



NATIONAL TRANSPORTATION SAFETY BOARD - **Public Hearing**

Conrail Derailment in Paulsboro, NJ with Vinyl Chloride Release

GROUP	5
EXHIBIT	
Q	

Agency / Organization

CONRAIL

Title

Conrail Certification of Engineers

CONRAIL
PROGRAM FOR CERTIFICATON OF
LOCOMOTIVE ENGINEERS
AND
REMOTE CONTROL OPERATORS

Revised: May 2011

SECTION 1: GENERAL INFORMATION AND ELECTIONS

Contact person for this submission document is:

**** PII ****

Manager, Operating Rules & Regulatory Compliance
Conrail
1000 Howard Boulevard
Mt. Laurel, NJ 08054-2355
856-**** PII ****

Contact person responsible for all certification and recertification of locomotive engineers and remote control operators (hereinafter **RCO**) is:

**** PII ****

Road Foreman of Engines-System
Conrail
1000 Howard Boulevard
Mt Laurel, NJ 08054-2355
856-**** PII ****

Contact person for Medical Review for all certification and recertification of locomotive engineers and remote control operators (hereinafter **RCO**) is :

**** PII ****

Director of Medical Services
Medical Services Department
Three Commercial Plaza
Norfolk Virginia 23510-9202
(800) 552-2306

Designation of Classes of Service

Conrail will employ the following classes of service:

- A. Train service engineers.
- B. Student engineers.
- C. Remote Control Operators
- D. Student Remote Control Operators

Education of Previously Untrained Persons

Conrail elects to accept responsibility for educating previously untrained persons to be qualified locomotive engineers and qualified remote control operators. The training will be conducted by Conrail as outlined in Section 5 and Appendix A.

SECTION 2: SELECTION OF SUPERVISORS OF ENGINEERS AND SUPERVISOR OF REMOTE CONTROL OPERATORS

Contact persons for this section:

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I. CONRAIL WILL SELECT SUPERVISORS OF LOCOMOTIVE ENGINEERS (HEREINAFTER SLE) BASED ON THE FOLLOWING CRITERIA AS REQUIRED IN 49 CFR § 240.105:

- A. The candidate must be a certified locomotive engineer and will be periodically examined in accordance with this certification program with respect to the:
 - 1. Operating rules;
 - 2. Train handling rules including air brake tests and mechanical inspection; and
 - 3. Performance skills of locomotive operation.
- B. The candidate must know and understand the requirements of 49 CFR Part 240. Instruction will be on an as needed basis for newly designated supervisors of locomotive engineers and/or during periodic meetings.
- C. Some or all of the following sources will be examined to determine the candidate's qualifications as a supervisor depending upon the personnel practices in effect at Conrail from time to time:
 - 1. The candidate's personnel record or other sources of information concerning commendations, attendance, accidents, and disciplinary actions;
 - 2. The candidate's work assignment history;
 - 3. A background check;
 - 4. Job related personnel tests developed by the human resources department, and periodic operating rules exam, efficiency tests, etc.; and
 - 5. A professionally designed and uniformly conducted evaluation interview known as a "patterned interview." This interview follows a highly systematic, uniform procedure designed to elicit the same kinds of information from each candidate.
- D. Data acquired from the sources in paragraph C is analyzed by a group that generally will include a senior transportation officer, the Senior Road Foreman of Engines and the Manager, Operating Rules to select a qualified candidate. Senior transportation officers will, in most cases, select the supervisors of locomotive engineers.
- E. SLEs will be required to be qualified over the territory to which they will be assigned. The SLEs will be required to make a sufficient number of qualifying trips over the territory to effectively instruct and evaluate the engineers he/she will qualify or pilot on that territory. The SLEs must also pass a written test on the operating instructions and physical characteristics of the territory pertaining to track speeds, methods of operation, timetable special instructions and/or any of the unique peculiarities of that territory. If the SLE has not performed duty on the particular territory within one year, he/she must requalify on the territory.

II. CONRAIL WILL SELECT SUPERVISORS OF REMOTE CONTROL OPERATORS (HEREINAFTER "SRCO") BASED ON THE FOLLOWING CRITERIA AS REQUIRED IN 49 CFR § 240.105:

- A. The candidate must be a certified remote control operator and will be periodically examined in accordance with this certification program with respect to the:
1. Operating rules;
 2. Train operations including air brake tests and mechanical inspection; and
 3. Performance skills required for the proper operation of the Remote Control Transmitter (hereinafter "RCT") and will be required to demonstrate such skills.
- B. The candidate must know and understand the requirements of 49 CFR Part 240. Instruction will be on an as needed basis for newly designated supervisors of remote control operators and/or during periodic meetings.
- C. Some or all of the following sources will be examined to determine the candidate's qualifications as a supervisor depending upon the personnel practices in effect at Conrail from time to time:
1. The candidate's personnel record or other sources of information concerning commendations, attendance, accidents, and disciplinary actions;
 2. The candidate's work assignment history;
 3. A background check;
 4. Job related personnel tests developed by the human resources department, and periodic operating rules exam, efficiency tests, etc.; and
 5. A professionally designed and uniformly conducted evaluation interview known as a "patterned interview". This interview follows a highly systematic, uniform procedure designed to elicit the same kinds of information from each candidate.
- D. Data acquired from the sources in paragraph C is analyzed by a group that generally will include a senior transportation officer, the Senior Road Foreman of Engines and the Manager, Operating Rules to select a qualified candidate. Senior transportation officers will, in most cases, select the supervisors of remote control operators.
- E. SRCO's will be required to be qualified over the territory to which they will be assigned. The SRCO's will be required to make a sufficient number of qualifying trips over the territory to effectively instruct and evaluate the RCOs he/she will qualify or pilot on that territory. The SRCO's must also pass a written test on the operating instructions and physical characteristics of the territory pertaining to track speeds, methods of operation, timetable special instructions and/or any of the unique peculiarities of that territory. If the SRCO has not performed duty on the particular territory within one year, he/she must re-qualify on the territory.

