follows:

Physical Symptoms:	Exhaustion, untidiness, blank stare, slurred speech, unsteady walk, changes in appearance after work break.
Mood:	Constant depression or anxiety, irritability, suspicion and mood swings.
Actions:	Argumentative, excessive sense of self-importance, avoids talking.
Absenteeism:	Frequent "emergency" absences, often absent on Monday mornings, frequent unexplained disappearances from work station.
Accidents:	Takes needless risks, disregards safety of others, higher-than-average accident rate.
Work Patterns:	Inconsistent work quality and productivity, mistakes and carelessness, lapses of memory, increased difficulty in handling complex tasks.
Relationships:	Overreacts to criticism, withdrawn, problems at home and/or work, borrows money from friends.

The affect of drug or alcohol problems on co-workers is equally impairing. Impaired employees affect co-workers, work performance, customer relations and the company's reputation and can threaten company property, other employees and the public.