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U.S. Department
of Transportation
**Federal Railroad
Administration**

Memorandum

Date: **FEB - 9 1994**

Reply to Attn of.

OP-94-01

Subject: Locomotive Engineer Certification

From: Edward R. English
Director, Office of Safety Enforcement

To: Regional Directors

The purpose of this bulletin is to establish uniform procedures for preparatory work prior to conducting an assessment of a railroad's locomotive engineer certification program. Gathering information from the field is necessary before commencing the actual evaluation. Planning this project and establishing definite objectives before the actual inspection is mandatory for successful results.

Attached is the Operating Practices Division recommendations for conducting an audit of a railroad's locomotive engineer certification program.

Please ensure that all appropriate Specialists and Inspectors are provided with a copy of these recommendations.

Attachment

**FEDERAL RAILROAD ADMINISTRATION
Office of Safety Enforcement
Operating Practices Division**

SUBJECT: SIX STEP RECOMMENDED APPROACH TO GUIDE INSPECTORS IN THE ADMINISTRATIVE ASSESSMENT OF RAILROADS COMPLIANCE WITH PART 240.

Step 1:

Supervisors: Distribute the railroad's submission (plan) to those involved in the assessment. This is required reading for all involved in the assessment since the regulations leave the railroad many options in conducting the certification process. Familiarity with the specific railroad plan is essential to ensure a complete assessment.

Step 2:

Supervisors: Thirty to sixty days prior to the planned assessment, assign several OP Inspectors to conduct interviews of the railroads regular engineers as well as management engineers. Have each inspector compile information as denoted on the questionnaires that are attached to this document. The interview process is not limited to regular engineers. Management - road foreman type employees as well as other management employees designated as engineers must be represented in the interview process.

- o Recommend that 2 to 3 % of regular engineers and 10 to 20 % of management engineers be interviewed.
- o Example: 2000 regular engineers = 40 to 60 interviews; 200 supervisor engineers = 20 to 40 interviews.

Step 3

Supervisors: About a week before the actual assessment evaluate the information from the questionnaires and use this as a data base to guide the assessment. This information should emphasize the areas of concern regarding the railroads procedures. Conduct a pre assessment meeting with those involved in the actual evaluation of the railroad program. With this group, appraise the data obtained through the interview process and establish some priorities for the actual record assessment. Conduct a familiarization session of the Federal regulations involved in the areas of concern and priorities that you have established.

- o Appoint an inspection team leader if Regional Specialist does not accompany group.

Some of the components of Part 240 (not in any particular order) that you will want to give a high priority status to are:

1. Grandfathered list (roster) of "supervisors of locomotive engineers" (SLE) §240.201(a). This is a separate list from the current supervisor's list. This list must be maintained for at least a 6 year period.

(a) Determine if the railroad complied with the criteria of this section and what records are available to substantiate their actions. This is important in establishing the competency of management employees to function as SLE's.
2. Grandfathered list of locomotive engineers (§240.201(b)). This is a separate list from current engineers and is to be maintained for at least 6 years. This list should contain the names of all management employees that were grandfathered.

(a) Determine if the railroad complied with the criteria of this section and what records are available to substantiate their actions. This is also important in establishing the credibility of management employees to function as locomotive engineers.
3. Current listing of supervisors of locomotive engineers as required by §240.221(a).
4. Current listing of certified locomotive engineers as required by §240.221(b). Determine if the listing is maintained in accordance with the criteria. This list should contain the names of persons designated as supervisors and other management employees that are designated as locomotive engineers.
5. Operational Monitoring event (§240.303(a)(b)): The railroad is required to conduct this event on each person identified on the current listing of certified locomotive engineers. This includes any management employee that is designated as an engineer or supervisor of engineers. The railroad is required to show this information on the persons certificate (or supplemental documents) within 30 days of the date the event is conducted.
6. Unannounced operational compliance test as required by §240.303(a)(c)(d)(1)(2)(3)(4)(5): The railroad is required to conduct this event on each person identified on the current listing of certified locomotive engineers. This includes any management employee that is designated as an engineer or supervisor of engineers. This data must

be included in the engineers record but is not required to be shown on the persons certificate.

7. Railroad oversight responsibility §240.309: Railroads are required to make a formal detailed annual review (no later than March 31) of the safety performance of its engineers. Analyze the report of the railroads review to determine if the railroad complied with the provisions of this section.

Step 4:

Interview the administrator of the railroad's program before reviewing individual records. Through the interview process become familiar with the railroad's procedures for collecting and storing the required data. Review all instructions that the railroad administrator has issued pertaining to the certification process. Ask the administrator to select an engineer's file, at random, and explain the entries in that file and the process used to maintain the record. Become thoroughly familiar with the railroads procedures to eliminate confusion and conflicts during the actual evaluation.

Referring to your list of priorities, request the records to evaluate your highest priority. You will want to examine the records of the persons interviewed, and compare the information obtained in those interviews with the actual record. Work down on your list of priorities until you are satisfied the evaluation is representative of the railroads actions. Some of the elements of records inspection for Part 240 (not in any particular order) that you will want to give particular attention to are:

1. Supporting documents (§240.215). The regulations require the railroad to maintain a record for each certified engineer. This includes all management employees designated as a locomotive engineer. The record must contain all information concerning the eligibility of the individual engineer. Examine a representative number of records to determine compliance with this section.
2. Supporting Documents (240.215(j)). This section allows the railroads to maintain all or part of the required information in an electronic data base. If the railroad elects to use this process determine if their procedures comply with the criteria established by the regulations. Some railroads have taken this approach and have attempted to use a combination of computer generated reports to satisfy the requirements of certification. Electronic files must be secure, available to the FRA for inspection, available in printed form that is readable and usable to the Inspector. A word of caution, there is no distinction

between supervisors of engineers and regular engineers. The same information is required in each engineers file regardless of individual status.