SECTION 3: TRAINING PERSONS PREVIOUSLY CERTIFIED

Contact persons for this section:

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In accordance with the criteria of 49 CFR Section 240.123(b), Conrail will provide for continuing education of certified locomotive engineers and remote control operators in the following manner:

I. TRAIN SERVICE ENGINEERS/STUDENT ENGINEERS.

- A. Conrail will provide an ongoing educational program for its train service engineers to ensure that every engineer maintains the necessary knowledge, skill and ability concerning personal safety; operating rules and practices; mechanical condition of equipment; methods of safe train handling, including familiarity with physical characteristics; and relevant safety rules. This training shall be provided through the following methods and processes:
1. A mandatory comprehensive operating rules and practice training session will be conducted periodically in a classroom environment. The training will also incorporate an objective type written examination of approximately fifty (50) questions. A score of 85% is required for passing;
 2. Educational memos covering technical changes in equipment – issued electronically and accessed through computer terminals throughout the system. (Mandatory);
 3. Posted instructions (e.g. Bulletin Orders, Division Notices, Safety Alerts, Road Foreman/Trainmaster Notices, etc.). (Mandatory);
 4. Information covering new technology, procedure changes, etc. through videos, programmed instruction booklets, operating manuals, safety meetings, and quick reference cards. (Voluntary/Mandatory);
 5. Employee manuals, including timetables, operating rules, air brake and train handling manuals, safety rules, hazardous materials regulations and restricted equipment rules. (Mandatory);
 6. On board and face to face meetings covering the subjects listed in A. (Mandatory);
 7. In addition, locomotive engineers may be required to undergo remedial training if they are involved in incidents which results in disciplinary/revocation action or if any deficiencies are revealed or observed as a result of knowledge or performance testing. The content and duration of the remedial training is to be determined by the senior transportation officer.

- B. In the re-certification year, train service engineers must take a mandatory sixty (60) question operating rules test, including questions on the physical characteristics of the territory over which they operate. This testing is mandatory. A grade of 85% is required for passing.
- C. Before a certified train service engineer operates on an authorized territory from which he/she has been absent for a period of at least one year:
 - 1. The supervisor must approve the employees return to the territory and may make such approval subject to conditions as he deems necessary, such as on the job training, simulator training, qualifying road trips, etc.
- D. In situations where there is no available means to afford engineers the opportunity to obtain physical characteristics knowledge of a section of the track, Conrail elects to use hi-rail equipment, lite locomotives, simulators, or other similar equipment or devices to permit the engineer to initially observe and experience the physical characteristics of the territory. Following this initial training, the engineer will be tested on the operating instructions and physical characteristics pertaining to track speeds, methods of operation, timetable special instructions and/or any other unique peculiarities of that territory.

II. REMOTE CONTROL OPERATORS

- A. Conrail will maintain an ongoing educational program for its RCOs to insure that they possess the necessary knowledge concerning personal safety, operating rules and practices, mechanical condition of equipment and remote control operations, including familiarity with physical characteristics and relevant safety rules. Conrail's Remote Control Operator Training Program is incorporated herein and attached as **Appendix A**.
- B. In the re-certification year, remote control operators must take a mandatory sixty (60) question operating rules test, including questions on the physical characteristics of the territory over which they operate. This testing is mandatory. A grade of 85% is required for passing.
- C. Before a certified remote control operator operates on an authorized territory from which they have been absent for a period of at least one year:
 - 1. The supervisor must approve the employees return to the territory and may make such approval subject to conditions as deemed necessary, such as on the job training, simulator training, re-qualifying, etc.

SECTION 4: TESTING AND EVALUATING PERSONS PREVIOUSLY CERTIFIED

Contact persons for this section:

L.J.Sarandrea

B.P.Simon

In accordance with the criteria of 49 CFR Sections 240.125 and 240.127, Conrail will provide ongoing testing and evaluation of the knowledge and skills of its locomotive engineers and remote control operators. Further, in accordance with 49 CFR Section 240.121 ongoing testing and evaluation of vision and hearing acuity of our locomotive engineers and remote control operators will be provided.

