

THE EVERETT RAILROAD COMPANY



Program for the Qualification and Certification of
Locomotive Engineers
49 CFR Part 240

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Section 1: General Information and Elections (240.101)

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The Everett Railroad Company

- Elects to certify previously non-certified candidates as outlined in Section 5 of this submission.
- Re-certify locomotive engineers previously certified by other railroads.

The Everett Railroad Company will issue certificates for the following classes of service:

- Train Service Engineer
- Locomotive Servicing Engineer
- Student Engineer

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Section 2: Selection of Designated Supervisors of Locomotive Engineers (240.105)

The Everett Railroad Company will select candidates for the position of Designated Supervisor Locomotive Engineer (DSLE) who have the ability to test and evaluate the knowledge and skills of a locomotive engineer, or candidate, seeking to obtain or retain certification and can prescribe appropriate remedial action for any deficiency, based on the following criteria:

- Is a certified Locomotive Engineer
- Has experience as a railroad supervisor in train operations or who has demonstrated supervisory capability to railroad management.
- Has successfully completed the examinations and skills test being employed to certify and re-certify Locomotive Engineers.
- Designated Supervisors of Locomotive Engineers will be provided **not less than 2 hours of training on the requirements of Part 240** with emphasis placed on those actions that are identified as prohibited and/or illegal, the requirements of performance skill testing and operational performance monitoring, remedial actions, and all requirements concerning the issuing and replacement of an Engineer Certificate.
- The DSLE is required to obtain a passing score of **90% on a written examination of not less than 25 questions** based on this program. The Program Administrator will keep appropriate records of training and test.
- The DSLE will make minimum of one qualifying trip over the territory under his/her responsibility to ensure his/her ability to instruct and evaluate engineers to be qualified. In addition, he/she must pass a written test (240.215) on instructions and physical characteristics of that territory. If the DSLE does not operate a minimum of once each year in his/her territory he/she must take a re-qualifying ride over that territory to re-qualify.

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Section 3: Training Persons Previously Certified as Locomotive Engineers (240.123(b))

Train Service Engineers

The Everett Railroad Company will provide continuing education for certified Locomotive Engineers to assure that all Train Service Engineers maintain a requisite knowledge of personal safety, operating rules and practices, mechanical condition of equipment, methods of safe train handling (including physical characteristics), and relevant Federal Safety Rules. Re-certification for all Certified Locomotive Engineers will occur on a 36-month interval. The ongoing training and testing of certified locomotive engineers will occur throughout the 36 month certification period and incorporate classroom training, on-site training, and periodic rules classes. The Program Administrator for each engineer's classroom and on-site training and testing will keep appropriate records.

Attendance at formal training sessions of **not less than 16 hours**, classroom and on-site, over the 36-month period will be required of all certified engineers. The training sessions will include company safety meetings and seminars and periodic rules classes. The three-year training cycle can generally be conducted as follows:

- Safety Rules
- Operating Rules
- Timetable Instructions (if applicable)
- Applicable Federal Regulations
- Physical Characteristics (territory specific)
- Use of Applicable Job Aids
- Federal Regulations
- Hazardous Materials (if applicable)

Re-certification Knowledge and Skills Testing (including physical characteristics) Subject matter to be covered in the formal training sessions will include, but is not limited to, the following:

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Classroom

- A. Personal Safety
 - 1. Proper attire including personal safety devices
 - 2. Mounting and dismounting equipment
 - 3. Crossing tracks and yards
 - 4. Operating switches
 - 5. Coupling equipment

- B. Applicable Railroad Operating Rules
 - 1. Yard Limit rules & regulations
 - 2. Radio rule compliance
 - 3. Hazardous material handling and emergency response
 - 4. Signal Compliance
 - a. Fixed Signals
 - b. Hand Signals
 - c. Radio Signals

- C. Federal Safety Rules
 - 1. All applicable rules

On-site

- D. Train Handling Practices (when applicable)
 - 1. Proper throttle modulation
 - 2. Proper brake application
 - a. Use of automatic train brake
 - b. Use of dynamic brake (where applicable)
 - c. Use of independent brake

 - 3. Proper starting & stopping procedures
 - 4. Knowledge of physical characteristics
 - 5. Basic air brake operation

