

# RAIL

*MOVING AMERICA FORWARD*



## RSACWG – Task 2022-03

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U.S. Department of Transportation  
Federal Railroad Administration

## Task 2022-03 Review

**Promote rail safety through regulation, voluntary standards, or guidance for a voluntary, non-punitive railroad safety reporting system industry-wide, by establishing the Confidential Close Call Reporting System (C<sup>3</sup>RS)**

### **Working Group to:**

- Examine how C<sup>3</sup>RS could be expanded industry-wide without a separate IMOU and waiver needed for each participating railroad,
- Collaboratively assist FRA in developing a voluntary, non-punitive railroad safety reporting system industry-wide, whether through **rulemaking**, voluntary standards, guidance, or some other means,
- Determine which events could be accepted as reports, and
- Determine a reasonable frequency in which an employee could report and still receive protection from discipline.

# C<sup>3</sup>RSWG Goals

## Short term:

- Support discussions among Class Is and unions to implement C<sup>3</sup>RS, including through pilots on one large division (all crafts) initially, with phased in approach (division by division) thereafter, and
- Prioritize waivers for crafts holding certification.
- Pilot site(s) implementation.

## Long term:

- Use RSACWG and rulemaking to relieve stakeholders from dealing with separate IMOUs for each railroad, and
- Use RSACWG and rulemaking to relieve railroads and FRA from dealing with waivers for certain work groups holding certification.

# C<sup>3</sup>RSWG IMOU Discussion Topics

1. Known Events which permits employees to report unlimited number of incidents involving minor damage (i.e., under FRA accident reporting threshold).
2. Protection from discipline for retrospective discovery of incidents.
3. Protection from discipline for incidents that may be reported through notification from “Electronic Train Monitoring Devices” such as PTC.

## C<sup>3</sup>RSWG Additional Discussion Topics

1. AAR assertion that railroads are “frustrated” with NASA as the third party with respect to “Quality of reporting” and “Speed of Reporting” as referenced in Ian N. Jefferies letter to S1 dated March 2, 2023.
2. Practicality of standing up an alternative approach to C<sup>3</sup>RS like ASAP.

# C<sup>3</sup>RSWG

- Development of an ASAP type system for rail is beyond the scope of Task 2022-03.
- One Class I has pilot underway (and discussions underway at others). IMOU differs from model IMOU.
- C<sup>3</sup>RSWG will focus on second long term goal, codifying C<sup>3</sup>RS in its certification regulations to facilitate process for railroads wishing to participate in the program without needing to petition FRA for waivers.
- FRA will discuss the framework for codification of C<sup>3</sup>RS waivers at its next meeting (virtual).

# FRA C<sup>3</sup>RS Implementation Team Next Steps

- Will continue to work with all railroads and labor organizations to expand C<sup>3</sup>RS.
- Support Class I pilot sites and assist with evaluation assessments.
- Support C<sup>3</sup>RS peer review teams.
- Conduct C<sup>3</sup>RS outreach at railroad industry conferences.
- Both GAO recommendations with respect to its audit of C<sup>3</sup>RS have been met. NASA posted all newsletters at its website early last year, and FRA posted past and current corrective actions at the FRA public website C<sup>3</sup>RS landing page earlier this month.

# Contact Us

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# Questions

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