I. TRAIN SERVICE ENGINEERS

- A. Knowledge testing shall be designed to examine the engineer's knowledge of the railroad's rules and practices for a safe operation. The test shall:
 - 1. Be objective in nature.
 - 2. Be administered in written form.
 - 3. Cover the following subjects:
 - a. Operating practices;
 - b. Equipment inspection practices;
 - c. Train handling practices
 - d. Compliance with federal safety rules; and
 - e. Personal safety practices.
 - 4. Be sufficient to:
 - a. Effectively examine the subjects covered; and
 - b. Accurately measure the person's knowledge.
 - 5. The periodic examination for train service engineers will contain approximately fifty (50) questions with a minimum passing score of 85%. A Conrail supervisor will be required to monitor locomotive engineers during the time they are taking the knowledge exam.
 - 6. A record of the exam will be kept in computer files. Also, a sample copy of the exam shall be kept on file along with the employee's answer sheet for a period of six (6) years.

B. Skills performance

Designated Supervisors of Locomotive Engineers will administer performance examinations as outlined by Appendix E of Part 240.

Engineers will be evaluated for qualification triennially prior to re-certification. An evaluation may be conducted while an engineer is at the controls of a locomotive/train.

All evaluations will be conducted on trains that provide the most demanding class or type of service that the person will be permitted to perform.

Each evaluation of skill performance while actually operating a train will be documented. This will be done by using a Train Handling Performance Evaluation Form.

Performance Evaluation Forms will be designed to evaluate the following:

- A. Safety rules compliance.
- B. Operating rules (Timetable-Bulletin Instructions).
- C. Train handling.
- D. Equipment inspection practices.

Relevant facts pertaining to the evaluation will be noted concerning the ability of the engineer to think before acting and procedures applied while under pressure.

Evaluation will include the application of appropriate locomotive operating rules and practices that will impact train handling.

Engineers failing a skills test will immediately have a restriction placed in the engineer's record that the engineer will not be allowed to operate a locomotive except under the direct and immediate supervision of a certified engineer. The engineer will be notified of the reason(s) for the failure at the completion of the test and the restriction placed on the certificate. The engineer must NOT be told that the certificate has been demoted to student status nor reclassified to a more restrictive class of engineer. A second test will be given within 7 days of the first test or at the completion of any prescribed remedial training. If a second test failure occurs, the engineer will be given a third test within 7 days of the failure or at the completion of any prescribed remedial training. If the engineer fails the third test, the engineer will be sent written notification that the railroad intends to deny the engineer recertification. Proof that the engineer received the notification must be retained.

The written notification will contain (a) a summary of all test results; (b) a copy of all documentation that forms the basis for denying the engineer recertification including any scoring sheets filled out by the supervisors conducting the tests, and any event recorder or simulator printouts, etc.; (c) an explanation that the denial decision will be finalized in 15 days (provide date and time in letter that decision may become final) unless the engineer serves the railroad officer who signed the notice with

a written explanation or rebuttal of the basis for denial. The notice will explain how the railroad officer will accept service and provide all relevant contact information; e.g., an office location where the response may be dropped off or mailed, an email address or fax number. If mailing is permitted, the

notice must contain an explanation for how the railroad will treat a response postmarked before the deadline but received after the deadline. In addition, the notice will state that the engineer must likewise provide contact information on how the engineer is willing to accept service of the final decision or that the engineer is willing to come to the railroad to be personally served; (d) an explanation that reasonable requests for additional time to respond will be granted; and (e) an explanation that the engineer's current certification has not been revoked and may be partially relied on by another railroad prior to its expiration. If no written response or timely request for extension is received, a final written denial of recertification decision will be mailed or delivered to the engineer within 10 days after the deadline has passed, and will state that the denial decision was effective on the deadline date.

If a written response is received, any final written denial of recertification decision will contain a detailed explanation why the engineer's written explanation or rebuttal was inadequate. The decision will be mailed or delivered to the engineer within 10 days after the denial decision was made and contain the date of the decision.

II. REMOTE CONTROL OPERATORS

- A. Knowledge testing shall be designed to examine the RCO's knowledge of the railroad's rules and practices for a safe operation. The test shall:
 - 1. Be objective in nature.
 - 2. Be administered in written form.
 - 3. Cover the following subjects:
 - a. Operating practices;
 - b. Equipment inspection practices;
 - c. RCT practices and procedures.
 - d. Compliance with federal safety rules; and
 - e. Personal safety practices.
 - 4. Be sufficient to:
 - a. Effectively examine the subjects covered; and
 - b. Accurately measure the person's knowledge.
 - 5. The annual examination for RCO's will contain approximately fifty (50) questions with a minimum passing score of 85%. A Conrail supervisor will be required to monitor RCO's during the time they are taking the knowledge exam.
 - 6. A record of the exam will be kept in computer files. Also, a sample copy of the exam shall be kept on file along with the employee's answer sheet for a period of six (6) years.

B. Skills performance

Designated Supervisors of Remote Control Operators will administer remote control operation performance examinations as required by the criteria of Appendix E of Part 240.

RCOs will be evaluated for qualification triennially prior to re-certification. RCOs will be evaluated while working with an RCT.

All evaluations will be conducted with RCOs that provide the most demanding class or type of service that the person will be permitted to perform.

Each evaluation of skill performance while working with an RCT will be documented. This will be done by using a Performance Evaluation Form.