- E. Mechanical Condition of Equipment
 - 1. Pre-trip inspection of locomotives
 - 2. Trouble shooting
 - 3. Proper operating pressures of air brake system
 - 4. Proper air brake testing procedures

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Section 3 (continued)

Rules Classes (240.123(b))

Operating rules classes (B above) will be conducted on a biennial schedule, of **not less than 4 hours** in duration, and in a classroom environment with the participation of certified engineers in open discussion. All topics required by 240.123(b) will be covered at these classes and will highlight new and/or revised rules, operating practices and introduction of new technology. New or updated training may be required as a result of the introduction of new technology, new operating rules, or significant changes in operations, including the territory engineers are authorized to work. Such training will occur in the form of safety and quality improvement classes delivered in any form of training medium. A written examination of not less than **50 questions** will be administered prior to completion of classes. Certified engineers participating in the class are required to achieve a **passing score of 85%**.

Physical Characteristics (240.215(d))

The engineer must make a minimum of 1 qualifying trip and pass a written test per 240.215(d) on the operating instructions and physical characteristics of the territory determined by the DSLE. The test required under this section will be placed in the engineer's file and retained according to 240.215(d). **Engineers who have not operated over a specific territory within the previous 12 months must re-qualify.**

The re-qualification process will require at a minimum:

- Main Track - A minimum of one round trip over the territory.
- Other than Main Track - Territorial familiarization briefing with qualified supervisor or engineer will be provided with up-to-date job aid.

Notices and Manuals

Posted instructions including Bulletins, General Orders, General Notices and Special Instructions are issued in response to propose new or revised rules and operating practices. Train Service Engineers are required to review them prior to commencing each tour of duty.

Instructional manuals including, operating rules, safety rules, timetables, etc., are provided for employees' use. Train Service Engineers are required to have the most recent copies of these manuals available for immediate reference while on duty.

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Training of an Engineer with Expired Certificate or with Extensive Experience as an Engineer

Engineers whose certifications have lapsed or who have extensive operating experience as an engineer will be required to satisfy all the components required for certification specified in Sections 3 & 4 of the certification program. Certification will require a period of on-the-job training and territorial familiarization based on the evaluation of the DSLE. Prior experience and unique characteristics of the territory must be considered by the DSLE prior to certification.

Method for Familiarizing Engineers with New Territory or New Startup Operations

In situations where there is no available means to afford engineers the opportunity to obtain the operating skills and physical characteristics of a new territory or start up the railroad may elect to use hi-rail or lite locomotive to experience the physical characteristics. The engineer must be tested on the operating instructions and physical characteristics of the territory. DSLE must qualify the engineer on the territory prior to issuing a certificate per 240.127.

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Section 4: Testing and Evaluating Persons Previously Certified

Train Service Engineers

This section details the manner in which Knowledge, Skill and Vision and Hearing Acuity testing for Certified Train Service Engineers will be conducted within the 36-month period following the certification or recertification date of a locomotive engineer.

Knowledge Testing (240.125)

Train Service Engineers will be required to participate in written examinations of **at least 50 questions and to obtain a passing score of 85%**. Tests will be conducted without open reference books or other materials except to the degree the person is being tested on his or her ability to use such reference books or materials. A Train Service Engineer failing to obtain a passing score of 85% will not be permitted to operate a locomotive pending a successful reexamination. These examinations, will be conducted by a DSLE or a designated official, and will include the following subject matter:

- Personal safety procedures (emphasizing Company Safety Rules)
- Operating practices (with emphasis on recent or proposed operational changes, e.g., changes in Track Warrant Control Program, Yard Limits, Hazardous Material Rules, etc.)
- Equipment inspection practices (with emphasis on added or new devices and/or appliances and inspection of trouble areas)
- Train handling practices including physical characteristics (with emphasis on company train handling practices and any railroad plant changes and basic air brake operations)
- Compliance of relevant Federal Safety Rules (with emphasis on new or revised rules)

Skill Testing (240.127)

A train service Engineer will be required to participate in a performance skills examination for recertification. This examination will be administered by a DSLE and will include criteria as recommended in Appendix E of part 240 in a standardized format. The test must be sufficient to effectively examine the person's skills while operating a train in the most demanding type of service which the person is likely to encounter in the normal course of events once, he or she is deemed qualified.

