

Proposed Washington State Railroad employee minimal experience requirements – Rule Language

Section 1: [Road]

No railroad company shall assign a railroad employee to perform service on any safety sensitive supervisory or lead position on any road assignment within a service division or unit unless:

- (a) The railroad employee has worked not less than 60 full shifts or the equivalent hours in a safety sensitive subordinate position performing service involving road assignments in the territory of assignment within that service division or unit within the last five years; or,
- (b) The railroad employee has worked not less than 60 full shifts or the equivalent hours in a safety sensitive supervisory or lead position performing service involving road assignments in the territory of assignment within that service division or unit within the last five years, provided that the railroad employee has previously met the requirements of section (1)(a).
- (c) The railroad employee's full shifts required under subsection (a) must be performed under the direct supervision of another railroad employee that (i) has not less than 5 full years of experience, (ii) has territorial knowledge and (iii) while working as a conductor, has been qualified on the territory within that service division or unit within the last two years.

Section 2: [Yard]

No railroad company shall assign a railroad employee to perform service on any safety sensitive supervisory or lead position on any yard assignment within a service division or unit unless:

- (a) The railroad employee has worked not less than 60 full shifts or the equivalent hours in a safety sensitive subordinate position performing service involving yard assignments, including yard, industry, hours of service relief, and transfer train service, at each of the rail yards and work locations where they will be assigned within that service division or unit within the last five years; or,
- (b) The railroad employee has worked not less than 60 full shifts or the equivalent hours of service in a safety sensitive supervisory or lead position performing service involving yard assignments at each of the rail yards and work locations where they will be assigned within that service division or unit within the last five years, provided that the railroad employee has previously met the requirements of section (2)(a).
- (c) The railroad employee's full shifts required under subsection (a) must be performed under the direct supervision of another railroad employee that (i) has not less than 5 full years of experience, (ii) has territorial knowledge and (iii) while working as a yard switching foreperson or railroad crew lead position, has been qualified to work at the rail yards and work locations within that service division or unit within the last two years.

Section 3: [Yard Remote Control Operation]

No railroad company shall assign a railroad employee to perform service on any safety sensitive supervisory or lead position on any yard assignment involving remote control locomotive operation within a service division or unit unless:

(a) In addition to the requirements of section (2)(a), the railroad employee has worked not less than 30 full shifts or the equivalent hours in a safety sensitive subordinate position performing service involving yard remote control locomotive operation assignments, including yard, industry, and transfer train service, at each of the rail yards and work locations where they will be assigned within that service division or unit within the last two years; or,

(b) In addition to the requirements of section (2)(b), the railroad employee has worked not less than 30 full shifts or the equivalent hours in a safety sensitive supervisory or lead position performing service involving yard remote control locomotive operation assignments in the territory of assignment within that service division or unit within the last two years, provided that the railroad employee has previously met the requirements of section (3)(a).

(c) The railroad employee's full shifts required under subsection (a) must be performed under the direct supervision of another railroad employee that (i) has not less than 5 full years of experience, (ii) has territorial knowledge, and (iii) while performing service as a yard switching foreperson or railroad crew lead position, has been qualified to work at the rail yards and work locations within that service division or unit within the last two years.

Section 4: [Road Locomotive Operation]

No railroad company shall assign a railroad employee to perform service on any safety sensitive supervisory or lead position on any road locomotive operation assignment within a service division or unit unless:

(a) The railroad employee has worked not less than 30 full shifts or the equivalent hours in a safety sensitive subordinate position performing service involving road locomotive operation assignments in the territory of assignment within that service division or unit within the last two years; or,

(b) The railroad employee has worked not less than 30 full shifts or the equivalent hours in a safety sensitive supervisory or lead position performing service involving road locomotive operation assignments in the territory of assignment within that service division or unit within the last two years, provided that the railroad employee has previously met the requirements of section (4)(a).

(c) the railroad employee's full shifts required under subsection (a) must be performed under the direct supervision of another railroad employee that has (i) not less than 5 full years of experience, (ii) territorial knowledge, and (iii) while working as an engineer, has been qualified on the territory within that service division or unit within the last two years.

Section 5: [Yard Locomotion Operation]

No railroad company shall assign a railroad employee to perform service on any safety sensitive supervisory or lead position on any yard locomotive operation assignment within a service division or unit unless:

(a) The railroad employee has worked not less than 30 full shifts or the equivalent hours in a safety sensitive subordinate position performing service involving yard locomotive operation assignments at each of the rail yards and work locations where they will be assigned within that service division or unit within the last two years; or,

(b) The railroad employee has worked not less than 30 full shifts or the equivalent hours in a safety sensitive supervisory or lead position performing service involving yard locomotive operation assignments at each of the rail yards and work locations where they will be assigned within that service division or unit within the last two years, provided that the railroad employee has previously met the requirements of section (5)(a).

(c) the railroad employee's full shifts required under subsection (a) must be performed under the direct supervision of another railroad employee that has (i) not less than 5 full years of experience, (ii) territorial knowledge, and (iii) while working as an engineer, has been qualified to work at the rail yards and work locations within that service division or unit within the last two years.

Associated Definitions:

"Deadhead assignment" means assignment where the railroad employee is transported at the request of the railroad carrier and the railroad employee engages in no actual work service.

"Full shift" means engaging in railroad work activities while obtaining actual on the job experience during the course of complete 8-to-12-hour shifts; excluding all time while engaged in deadhead transportation service or assignments, breaks, compensated time while in held away status, while engaged in breaks and meal periods, tow in, limbo time, or while in any interim release status.

"Safety sensitive subordinate position" means a railroad employee subject to oversight by a safety sensitive supervisory or lead position person of the same craft.

"Safety sensitive supervisory or lead position" means the person responsible for overseeing other railroad workers on a crew of the same craft engaged in performing services in safety sensitive positions on railroad operation assignments, including, but not limited to, a conductor, a yard switching foreperson, or a locomotive operator.

"Service division" and "service unit" means a geographic or trackage area under the jurisdiction of a railroad carrier general superintendent or general manager.