Performance Evaluation Forms will be designed to evaluate the following:

- A. Safety rules compliance.
- B. Operating rules (Timetable-Bulletin Instructions).
- C. RCT practices and procedures.
- D. Equipment inspection practices.

Relevant facts pertaining to the evaluation will be noted concerning the ability of the RCO to think before acting and procedures applied while under pressure.

Evaluation will include the application of appropriate RCT features and performance ranges that will impact remote control operations.

III. VISUAL AND HEARING ACUITY TESTS

Visual and hearing acuity tests required by 49 CFR Section 240.121 will be conducted by a network of company appointed medical examiners or nurses who possess the equipment required by these regulations. Results of the examinations will be forwarded to Conrail's Director of Medical Services who will determine whether or not the individual meets the FRA's vision and hearing acuity requirements.

SECTION 5: TRAINING, TESTING, AND EVALUATING PERSONS NOT PREVIOUSLY CERTIFIED

Contact person for this section:

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Conrail will train, test, and evaluate persons not previously certified in the following manner:

I. STUDENT TRAIN SERVICE ENGINEERS MUST ATTEND PHASE I AND PHASE II TRAINING OF THE LOCOMOTIVE ENGINEER TRAINING PROGRAM.

- A. Phase I training consists of a four week program of classroom instruction conducted by qualified classroom instructors. The curriculum and subject matter of the training will consist of:
1. Films, slide presentations and videos;
 2. Classroom props and mockups;
 3. Classroom instruction regarding knowledge and skill in areas such as operating rules and practices, mechanical condition of equipment, methods of safe train handling, and relevant federal safety rules;
 4. Instruction and testing regarding personal safety; and
 5. Daily written quizzes concerning knowledge of the previous day's subject matter plus signal aspects (names and indications).
 6. Final examinations for Phase I training are given to each trainee as follows:
 - a. Signal quiz: The trainee is tested on the signals applicable to his/her territory. A score of 100% is required for passing.
 - b. Operating rules test: A written test containing approximately 100 questions covering operating practices, placement of hazardous materials, and safe train handling practices is administered. A minimum score of 85% is required.
 - c. Locomotive operation and train handling examination: Trainees must successfully complete a written test containing approximately 100 questions concerning the train handling section of the operations procedure manual and evaluating the mechanical condition and operation of locomotive equipment, locomotive systems (lube oil, fuel, water, electrical), associated engine protective devices, and relevant federal safety regulations including locomotive inspections, brake tests and inspection procedures. A minimum score of 85% is required.
 7. If a trainee fails to pass any of the required Phase I examinations on the first attempt, he/she will be given a second opportunity. The second trial will be given not less than thirty (30) nor more than ninety (90) days following the failure of the first examination. A trainee's failure to pass the

second attempt of a Phase I final examination will result in termination from the engineer's training program. Upon completing Phase I training, and successful completion of the hearing and visual acuity examinations, all trainees, including trainees waiting to take re-examinations, will be issued certificates as student engineers.

- B. Phase II training will consist of in-service training on the student engineer's seniority district to permit him/her to apply locomotive operation and train handling techniques studied in Phase I, and to allow him/her to learn the physical characteristics of the territory.
1. The student engineer will be scheduled for on-the-job training, under the direct supervision and instruction of a certified locomotive engineer. The student engineer will be scheduled for on-the-job training in all classes or types of service that he/she will be required to perform in his/her seniority territory. The approximate length of this on-the-job training will be 800 hours.
 2. The student engineer's work experience program will be directed by a qualified supervisor of locomotive engineers. The supervisor will hold conferences on a periodic basis with the student engineer.
 3. Final examinations for Phase II training are given to each trainee as follows:
 - a. At or near the completion of Phase II, all student engineers must pass a written physical characteristics exam that consists of approximately twenty (20) questions and that is specific to the student's qualifying territory.
 - b. Qualifying trip: Trainees must operate a train over a portion of his/her subdivision in the presence of a Supervisor of Locomotive Engineers. The trainee must demonstrate, to the satisfaction of the supervisor, his/her ability to successfully handle the train as well as his/her knowledge of the physical characteristics of the territory. The Supervisor of the Locomotive Engineers then notifies the Manager, Operating Rules or his designated representative of the trainee's successful or unsuccessful qualifying trip by filing a completed Qualification Sheet.
 4. Student Engineers will be evaluated on two (2) monitored rides. The second monitored ride will be the qualifying ride. If a student engineer fails to pass the qualifying ride on the first attempt he/she will be given a second opportunity. The second qualifying trip will be administered not less than thirty (30) nor more than sixty (60) days following the failure of the first trip. The student engineer will be permitted to continue in the training program until he/she is re-examined. A failure to pass the second attempt on the qualifying trip will result in termination from the engineer's training program.
 5. Upon successful completion of Phase II, and following a review of the individual's prior safety conduct as required by 49 CFR Section 240.109, a student engineer will be issued a certificate as a train service engineer.

