

CONDUCTOR CERTIFICATION SUMMARY FOR TRAINMEN & CONDUCTORS
APRIL 1, 2013

This document provides a summary of the new “Conductor Certification Program” requirements as identified in 49 CFR §242.

Who is covered: Conductor is defined as the crew member in charge of the safe operation of a train or yard crew. This does not include subordinate certified crewmembers or other members of the crew, including Trainman (TS1) or Trainee. (See 49 CFR §218 for additional details).

Effective Dates:

- April 1, 2013
- Railroad has “Grandfathered” all employees qualified prior to January 1, 2012 and those who complete applicable training between January 1, 2012 and April 1, 2013.

Conductor Responsibilities

- Notify railroad DSLE or Manager at least 60 days before qualifications lapse
- Promptly notify railroad DSLE or Manager if certificate is lost, stolen or mutilated
- Complete all required training
- Operate only on main track territory on which the employee is territory qualified
- Prior to the recertification date, meet hearing and vision acuity and Department of Motor Vehicle (DMV) check requirements
- Failure to take appropriate action to prevent the following 49 CFR §240 (Locomotive Engineer Certification) revocable events:
 - Passing signal requiring complete stop before passing
 - Restricted speed & speed not exceeding 10 mph over maximum authorized speed
 - Failure to perform required air brake test
 - Occupying main track without authority
 - Disabling safety device
 - Failing drug and/or alcohol test

NOTE: Appropriate action does not mean that a conductor must prevent a violation from occurring at all costs; the duty may be met by warning an engineer of a potential or foreseeable violation.

- Not be responsible for an FRA reportable injury/accident as a result of failure to comply with 49 CFR §218 Subpart F as defined below:
 - Properly protecting shoving or pushing movements
 - Leaving rolling equipment in the clear of adjacent track (behind clearance points)

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APRIL 1, 2013

- Other than main track switches including crossover switches (such as: operating the switch while rolling equipment is fouling the switch, not locking/hooksing/latching switch where applicable)
 - Hand operated main track switches including crossover switches (such as: operating the switch while rolling equipment is fouling the switch, not locking/hooksing/latching switch where applicable, failing to leave switch lined and locked in the designated position as defined in writing by the railroad)
 - Hand operated fixed derails (failure to apply or remove derail, not locking/hooksing/latching derail where applicable, movement over derail in derailing position)
 - Hand operated crossover switches (not left in correspondence when required, not initiating movement when out of correspondence)
- Willful violation(s) of the regulation by a railroad employee could result in a personal fine of up to \$100,000 and revocation of certification

Multiple Certifications: Employees may hold multiple certifications as Conductor and Locomotive Engineer. Either a certification card for each qualification OR a single card for both qualifications must be issued and in the possession of the employee at all times while performing those duties.

Job Aids: In certain cases new and existing employees will be provided job aids to assist them with familiarization of a territory. A job aid includes information regarding other than main track physical characteristics that supplements the operating instructions of the territory over which the locomotive or train movement will occur. It also includes communication with a person(s) who is/are qualified on the territory and who can describe the physical characteristics of the territory. Conductors are expected to secure any needed job aid information prior to departure, if practicable.

Qualified Peer Instructor: For purposes of initial training, railroads will provide a qualified peer instructor. A qualified peer instructor performs on-the-job training, is a Certified Conductor, has an adequate knowledge of the subjects under instruction and is qualified on the physical characteristics of the territory for which the employee is providing instruction.