Step 5:

After the evaluation is completed organize your findings and have inspectors prepare F6180.65's. Conduct a briefing session with the appropriate railroad representative: (a) present the railroad copies of the 6180.65's; (b) present a synopsis to the railroad of the findings; (c) present a synopsis of your concerns; (c) present recommendations; and (d) outline course of action (follow up inspection) and tentative schedule.

Step 6:

Prepare a memorandum with a synopsis of your findings. Notify the Chief, Operating Practices Division, of the outcome of your audit, to include findings, issues of concern, and railroad response to recommended corrective actions. This will promote consistency of approach in addressing common issues of noncompliance across the country.

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Attachments (2)

QUESTIONNAIRE B

PART 240- SUPERVISORS

Location: _____ Inspector _____ Date: _____

SLE's Name: _____ ID No.: _____ Class _____

SLE's Title: _____ Is this a RFE or TE type position?

Yes: ____ No: (Explain duties) _____

Has the railroad designated this person as a SLE? _____

Describe previous experience as engineer: _____

If no previous experience as engineer how did SLE demonstrate to railroad his/her ability to function as an engineer (§240.201(a)): _____

Is the railroad provided training on Federal Regulations? No. ____ Yes: ____

Describe training: _____

Has railroad provided supervisory type training? Describe: _____

How many complete trips has person made as a locomotive engineer in 1992 _____ and 1993? (a) 1992: _____ (b) 1993: _____

When was last time person actually operated a train as engineer? _____

Type of train? _____ From: _____ To: _____

Number of engines? _____ Loads and empties _____

Reason for operating as engineer? _____

Is the individuals ability to function as a SLE in question? No: _____

Yes: (Explain) _____

Does person perform unannounced testing on other LE's: Yes: ____ No: ____

Procedures employed: _____

Does person perform operational monitoring on other LE's: Yes: ☐ No: ☐

Procedures employed: _____

Does SLE maintain records of LE monitoring to ensure that all LE receive annual event? _____

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Certificate / Date of Issue: _____ Restrictions: _____

Supplemental Document Certificate / No: ☐ Yes: ☐ / Explain Type: _____

Does Certificate Show Operational Monitoring (§240.303) for 1992 and 1993:

1992: Date _____ 1993: Date _____

Type of Operational Monitoring Event (§240.303(b)) for year 1992 and 1993:

a. Event Recorder; b. Simulator; c. Train Ride. 1992: _____ 1993: _____

Determine from SLE name and title of person who conducted the monitoring

ent: 1992: _____ 1993: _____

Did the SLE receive an unannounced operational test (§§240.129, 240.303)

for 1992 and 1993: 1992: _____ 1993: _____ Circumstances: _____

Has the SLE been recertified since Jan 1, 1992: No: ☐ If Yes develop information on the: (a) Location: _____

(b) Examining supervisor: _____

(b) skills test: (type) _____

(c) Written knowledge test _____

(d) Motor Vehicle Driving Record: _____

Has the LE been involved in a decertification event: No: ☐ Yes: ☐

Comments: _____

QUESTIONNAIRE A

PART 240 LOCOMOTIVE ENGINEERS

Location: _____ Inspector: _____ Date: _____

LE's Name: _____ ID No.: _____ Class _____

Certificate / Date of Issue: _____ Restrictions: _____

Supplemental Document Certificate / No: _____ Yes: _____ / Explain Type: _____

Exceptions to Certificate or Supplemental Document / No: _____ Yes: _____

Does Certificate Show Operation Monitoring (§240.303) for 1992 and 1993:

1992: Date _____ 1993: Date _____

Type of Operational Monitoring Event (§240.303(b)) for year 1992 and 1993:

a. Event Recorder; b. Simulator; c. Train Ride. 1992: _____ 1993: _____

Determine from LE name and title of person who conducted the monitoring event: 1992: _____ 1993: _____

Is the LE aware of an unannounced operational test (§§240.129, 240.303) for 1992 and 1993: 1992: _____ 1993: _____ Circumstances: _____

Has the LE been recertified since Jan 1, 1992: No: _____ If Yes develop information on the: (a) skills test: _____

(b) Written knowledge test _____

(c) Motor Vehicle Driving Record: _____

Has the LE been involved in a decertification event: No: _____ Yes: _____

Does LE have an opinion on the railroad's program and procedures: _____

Questions for Interviews of Locomotive Engineers

1. What is your background both as a locomotive engineer and as a railroad worker?
2. What railroad did you take your training from.
3. Who do you work for.
4. When did you go to work for them?
5. What training did they provide you.
6. What other railroads have you operated on since you began your employment with ABC Co.
7. What training was provided you prior to operating on other railroads?
8. Have you ever been certified (Part 240) as a locomotive engineer?
 - a. What is your certification status now?
 - b. What Class (Student, train service, etc) were you certified as?
9. Experience:
 - a. Years as a locomotive engineer.
 - b. For what railroad?
 - c. Have you worked in Track Warrant Control territory?
10. What rule book is the DMVW operating under?
 - a. Are you familiar with the General Code of Operating Rules.
 - b. Have you been trained on railroad safety rules.
 - c. Are you familiar with Federal regulations concerning blue signal rules, HOS or any other Federal regs.
 - d. What training have you received concerning mechanical condition of equipment?
 - e. What training have you received concerning hazardous materials?
 - f. What training have you received concerning railroad operating rules?

- g. What training have you received concerning Federal Safety Rules?
- h. What training have you received concerning Train Handling procedures?
- i.