- C. Trainees who previously were employed as locomotive engineers by Conrail or another railroad and who have not been certified will be required to complete the four (4) week Phase I training program. For these individuals Phase II will consist of approximately thirty (30) days of on-the-job training, including territorial familiarization. If, in the judgment of the Supervisor of Locomotive Engineers (who will consider the individual's past operating experience and the unique characteristics of the territory in which the individual will operate), the trainee has demonstrated sufficient skills and knowledge after approximately thirty (30) days, the trainee will be permitted to take the physical characteristics test and qualifying trip. If the designated supervisor does not believe the trainee has demonstrated sufficient skill and ability at the end of thirty (30) days, on-the-job training will continue until the supervisor believes the trainee is sufficiently prepared to take the physical characteristics exam and qualifying trip. The provisions of B.4. will be applicable to the testing of these trainees.
- D. Trainees who previously were employed and certified by Conrail or another railroad will be required to participate in a refresher class room training program that will vary in length depending upon the judgment of the Senior Road Foreman of Engines.

For these individuals Phase II will consist of approximately thirty (30) days of on-the-job training including territorial familiarization. If, in the judgment of the supervisor of locomotive engineers (who will consider the individual's past operating experience and the unique characteristics of the territory in which the individual will operate), the trainee has demonstrated sufficient skills and knowledge after approximately thirty (30) days, the trainee will be permitted to take the physical characteristics exam and qualifying trip. If the designated supervisor does not believe the trainee has demonstrated sufficient skill and ability at the end of thirty (30) days, on-the-job training will continue until the supervisor believes the trainee is sufficiently prepared to take the physical characteristics exam and qualifying trip. The provisions of B.4, above will be applicable to the testing of these trainees.

Candidates failing the skills test will be notified of the reason(s) for the failure at the completion of the test. A second test will be given within 7 days of the first test or at the completion of any prescribed remedial training. If a second test failure occurs, the engineer will be given a third test within 7 days of the failure or at the completion of any prescribed remedial training. If the candidate fails the third test, the candidate will be sent written notification that the railroad intends to deny the candidate certification. Proof that the candidate received the notification must be retained. The written notification will contain: (a) a summary of all test results; (b) a copy of all documentation that forms the basis for denying the candidate certification including any scoring sheets filled out by the supervisors conducting the tests, and any event recorder or simulator printouts, etc.; (c) an explanation that the denial decision will be finalized in 15 days (provide date and time in letter that decision may become final) unless the candidate serves the railroad officer who signed the notice with a written explanation or rebuttal of the basis for denial. The notice will explain how the railroad officer will accept service and provide all relevant contact information; e.g., an office location where the response may be dropped off or mailed, an email address, or fax number. If mailing is permitted, the notice must contain an explanation for how the railroad will treat a response postmarked before the deadline but received after the deadline. In addition, the notice will state that the candidate must likewise provide contact information on how the candidate is willing to accept service of the final decision or that the candidate is willing to come to the railroad to be personally served; (d) an explanation that reasonable requests for additional time

to respond will be granted; and (e) an explanation that the candidate's current student certification has not been revoked and will expire on the expiration date (provide the actual date).

8. If no written response or timely request for extension is received, a final written denial of certification decision will be mailed or delivered to the candidate within 10 days after the deadline has passed, and will state that the denial decision was effective on the deadline date.
9. If a written response is received, any final written denial of certification decision will contain a detailed explanation why the candidate's written explanation or rebuttal was inadequate. The decision will be mailed or delivered to the candidate within 10 days after the denial decision was made and contain the date of the decision.

E. Remote Control of Locomotive Operations

The field training, combined with the classroom instruction and final exams, will total 80 hours of remote control operator training. The field training will provide employees with specific familiarization on the individual assignment(s) they will handle as remote control operators and will include instruction, actual performance, and proficiency evaluation and testing of the tasks and skills that make up the critical job elements of such assignment(s). The work assignments handled by remote control operators in the initial implementation will involve the gathering and distribution of freight and/or equipment that is typically required of yard, road switcher, or other similar assignments at the implementing location(s). The specific assignments involved will vary by location, and could include such work as; hump, trimmer and classification operations; transfer, interchange and industry servicing, and station switching.

Conrail's Remote Control Operator Training Program is incorporated herein and attached as **Appendix A**.

SECTION 6: GENERAL INFORMATION AND ELECTIONS

Contact person for this section and for the request for approval:

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I. TRAIN SERVICE ENGINEERS AND RCOS WILL HAVE THEIR OPERATIONAL PERFORMANCE MONITORED AS FOLLOWS:

- A. At least once each calendar year, without prior notice, each engineer when operating a train or a locomotive, and remote control operators when operating an RCT, will be accompanied by the appropriate certified supervisor while performing his/her duties over a segment of his/her assigned territory.
1. The supervisor will accompany the engineer or RCO a minimum of twenty-five (25) miles or two (2) hours.
 2. The supervisor must evaluate the skill of the locomotive engineer or RCO by completing the Performance Examination form. Locomotive event recorder data may also be reviewed to fulfill the requirements of a check ride. Details of the event recorder review will be documented (date of operation, date of review, deficiencies noted, date engineer notified of review results, etc.) Any deficiencies noted will be discussed with the engineer. The supervisor must explain why any item is graded below average and must determine what corrective action should be taken.
 3. Upon completion of the evaluation the Performance Evaluation form is forwarded to the Senior Road Foreman of Engines for review.
 4. The completed form will be retained for six (6) years.
- B. Efficiency tests. SLEs and SRCO's are required to make monthly efficiency tests in accordance with the efficiency tests manual.
1. The Manager, Operating Rules requires a specified number of efficiency tests in different categories to ensure compliance with certain operating rules. Engineers and RCO's will be notified upon failure of an unannounced operating rule efficiency test. The specific rule relating to the failure will be reviewed with the engineer by the supervisor(s) conducting the test. Depending upon the supervisor's evaluation, additional remedial training may be provided.
 2. By the 5th of the month, SLE or SRCO's must enter into the computer their tests for the previous month.
 3. The Manager, Operating Rules reviews the tests to insure that they are evenly distributed throughout the twenty-four (24) hour operating day.
 4. The records of these efficiency tests are made available to FRA inspectors during regular business hours. In addition, an annual report concerning the tests is kept on file at each district and system headquarters after March 1 of each following year.
 5. Records of efficiency tests for individual locomotive engineers and RCO's will be kept on file for six (6) years.