The operating skills performance test will be in the form of tasks rated on a pass/fail system and conducted while a train service engineer is operating a locomotive in the most demanding service the engineer would be expected to perform for a **minimum duration 25 miles or 1 hour**.

Certain tasks are "must know" or weighted tasks related to the six cardinal rules listed in 240.117(e). Failure of a weighted task results in failure regardless of overall score on the test.

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Successful completion requires an overall passing score of 85 points. Each engineer begins with 100 points. Applicable assigned point values on the check ride sheet will be deducted for items failed. Each task has an assigned point value of 1-5 points. (**See Appendix B**)

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., the 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 date (*citing 240.225 and the actual expiration date*).

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.

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Vision and Hearing Acuity Testing (240.121)

The Medical Examiner of the railroad or designated medical facility will be responsible for the administration of required vision and hearing acuity testing prior to the employee's recertification date. Notification of results that fall within the approved limits of 240.121 will be made by means of vision/hearing approval form. Approved clinics will send the examination form with the results of the vision and hearing examination to the designated medical examiner, who will review the examination results and determine if the employee meets the standards identified in 240.121. If the Medical Examiner determines that the candidate meets the required threshold, signed examination forms will be returned to the respective railroad, where the documents will be maintained in the employees file. If the candidate does not meet the identified threshold requirements, that determination will be provided to the respective railroad.

For those employees, whose hearing or vision acuity does not meet the standards required by 240.121 a detailed written description of employee's work environment including a job description and all constraints placed on the Locomotive Engineer, will be submitted to the Medical Examiner. The Medical Examiner and the DSLE will evaluate the ability of the employee to perform safe service with their physical deficiencies. If the evaluation determines that the employee can operate a locomotive safely, that fact will be noted with any restrictions on vision/hearing approval form and the engineer's certificate or license.

Records

The Program Administrator will maintain appropriate records of each engineer's knowledge, skills and vision/hearing acuity test results.

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Section 5: Training, Testing and Evaluating Persons Not Previously Certified

Train Service Engineers

A comprehensive program of classroom and on-site training will be provided for persons seeking certification as locomotive engineers who have had previous railroad experience (Train service, MOW, Mechanical, etc.) and additional training elements for candidates with no previous rail experience. The Program Administrator will maintain appropriate records on each candidate's training.

With Previous Transportation Experience

1. Hearing and vision acuity testing will be conducted on candidate (or hearing and vision acuity test results will be reviewed if said tests have been conducted within 366 days of the certification decision) to ensure compliance with 240.121.
2. Discipline record, attendance record and other pertinent data from employee's personnel file as well as his/her driving record will be reviewed to determine safe working habits.
3. Selected candidates will participate in the following Train Service Engineer Training Program. **Total classroom training time: 40 hours, excluding HazMat.**
 - A. Classroom and onsite training including use of actual locomotive equipment, in which the following subjects are covered:
 1. Mechanical inspection of equipment – 8hrs
 2. Air Brakes – 8hrs
 3. Train Handling – 8hrs
 - B. Classroom training conducted by the qualified instructors comprised of the following:
 1. Applicable Operating Rules (w/out signals) – 8hrs, (with signals) – 12hrs
 2. Hazardous Material Transportation and Emergency Response – 4hrs
 3. Federal Regulations – 8 hrs
 - C. Performance Skills Training – on the job with a certified locomotive engineer or other qualified instructor, operating trains over applicable territories for a minimum period of **80 hours for light switching operations at speeds <25 mph**; 120 hours for speeds <35 mph; and 240 hours for speeds >35 mph. (hours denote actual time spent at the throttle)
 - D. Written examinations may be conducted periodically during each segment of instruction classes and will be given upon conclusion of the classes. The successful completion of each segment does not eliminate the necessity of a final test.

