

SERIOUS INCIDENT NOTICE

March 7, 2023



Incident Description

While the investigation of this tragic incident is ongoing, the following information is known:

On Tuesday, March 7, 2023, at approximately 1:15 am EST, a 46-year-old conductor with 18 years of service was fatally injured when he was struck by a vehicle while riding a shove move over a private crossing in Cleveland, OH.

Although this incident is still under investigation, the following information is known:

- The two-person crew went on duty at 6:30 pm EST on Monday, March 6, 2023, and had completed their work at the Cleveland-Cliffs Works facility at the time of the incident.
- At the time of the incident, the injured conductor was positioned on the leading end of a tank car with a lantern and used the radio to direct the shove movement.

Safety Considerations

Safety considerations in this publication should be used to elevate awareness on how to work safely in the railroad environment.

- Always pause to identify risks, process the information to choose the safe course of action, and proceed with the task in a safe manner.
- A job safety briefing may be performed at any time during the operation if work changes, becomes confusing, new tasks are started, or a rule violation is observed. Be sure to stop work as needed and move to a safe area.
- Follow all rules relating to shove moves.

Rules for Discussion

Although the incident remains under investigation, this Serious Incident Notice is an opportunity to refresh on certain rules. Rule excerpts are provided for review to minimize risks when performing work tasks.

Operating Rule 120 – Cars Not Headed by an Occupied Engine over a Highway-Rail Grade Crossing

(a) When cars not headed by an occupied engine are moved over a:

- public crossing
- private crossing located outside the physical confines of a rail yard
- pedestrian crossing located outside the physical confines of a rail yard
- yard access crossing

A member of the crew must be on the ground at the crossing to warn traffic until the leading end has passed over the crossing. Rail movements over the crossing will be made only on proper signal from the employee.

(b) These actions are not required if the crossing is clear, and:

1. Crossing gates are in the fully lowered position, and are not known to be malfunctioning; or
2. The crossing is equipped with flashing lights, crossbucks, or stop signs and it is clearly seen that no traffic is approaching or stopped at the crossing, and the leading end of the movement over the crossing does not exceed 15 MPH; or
3. A qualified employee, other than a crewmember, with the ability to communicate with trains is stationed at the crossing to warn traffic; or
4. The crossing has been rendered inaccessible to highway motor vehicles.

Other Rules for Review

Operating Rule 1 – Job Safety Briefings

Operating Rule 26 – Riding Side of Equipment

Operating Rule 215 - Shoving Equipment at Any Location