SECTION 7: PROCEDURES FOR ROUTINE ADMINISTRATION OF THE CERTIFICATION PROGRAM

Contact person for this section:

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I. PROCEDURES FOR EVALUATING AND REVIEWING DATA CONCERNING PRIOR SAFETY CONDUCT AS A MOTOR VEHICLE OPERATOR

In compliance with 49 CFR sections 240.109, 240.115, and 240.119, Conrail will employ the following procedures for evaluating and reviewing data concerning prior safety conduct as a motor vehicle operator.

- A. Prior to certification or recertification each affected employee will receive a waiver to be signed and returned to Conrail authorizing the release of his/her driving record from the appropriate state(s) and federal agencies.
- B. If any adverse information is received from the candidate's driving record that would support ineligibility, he/she will be given an opportunity to review those records along with an officer of the company. This will avoid the potential for accidental reliance on records that were somehow erroneously associated with a candidate. It will also allow the candidate to explain or offer any mitigating information the candidate believes Conrail should consider before making an eligibility decision.
- C. Any incidents that are alcohol or drug related, as described in 49 CFR Section 240.115, in the previous three (3) years will be acted upon as follows:
 - 1. The information will be sent to the Medical Review Officer (MRO) along with railroad service record data (rules compliance, attendance and other job related incidents).
 - 2. The Medical Review Officer will refer the individual to the Manager Drug and Alcohol Rehabilitation Services (DARS) for evaluation. The individual may be required to furnish any other records concerning counseling or treatment for confidential review.
 - 3. A DARS counselor will then determine if the employee has an active substance abuse disorder.
 - 4. If the DARS counselor determines that no active substance abuse exists the data will not be used to preclude certification. The DARS counselor retains as confidential, the data provided by the employee concerning prior treatment.
 - 5. If the DARS counselor determines that the employee has had in the past, an active substance abuse disorder, certification may be conditioned on any needed aftercare as determined by the DARS counselor.
 - 6. If the DARS counselor determines that the employee has an active substance abuse disorder, except as provided in 49 CFR Section 240.119(e) a certified employee shall be suspended from certification.

II. PROCEDURES FOR EVALUATING AND REVIEWING DATA CONCERNING PRIOR SAFETY CONDUCT AS A RAILROAD WORKER

In compliance with 49 CFR sections 240.109, 240.113, 240.117 and 240.119, Conrail will employ the following procedures for evaluating and reviewing data concerning prior safety conduct as a railroad worker (all locomotive engineers and RCOs).

- A. Prior to certification or recertification the employee's record of compliance with operating, safety, and train handling rules, as appropriate, will be reviewed by the Manager, Operating Rules to determine eligibility for certification or recertification.
- B. A failure to comply with the following rules and practices for the safe operation of trains will render the employee ineligible for certification or recertification for the prescribed time as set forth in 49 CFR Sections 240.117 and 240.119:
 - 1. Controlling a locomotive or train in accordance with a signal indication, excluding a hand or a radio signal indication or a switch, requiring a complete stop before passing it;
 - 2. Adhering to limitations concerning train speed when the speed at which the train was operated exceeds the maximum authorized limit by at least ten (10) miles per hour or violations of the conditional clause of restricted speed rules or the operational equivalent thereof, which cause reportable accidents or incidents under 49 CFR Part 225;
 - 3. Adhering to procedures for the safe use of train or engine brakes when the procedures are required for compliance with the initial terminal, transfer train and yard, or road transfer test, test provisions or 49 CFR part 232 or when the procedures are required for compliance with the class I, class IA, class II, or running brake test provisions of 49 CFR Part 238;
 - 4. Occupying main track or a segment of main track without proper authority or permission;
 - 5. Tampering with safety devices or knowingly operating or permitting to be operated a train with an unauthorized disabled safety device in the controlling locomotive; RCT, or:
 - 6. Non-compliance with 49 CFR Section 219.101.
- C. A certified employee who has demonstrated a failure to comply with the above stated rules and practices for the safe operation of trains shall have his/her certification revoked for the prescribed time as set forth in 49 CFR Sections 240.117 and 240.119. Certification will be revoked at the time it has been determined that the engineer or RCO was in violation of the above rules.
- D. Only a person whose certification has been denied, suspended or revoked for a period of one (1) year or less in accordance with the provisions of 49 CFR Section 240.117(g)(2) for reasons other than non-compliance with 49 CFR Section 219.101 shall be eligible for reinstatement of the certificate prior to the expiration of the initial period of ineligibility. Such a person shall not be eligible for reinstatement unless and until:
 - 1. The person has been evaluated by a supervisor of locomotive engineers or a supervisor of remote control operators and determined to have received adequate remedial training;