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Section 5 (continued)

4. Knowledge Test - Candidates must participate in final written examinations of not less than **50 questions and are required to obtain a passing score of 85%**, covering but not limited to, the following criteria:
 - A. Personal Safety Practices, not less than 10 questions.
 1. Proper attire including personal safety devices.
 2. Mounting and dismounting equipment.
 3. Crossing tracks and yards
 4. Operating switches
 - B. Applicable Operating Rules and Practices, not less than 15 questions.
 1. Track Authority
 - a. Track Warrants
 - b. Yard Limits
 2. Signal Compliance
 - a. Fixed signals
 - b. Hand signals
 - c. Radio transmitted signals
 3. Radio rules compliance
 4. Hazardous material handling and emergency response.
 - C. Mechanical Condition of Equipment, not less than 5 questions
 1. Pre-trip inspection of locomotives
 2. Trouble shooting
 3. Basic air brake operations
 - D. Train Handling Practices, not less than 10 questions.
 1. Proper throttle modulation.
 2. Proper brake application.
 - a. Use of automatic train brake
 - b. Use of dynamic brake
 - c. Use of independent brake
 3. Proper starting and stopping procedures
 4. Knowledge of physical characteristics
 - a. System Special Instruction
 - b. Timetable
 - E. Relevant Federal Safety Rules, not less than 10 questions.
 1. Yard Limit Rule
 2. Hours of Service Act
 3. Hazmat Rules
 4. Locomotive Inspection
 5. Blue Flag Rule
 6. Power Brake Rule

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Section 5 (continued)

Candidates failing to obtain a passing score will not be permitted to operate a locomotive pending a successful reexamination.

5. Skills Performance Test - Candidates participate in a final performance skills examination on a pass/fail basis, while operating a locomotive in actual train service under the supervision of the DSLE. The skill performance test evaluates a person for qualifications as a locomotive engineer in either train or locomotive service to determine whether the person has the skills to safely operate locomotives and or trains, including the proper application of the railroad's rules and practices for the safe operation of locomotives or trains in the most demanding class or type of service that the person will be permitted to perform.
6. Certain tasks are "must know" or weighted tasks related to the six cardinal rules listed in 240.117(e). Failure of a weighted task results in failure regardless of overall score on the test. Successful completion requires an overall passing score of 85 points. A score or check ride sheet will be used to grade the test. Each engineer begins with 100 points. Applicable assigned point values on the check ride sheet will be deducted for items failed. (**See Appendix B**)
7. 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).

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Section 5 (continued)

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.
10. Successful completion of all final examinations will allow for the issuance of a certificate and promotion of candidate to the position of train service engineer.

Without Previous Transportation Experience

In addition to the training and testing program outlined above for persons with previous railroad experience, candidates who have had no previous rail experience will be provided the following, prior to starting the locomotive engineer training course.

Additional training of 8 hours on the following:

1. All aspects of railroad operations and equipment, including a familiarization trip in the cab of a locomotive
2. Company's safety and operating rules for employees
3. Overview of applicable Federal and State regulations
4. Rules and responsibilities of individual train crew and ground employees

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Section 6:

Monitoring of Operational Performance of Certified Locomotive Engineers

Train Service Engineers

Certified Train Service Locomotive Engineers will be monitored not less than once each calendar year to determine that the train service engineer possesses and employs the skills necessary to safely operate a locomotive in train service. Monitoring will consist of a minimum of 1 hour or 25 miles including the proper application of railroad company rules and practices for safe operation. Remedial training may be provided to the locomotive engineer for any deficiencies noted.

Performance Monitoring (check ride) (240.129)

A DSLE will monitor each locomotive engineer, not less than once each year, under actual operating conditions that engineer would normally be expected to encounter. Where applicable the monitoring ride can be performed while the engineer is at the controls of Type I or Type II simulator. The response actions of the engineer will be recorded on a checklist of performance factors (**See Appendix B**). Locomotive event recorder data may also be reviewed to fulfill the requirements of a check ride. When event recorder data is used to comply with the requirements of section 240.129 the railroad will supply a method of how it determines what person was the controls and what signal indications or other operational constraints if any were applicable to the train's movement. 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 skills performance test, when conducted within the calendar year that certification occurs will satisfy the monitoring requirements for that year.

Deficiencies noted during a monitoring ride will be discussed with the engineer and if warranted, additional remedial training will be provided.