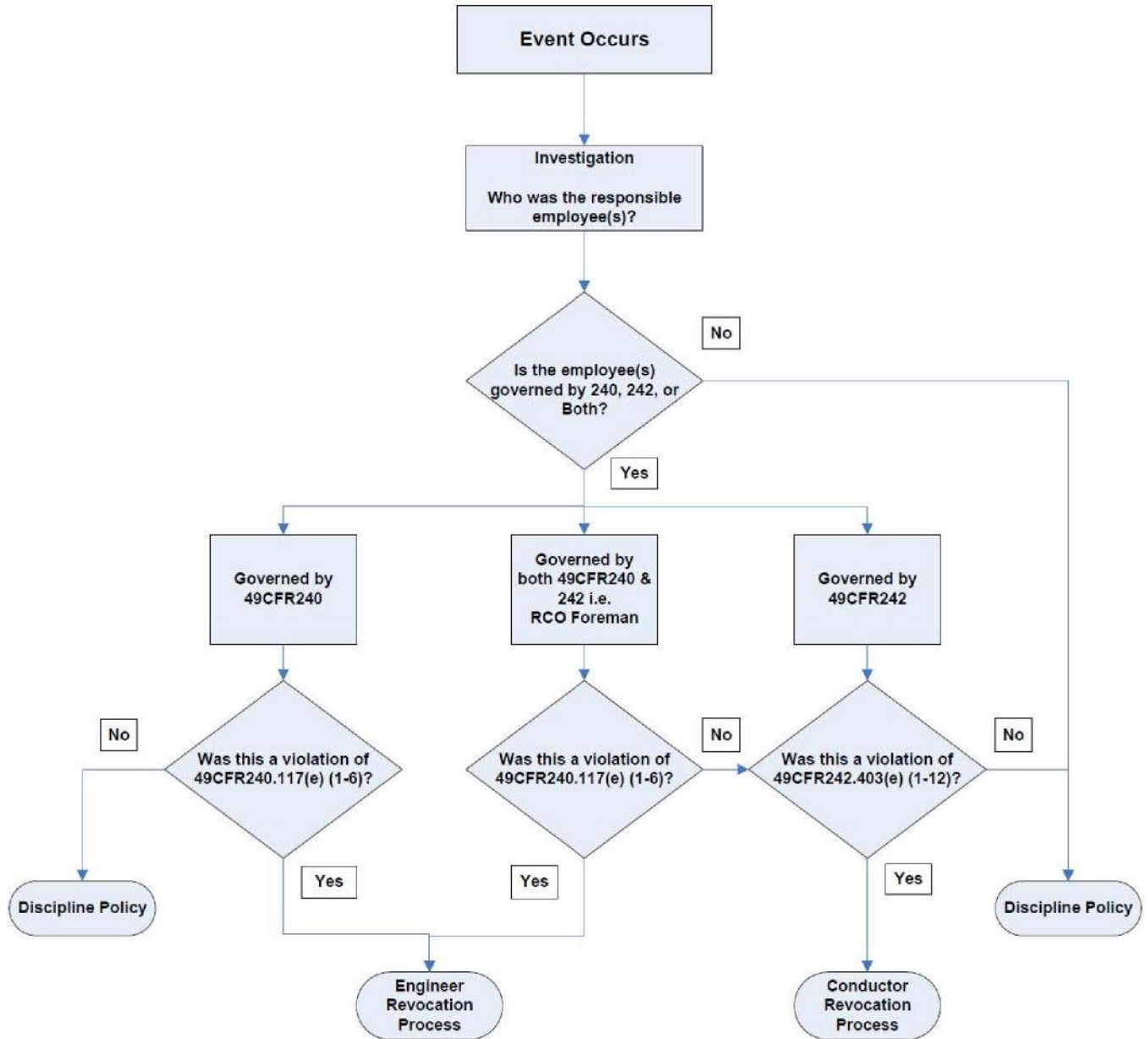
Recertification: Certified Conductors must complete recertification requirements, including training and testing, within a period not to exceed 36 months.

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APRIL 1, 2013**

APPENDIX E TO PART 242—APPLICATION OF REVOCABLE EVENTS

| Revocable Event | Application of Revocable Events | | | | Employees with Multiple Certifications | | |
|--|---------------------------------|--|---|------------------------------|--|---|---|
| | Periods of Revocation | | | | Main Track or Other than Main Track | | |
| | Main Track | | Other than Main Track Where Restricted Speed or the Operational Equivalent Is in Effect | | Offense (as a Conductor) | Offense (as an Engineer) | |
| <ol style="list-style-type: none"> 1 Signal requiring complete stop before passing 2 Restricted Speed & Speed; 10 mph over 3 Required Air Brake Test 4 Occupying Main Track without Authority 5 Disabling a Safety Device 6 Shoving Movements 7 Equipment Fouling Adjacent Tracks 8 Hand Operated Switches (Crossovers) 9 Hand Operated Switches Connected to Main Track 10 Hand Operated Crossover Switches (before & after movement) 11 Hand Operated Derails | 1st Offense | 2nd Offense Within 24 Months | 3rd Offense Within 36 Months | 4th Offense Within 36 Months | No Offense Within Previous 12 Months | Employee May <u>Not</u> Work as a Conductor During the Period of Revocation | Employee May <u>Not</u> Work as a Conductor During the Period of Revocation |
| | 30 Days | 6 Months | 1 Year | 3 Years | Not Applicable | Employee May <u>Not</u> Work as an Engineer During the Period of Revocation | Employee May <u>Not</u> Work as a Conductor During the Period of Revocation |
| | | | | | Half Revocation Period | Employee May Work as an Engineer During the Period of Revocation | Not applicable |
| | | | | | Not Applicable | | |
| | | | | | Half Revocation Period | | |
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| | 12 Drug & Alcohol | Different periods of revocation may be applied (see 242.403 & 242.115) | | | | Not Applicable | Employee May <u>Not</u> Work as an Engineer During the Period of Revocation |

Determining Employee Role (240 or 242) for Revocation



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Check the boxes that apply and sign below:

I have read and understand the summary of requirements for implementation of the new Conductor Certification Program.

I have received a certification card that designates me as qualified to perform the duties of Conductor under the railroads current training program.

Date: _____

Print Name: _____

Signature: _____