2. The person has successfully completed any mandatory program of training or retraining as required by Conrail; and
 3. At least one-half of the period of ineligibility as specified in 49 CFR Section 240.117(g) (3) has elapsed.
- E. Prior to certification or recertification, Conrail will contact any other railroad at which he/she previously worked requesting information concerning the individual's prior service and that it be provided to Conrail. The Manager, Operating Rules will evaluate any such records to determine if the individual's prior safety conduct would affect eligibility.

III. CONRAIL WILL CONFORM TO THE TIME LIMITS PLACED BY PART 240 IN THE FOLLOWING MANNER:

A. Certified Engineers/Remote Control Operators

Each candidate seeking re-certification in any class of service designated by 49 CFR § 240.107(b) or as a remote control operator will be sent a packet containing the materials detailed above no later than 180 days prior to the date that his/her certification under 49 CFR Part 240 expires.

For a person seeking recertification as a train service engineer or remote control operator:

1. Prior to the end of a calendar year, the Manager, Operating Rules will provide the Senior Road Foreman of Engines with a list containing the names of those employees who will be required to be re-certified in the following calendar year. Train service engineers and RCO's will be selected for recertification on the following basis:

Last names beginning with:

A through G - 2007 and every 3rd year thereafter

H through O - 2008 and every 3rd year thereafter

P through Z - 2009 and every 3rd year thereafter

2. The employee will receive a package of materials containing all relevant medical forms, waiver forms, and instructions for obtaining prior safety records from other employing railroads. The employee must sign and notarize the waiver(s) and return them to the Manager, Operating Rules or his designated representative at Mount Laurel, New Jersey. Upon receipt of the waiver, Conrail will forward the employee's name to a company that has access to and provides motor vehicle operator records. The records will be examined by the Manager, Operating Rules who will refer the records to a DARS counselor, if necessary. Local supervision will notify each employee of the date and location for knowledge and skill performance testing.
3. The employee will be instructed to obtain necessary physical examinations. Once the physical examinations are complete the medical office will furnish the results to the Manager, Operating Rules or his designated representative.

4. After steps 1 through 3 above have been completed, and upon successful completion of the re-certification class and knowledge and skills performance tests, the Senior Road Foreman of Engines will authorize the Manager, Operating Rules or his designated representative to issue the required certificate in accordance with 49 CFR Section 240.223.

B. Persons Seeking Initial Certification

Each candidate seeking initial certification in any class of service designated by 49 CFR § 240.107(b) or as a remote control operator will be provided a packet containing an application for certification under 49 CFR Part 240 and pre-printed forms which request the release of driving records and personnel records from prior railroad employers. The packet will also contain instructions explaining the applicant's obligations and the penalties for non-compliance.

IV. FAILURE TO QUALIFY FOR INITIAL CERTIFICATION OR RE-CERTIFICATION

In compliance with 49 CFR Section 240.307, candidates who fail to qualify for initial certification or re-certification will be notified in person or by certified mail and this notification will be documented. The notification will include the reason(s) for denial as well as additional courses of action, if applicable.

V. DOCUMENTATION

- A. Conrail will employ the following procedures to document facts upon which we will rely when making certification determinations for train service engineers and /or remote control operators:
1. Operation of motor vehicles. Conrail will employ an outside agency to perform checks of motor vehicle driving records. Reports supplied by that agency will be kept on file at the office of the Manager, Operating Rules or his designated representative located in Mount Laurel, New Jersey.
 2. Operating rules compliance. Records concerning operating rules compliance are kept by the office of the Manager, Operating Rules. These records are electronically filed in a secured database by employee name and identification number.
 3. Alcohol/drug abuse violations. Records concerning alcohol and drug abuse are kept by the Medical Services Department at Norfolk, Virginia.
 4. Knowledge testing. Answer sheets for the knowledge test for each engineer are kept on file at the office of the Manager, Operating Rules or his designated representative located at Mount Laurel, New Jersey.
 5. Skills performance testing. Score sheets for the skill performance test are kept on file at the office of the Manager, Operating Rules or his designated representative located at Mount Laurel, New Jersey.
 6. Training program records. Complete trainee files including answer sheets for all examinations are kept at the office of the Manager, Operating Rules or his designated representative located at Mount Laurel, New Jersey.

VI. JOINT OPERATIONS – 49 CFR SECTION 240.229

- A. Conrail will rely on the certification determinations for train service engineers and/or remote control operators when made by other railroads when operating on Conrail territory or on joint territory where Conrail is the controlling railroad in the following manner. The SLE or SRCO on each district will insure that the train service engineers or remote control operators of other railroads:
1. Have current certificates from their respective carriers.
 2. Are knowledgeable of Conrail's operating rules and bulletin instructions for the territory.
 3. Are familiar with the physical characteristics of the territory.