Unannounced Operating Rule Proficiency Testing (240.303)

A qualified official will conduct operational rules proficiency test not less than once each year for all certified locomotive engineers. The unannounced test will reflect conditions that require an affirmative response by the engineer to less favorable conditions than that which existed prior to initiation of the test, e.g., fuses or torpedoes on tracks, signal indication or signals with less than clear indication, permanent and temporary track speed restrictions.

Engineers 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.

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Section 6 (continued)

***Criteria for Monitoring Operational Performance of Certified Engineers
(240.129(b)(1)&(2))***

Certified Engineers who are not given an unannounced operating rule test and a monitoring ride in a calendar year at a minimum will receive a test and ride within 30 days of a return to Engineer service. The railroad will maintain a written record indicating:

- The date that the Engineer stopped performing service that requires certification
- The date the Engineer returned to performing service that requires certification, and
- The date the test and ride were performed

Certificate

Every locomotive engineer will have his or her certificate (or supplement) signed and dated once each calendar year to signify completion of the annual skills performance monitoring (check ride). The operating rules efficiency test results will be documented and retained in the engineer's certification file.

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Section 7: Routine Administration Procedures for the Engineer Certification Program

The Locomotive Engineer Certification Program will be administered by the Program Administrator (PA), who does not have to be a certified locomotive engineer. The PA is responsible for the implementation of part 240, the overall management of the training and testing programs and maintaining appropriate records for each certified and student locomotive engineer. Copies of a locomotive engineer's prior safety conduct, motor vehicle driving record, vision and hearing acuity test, written knowledge examination, and performance monitoring (skills, annual, stop test) will be maintained on file by the railroad. Locomotive engineers will be responsible for providing driving records to the PA, who will request the information no later than six weeks prior to recertification. Requests will be made to the issuing state.

Employees who have not been issued a driver's license will be required to apply for driving records from the state in which they reside and must produce a document indicating there is no record of a license being issued (this document is sometimes referred to as a "no record" or "no file" check).

Certification Criteria

The following required information for certification is described in the below detail:

General Criteria for Eligibility Based on Prior Safety Conduct (240.109)

Railroad will evaluate the prior safety conduct of any person considered for qualification as a locomotive engineer or remote control operator. Consideration will be given to relevant data from the employing railroad's records, any other railroad formerly employing the person and any governmental agency with pertinent motor vehicle driving records. If it is determined that the candidate does not meet the eligibility requirements of 240.115, 240.117, or 240.119, they will be considered ineligible.

Prior safety conduct as a motor vehicle operator (240.115)

Motor vehicle driving records will be obtained and evaluated for incidents described in 240.115. If the records indicate an incident(s) occurred within the time specified, the candidate will be referred to the Drug and Alcohol Counselor (DAC). The counselor must advise the railroad of the results of the DAC evaluation as it relates to certification eligibility.

Operating rules compliance (240.117)

An evaluation of operating rules compliance will be made by reviewing a candidate's work record. If the candidate was previously employed by another railroad, they must take the necessary action to obtain a copy of his/her work record from the former railroad.

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Substance abuse disorders (240.119)

Employees who are determined to have active substance abuse disorders will not be certified or allowed to remain certified.

Reliance on qualification determination by another railroad (240.225)

Railroad may rely on qualification determinations made by another railroad subject to the provisions of 240.201(certification implementation), 240.217(c)(2) (time limitations) and 240.307 (revocation of certification). An eligible engineer or RCO certified by another railroad who is subsequently employed by The Everett Railroad Company will be evaluated. This evaluation could be conducted by the Program Administrator and DSLE. The evaluation will review each individual and determine the required training, testing and familiarization trips. Factors for consideration are previous rules qualification, duration of actual train operation as a certified employee and previous training in making the determination, which will be made in writing, e.g., prior safety record and skills evaluation. These records will be placed in the employee's file.

Issuance of Certificates

The Medical Examiner will be responsible for advising the results of vision/hearing acuity tests to the Program Administrator for locomotive engineers. He will be responsible also for advising of any engineer known to have a substance abuse problem, or an engineer who has successfully completed an SAP dependency program. Recommendations of an SAP Counselor will be made in such a manner as to not jeopardize confidentiality. The Program Administrator will be advised of any locomotive engineer refusing to participate in a Random, Reasonable Cause or Post Accident, Alcohol or Drug Test.

