



# Operating Rules Working Group

**Railroad Safety Advisory  
Committee**

**February 22, 2006**



# **Working Group Focus**

## **Focus Areas**

- Shoving / Pushing Movements**
- Leaving Equipment in the Clear**
- Switches and Derails**
- Instruction / Training**
- Operational Tests & Inspections**
- Good Faith Challenge**

# EO 24

- **Instruction**
- **Hand-operated Main-track Switches**
- **SPAF**
- **Intra-crew Communication**
- **Job Briefings (Switches Operated)**
- **Operational Tests and Inspections**

# Working Group Discussion

- Substantial Agreement in Many Areas, but no Consensus
- Yellow: FRA perspective based on discussion.
- Red: Concerns and objections raised by one or more parties.



# Operational Tests & Inspections

- Officers instructed & qualified on rules, testing program, and procedures, and provided appropriate field training.
- Reviews of tests and inspections
  - FRA proposed system of monthly, quarterly, and semi-annual reviews of accidents / incidents and whether testing program is focusing on the accident / incidents that have occurred
    - **Concern expressed over level of detail, frequency.**
  - Discussion of exception for railroads with >400,000 work hours

# Training & Instruction

- Written instruction, examination and qualification program addressing Part 218 rules with Federal sanctions, including shoving, leaving equipment in clear, and switches/derails, **good faith challenge**.
- Initially train employees within 12 months of effective date
- FRA, for cause stated, could call up RR's program for review (approve/disapprove)

# Training & Instruction

- Concerns with training proposal:
  - Disagreement over whether it would require extensive and unjustified recordkeeping
  - Retraining experienced employees within 12 month period



# Good Faith Challenge

- Employee right to challenge on basis of violation of proposed FRA regulations
  - No discharge or discrimination
  - No work performed until resolution
  - Resolution process including involvement of RR officer other than person issuing directive.
- FRA statutory authority questioned (ref. to protection for “refusal” under 49 U.S.C. sec. 20109).



# Shoving / Pushing Movements

- Must visually determine track is clear, with limited equivalent exceptions
- Remote control requirements
  - Further discussion of short-line operations
- **Concerns expressed:**
  - Applicability of restrictions to private grade crossings, pathways
  - Whether there should be exceptions for movements over grade crossings equipped with flashing lights only.

# Leaving Equipment in the Clear

- Equipment must not be left where it would foul connecting track, with limited exceptions
- No agreement on wording that would accommodate yard / industry track with insufficient capacity to hold equipment.

# Switches & Derails

- Switches locked in normal position when not in use; derails locked in derailling position
- Equipment shall not foul track until switches / derails properly lined, route is clear, or train has movement authority.
- SPAF would not be carried forward due to administrative burden on crews, railroads
- Cross-over switch provisions
- Job briefings
- No impact on Hours of Service coverage, but roadway workers would be subject to rule

# Switches & Derails

- Concern: whether hand-operated main-track switches should be operated without permission of dispatcher / employee in charge
  - Continued discussion in RWP RSAC