Items 2 and 3 will be determined either based on Conrail's prior experience with these engineers/RCO's operating over Conrail territory or through reciprocal agreements with other railroads pursuant to which those railroads will certify and monitor their engineers who operate over Conrail controlled joint territory.

VII. REPLACEMENT OF CERTIFICATES

In compliance with 49 CFR Section 240.301, whenever certificates are lost, stolen, destroyed, or need to be replaced for any reason, the procedure is as follows:

- A. Train service engineers, student engineers, and remote control operators.
1. The employee reports the fact to the SLE or SRCO.
 2. The supervisor contacts the Manager, Operating Rules or his designated representative and requests a new certificate for the employee. The SLE or SRCO also records this fact for verification until the new certificate is delivered.
 3. The new certificate will be issued and mailed directly to the employee after a check has been made to see if the certificate has been revoked or suspended.

VIII. REQUEST TO ELECTRONICALLY MAINTAIN REQUIRED WRITTEN RECORDS

Conrail requests the right to maintain required written records in electronic form. Information maintained electronically will be accessible from various locations at Conrail.

APPENDIX A

Remote Control Operation Training

Program Overview

Introduction

This program is for the initial training of individuals who will operate remote control equipment. The program would consist of, but not be limited to classroom instruction with study material, field training, proficiency and skill evaluation at the location specific to the operation, and a written examination.

Assumptions

These individuals are qualified in Hazmat, Operating and Air Brake Rules, and Switching Operations.

Instructional Strategies

The program would consist of but be not limited to classroom instruction with study material, field training, proficiency-skill evaluation, and a written exam.

Materials

- Remote Operators Training Manual (used in class)
- Daily Study Material
- Remote Operation Job Aid (pocket guide)
- Required Company Material (Special Instructions, Rule Book Inserts)
- Field Proficiency Skills Form (Completed by the instructor/mentor)

Course Timeline (Total 10 days - 80 hours)

1.5 Days = Classroom Instruction

2.5 Days = Field Training

1.0 Day = Final Operating/Written Examinations

5.0 Days = Field Training and demonstration of skills proficiency under the direction of a qualified employee who has been appropriately trained and qualified as determined by the railroad.

Daily Overview

Day One

Learning Objectives: Individuals will understand

- Main components of the Locomotive Computer Unit (LCU)
- Remote Control Transmitter (RCT)
- Proper positioning of the locomotive controls and switches

Learning Outcomes: Individuals will

- Identify and describe how the LCU and RCT relate to each other
- Describe LCU equipment setup and operation
- Setup locomotive cab controls and switches for remote operation
- Describe the start up, shut down and inspection of locomotive engines
- Describe RCT equipment operation
- Describe the safety controls and understand results of a penalty

Content

- Safety Briefing
- Introduction to the program
- Required paperwork
- Definitions
- Inspection and Setup of Equipment
- Basic Car Air Brake Systems
- Introduction to the Locomotive Computer Unit (LCU)
- Introduction to the Remote Control Transmitter (RCT)
- Study Materials

Day Two

Learning Objectives:

1. Individuals will understand:
 - Related ground equipment
2. Individuals will be able to:
 - Trouble shoot conditions or faults
 - Learn proper/safe yard procedures

Learning Outcomes

- Describe LCU trouble shooting procedures
- Be able to locate and rectify basic locomotive and system faults and understand who to contact when necessary
- Describe digital talk-back messages and respond properly
- Perform proper/safe yard procedures and train handling

Content (Classroom & Switching Yard)

Classroom:

- Review Study Material
- Introduction to Ground Based Equipment
- Introduction to Safety Controls
- Trouble Shooting
- Operating & Safety Rules

Switching Yard:

- Train make-up

Day Three

Learning Objectives: Individuals will be able to:

- Switch cars
- Make up trains while operating remote.

Learning Outcomes:

- Describe what is required when commencing duty
- Describe all the required tests of the system(s) and what is required to properly take charge of a remote locomotive.
- Perform switching moves (train operations) utilizing train/switching list.

Content (Switching Yard)

- Hands on Yard Operations
- Remote Operation

Day Four

Learning Objectives:

Individuals will be able to switch cars and make up trains while operating remote control mode.

Learning Outcomes

- Perform switching moves (train operations) utilizing train/switching list
- Complete the Proficiency Skills Evaluation

Content (Switching Yard)

- Remote Operation

Day Five

Outcome:

- Final Exams

Content

- Classroom = Written Exam
- Switching Yard = Remote Operation Exam

Day Six through Day Ten

Learning Objectives:

- Individuals will be able to use remote control equipment to switch cars, move cars from yard to yard, to industries and/or interchange points and service industries as needed and perform required inspections and tests.

Learning Outcomes:

- Describe and perform what is required when commencing duty.
- Describe and perform all required tests of the system and what is required to properly take charge of and secure a remote controlled unit.
- Perform remote control operations covering a broader range of assignments and complexities.

Content:

- Hands on operation on specific assignments that operate using remote control under supervision of qualified individuals who have been appropriately trained and qualified as determined by the railroad.
- The training prepared for employees is consistent with instruction on applicable Safety Rules, Operating Rules and other applicable rules and regulations.