The DSLE will review all required information e.g., substance abuse, current operating rule revocations, driving records, hearing and vision acuity, knowledge test, and skill/annual performance test to determine if a locomotive engineer is to be certified or recertified. If the locomotive engineer has successfully completed all tests and other requirements, he will be issued a certificate effective for not longer than 36 months.

The DSLE will issue certificates to all qualified locomotive engineers. Student Locomotive Engineers will receive a certificate after review of pertinent medical data and will maintain same until promotion, dismissal from training program or disqualification.

Replacement of Certificates (240.301)

In the event a certificate is lost during a tour of duty and a DSLE is not available to issue a replacement certificate the locomotive engineer will be required to inform his/her supervisor of the loss, and the locomotive engineer will be allowed to complete his tour of duty. The locomotive engineer prior to being allowed to return to work must obtain a replacement certificate.

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Joint Operations (240.229)

The railroad will rely on the certification issued by another railroad. To ensure that the foreign engineers are duly certified, the railroad will require a list of Certified Locomotive Engineers from the employing railroad. The foreign engineer will be examined to determine the engineer is:

- Knowledgeable on the railroad's operating rules;
- Trained on necessary operating skills concerning the joint operations; and
- Familiar with the physical characteristics of the joint operation territory

The employing railroad will provide a list of its certified Locomotive Engineers qualified to operate on the territory of any foreign line railroad controlling trackage over which the employing railroad has operating rights, unless these operations are defined as minimal joint operations (240.229(f)):

- The maximum authorized speed for operations on the track does not exceed 20 miles per hour;
- The track is other than a main track;
- Operations are conducted under operating rules that require every locomotive and train to proceed at a speed that permits stopping within one half the range of vision of the locomotive engineer; and
- The maximum distance for joint operations on the track does not exceed one mile.

Denial of Certification (240.219)

The Program Administrator will notify a candidate for certification or recertification of adverse information that may form a basis for denying the person's certification or recertification. Reasonable opportunity will be provided for the individual to explain or rebut adverse information in writing prior to denying certification.

No later than 10 days after the railroad decides to deny certification or recertification, the Program Administrator will notify a candidate of this decision in writing providing an explanation of the basis for denying the person's certification or recertification and the date of the decision will be indicated on this document.

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Revocation of Certificate (240.307)

The Everett Railroad Company will upon notification of reliable information regarding a person's qualification will immediately suspend the certification. The person in question will be verbally notified with a written notification following with 96 hours of the reason for the suspension, the pending revocation and an opportunity of a hearing. The person in question will be given the opportunity to waive the right to a hearing in writing. A hearing will be conducted within 10 days of the date of suspension of the certification unless a waiver of hearing is signed by the person in question. Within 10 days after the close of record a written decision shall be served on the person. The Everett Railroad Company will conduct Certification Revocation Hearings and Company Disciplinary Hearings concurrently.

Use of Contractors

Railroads that plan to use contractors for any phase of the training, testing, recertification process will provide specific information on the contractor's qualifications; the activities that contractor will be responsible for; the Training/Testing programs to be used, contractor's adherence to the ASLRRRA Standard Program; and key contractor personnel contact information.

Use of Pilots Who Are Not Certified Engineers

The prospective pilot candidate will be given an appropriate number of qualifying trips over the territory to assure sufficient familiarization with the territory. Additionally, the pilot will be interviewed, evaluated, and given a written test by a DSLE, who is qualified on the territory, to ensure that the pilot is knowledgeable on the operating instructions and physical characteristics of the territory. The test will be retained in the employee's file.

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APPENDIX A: Individual Railroad List

The Everett Railroad Company is an independently owned railroad and does not have a parent company, a holding company, or a subsidiary.

APPENDIX B: Skill Test/ Annual Performance Evaluation Form.

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Skills Test/Train Ride Form

(49 CFR §§ 240.127 and 240.129)

Railroad Name: _____ Date: _____

Engineer's Name: _____ Emp. ID: _____

Type of Certificate: _____ Locomotive Consist: _____

Train Consist: (loads): _____ (empties): _____ (total tonnage): _____

Total time of evaluation: (hours and minutes): _____ Total miles traveled: _____

Type of evaluation: (§240.129 annual) _____ (§240.127 certification) _____

Test Territory _____

Total Score _____ Pass/Fail _____

Please check the appropriate box, explaining all failures on the back of this form.

		YES	NO	N/A				YES	NO	N/A
1. Light locomotive operation						9. Locomotive Management				
A. Brake Tests	(1)	[]	[]	[]		A. Locomotive Inspection	(1)	[]	[]	[]
B. Coupling Speed	(1)	[]	[]	[]		B. Engine Start-Up	(1)	[]	[]	[]
C. Changing ends	(1)	[]	[]	[]	<u>3</u>	C. Sand	(1)	[]	[]	[]
2. Automatic Brake Ops						D. Short Time Rating	(1)	[]	[]	[]
A. Brake Test		[]	[]	[]		E. Protective Devices	(1)	[]	[]	[]
B. Total Reduction	(2)	[]	[]	[]		F. Securing Unattended Locomotives	(1)	[]	[]	[]
C. Release Procedure	(2)	[]	[]	[]		Locomotives	(1)	[]	[]	[]
D. Independent Release	(2)	[]	[]	[]	<u>8</u>	10. Operating Rules				
3. Dynamic Brake Operation						A. Use of Bell	(1)	[]	[]	[]
A. Time Delay	(1)	[]	[]	[]		B. Use of horn	(1)	[]	[]	[]
B. Application rate	(1)	[]	[]	[]		C. Use of Headlight	(1)	[]	[]	[]
C. Release Rate	(1)	[]	[]	[]	<u>3</u>	D. Use of Radio	(1)	[]	[]	[]
4. Independent Brake						E. Signal Compliance	(5)	[]	[]	[]
A. Application	(1)	[]	[]	[]		F. Signal Communication	(2)	[]	[]	[]
B. Release	(1)	[]	[]	[]	<u>2</u>	G. Knowledge of Special Instructions	(5)	[]	[]	[]
5. Monitors						H. Knowledge of Operating Rules	(5)	[]	[]	[]
A. Train Profile	(1)	[]	[]	[]		I. Knowledge of Safety Rules	(4)	[]	[]	[]
B. Air Gauges	(1)	[]	[]	[]	<u>2</u>	J. Possession of Required Publications	(5)	[]	[]	[]
6. Reaction To						11. Train Handling				
A. Locomotive Wheel Slip/slide	(1)	[]	[]	[]		A. Starting	(1)	[]	[]	[]
B. Dynamic Brake Overload	(1)	[]	[]	[]		B. Acceleration	(2)	[]	[]	[]
C. Alarm Lights/Bells	(1)	[]	[]	[]	<u>3</u>	C. Deceleration	(3)	[]	[]	[]
7. Distributed Power						D. Cresting Grade	(2)	[]	[]	[]
A. Set Up	(2)	[]	[]	[]		E. Power Braking	(1)	[]	[]	[]
B. Operation	(2)	[]	[]	[]		F. Familiarity With Terrain	(5)	[]	[]	[]
C. Knockdown	(2)	[]	[]	[]	<u>6</u>	G. Judgment - Location Of Train	(5)	[]	[]	[]
8. Daily Inspection Card Signed	(2)	[]	[]	[]	<u>2</u>	H. Plans Movements Ahead	(3)	[]	[]	[]
						I. Properly Controls Slack	(2)	[]	[]	[]
						J. Procedures for Set-Off And Pick-Ups	(1)	[]	[]	[]
						K. Speed Control	(3)	[]	[]	[]
						L. Judgment In Stopping	(2)	[]	[]	[]
						M. Yarded Train-control in-train forces	(2)	[]	[]	[]
						N. Detaching from train	(1)	[]	[]	[]
						O. Undesired Emergency	(1)	[]	[]	[]
						P. Proper Coupling Speed	(1)	[]	[]	[]

Failure of a "must know" results in complete test failure regardless of overall score.

Explanation of Failures

Remedial action taken or scheduled / Recommendations/Comments

Signature of DSLE

Date

