



U.S. Department of
Transportation

News:

Office of the Assistant Secretary for Public Affairs
Washington, D.C. 20590

FOR IMMEDIATE RELEASE
Friday, January 24, 1986

FRA 01-86
Contact: Wendy DeMocker
Tel.: (202) 426-0881

PATON AND LANGFORD NAMED FRA REGIONAL DIRECTORS

Federal Railroad Administrator John H. Riley has named Harry T. Paton Director of Railroad Safety for the Federal Railroad Administration's Region VI, headquartered in Kansas City, and Leon D. Langford Director of Railroad Safety for FRA's region VII, headquartered in San Francisco.

"The FRA is fortunate to have people of this calibre as regional safety directors. Together they bring years of rail safety experience to the agency and the industry," said Riley.

Paton had been a District Chief for the FRA in Indianapolis since 1976. As District Chief, Paton directed his district's rail inspection activities and accident investigations. He has also been active in the Operation Lifesaver rail-highway crossing safety program. Paton came to the FRA in 1974 as a track inspector.

Prior to joining the FRA, Paton worked for the Milwaukee Road, a major midwestern railroad. He worked in that railroad's Engineering Department holding a variety of positions including Division Engineer. As Division Engineer, he was responsible for the direction, planning and budgeting of all maintenance-of-way activity.

Langford had been acting Regional Director for FRA's Region VI in Kansas City since 1984. Prior to becoming acting Regional Director, Langford was District Supervisor and then Regional Training Specialist in Kansas City. Langford started his career with the FRA as a track inspector in 1974.

Langford came to the FRA from the Southern Pacific Transportation Company's rail division where he held many positions in the Operating and Engineering Department including Roadmaster. As Roadmaster he supervised track maintenance and track maintenance personnel and reported to the Division Engineer.

FRA's Regional Directors oversee rail safety enforcement and FRA's safety inspectors for an area covering several states. FRA's Region VI covers the states of Missouri, Iowa, Nebraska, Kansas and Colorado. Region VII covers the states of California, Nevada, Utah and Arizona.

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News:

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Washington, D.C. 20590

139-51

FOR IMMEDIATE RELEASE
Monday, February 1, 1988

FRA 02-88
Contact: Angela Sullivan
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(202) 366-0881

FRA REPORT ON CONRAIL DETAILS SAFETY PROBLEMS

Federal Railroad Administrator John H. Riley today released a five-volume report detailing "significant safety problems" found by FRA inspectors during an assessment of the Consolidated Rail Corporation's (Conrail) operations, equipment and safety programs.

Release of the 800-page report marks the culmination of seven months of field work by more than 80 federal inspectors from the eight FRA regional inspection staffs. Since it began in 1986, the assessment process has resulted in the filing of 1,729 violation reports, subjecting Conrail to up to \$2 million in civil penalties.

In addition, the report contains 445 separate recommendations for improving Conrail safety practices and procedures. Principal among them is a recommendation that Conrail centralize its safety function into a single, independent Office of Safety reporting directly to the Vice President of Operations. FRA will use the assessment report to target its oversight of the Conrail system over the next 120-days. At that time, FRA will commence a follow-up assessment to police Conrail's compliance with its recommendations.

The report generally gives Conrail high grades for track and signal maintenance, but finds serious, systemic problems in the company's training programs, and in its approach to compliance with federal operating regulations.

Administrator Riley said, "The problems cited in the report are serious but reparable. Conrail has the necessary resources and a good senior management team.

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"Conrail's program for maintaining mainline track and signals is among the best in the industry. Its problems stem from a failure to apply the same emphasis to the human side of safety -- to training, operational testing, and rules compliance. The purpose of the report is to identify these problems and help Conrail resolve them," Riley said.

"Although the report focuses on management issues, it would be a serious mistake to conclude that Conrail's problems are solely the responsibility of management. Over the course of the assessment, FRA developed serious concern over the attitudes and practices of some segments of Conrail's workforce. In particular, tampering with essential safety equipment seems to be a systemic problem in virtually every region of the Conrail system. Our decision not to focus on this type of issue is simply a reflection of the fact that this agency has no enforcement jurisdiction over railroad operating employees," Riley said.

Highlights of the report by category:

TRAINING

In every area inspected, FRA found a general failure by the majority of Conrail officers and employees to know and understand relevant federal regulations. This failure permeates most departments and crafts.

ACCIDENT/INCIDENT REPORTING

In its audit of Conrail's 1986 personal injury cases, FRA found numerous instances in which employee injuries were not reported. Monetary damages were significantly underestimated in reports of rail equipment accidents. Consequently, some accidents went unreported as federal threshold levels were not accurately recorded. Overall FRA found no effective internal auditing of accident/incident files to ensure proper reporting.

MOTIVE POWER AND EQUIPMENT

Locomotives and freight cars inspected by FRA's assessment team showed unacceptable defect levels. FRA found car inspectors responsible for train yard inspections were not provided with wheel gauges and measuring instruments necessary to properly perform their duties. Roller bearing failures on freight cars were 18.7 percent above the average of all Class I railroads.

SIGNALS AND TRAIN CONTROL

FRA inspection of the signal and control system found Conrail has a good set of standards and instructions for the construction, installation, and maintenance of its signal systems and rail/highway crossing warning devices. However, FRA found the absence of an effective method of monitoring the work in the field and enforcing Conrail's standards and instructions. Of 618 locomotives inspected, 53 had defective cab signal whistles, many attributable to employee tampering.

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OPERATING PRACTICES

FRA found several areas in which Conrail did not comply with federal laws and regulations because the carrier chose to interpret those regulations in a manner at variance with their apparent literal meaning. An analysis of the operating rules uncovered several Conrail rules that were inconsistent with other Conrail rules and/or with federal regulations.

ALCOHOL AND DRUGS

The assessment team found that Conrail was slow in implementing reasonable cause testing for alcohol and drug use and that supervisors of operating rules, responsible for administering the alcohol and drug tests, did not receive training for this task. FRA found that the operational alcohol and drug test results submitted by Conrail in its annual report to FRA were incomplete under federal standards.

PROTECTION OF WORKERS

Conrail's compliance with blue signal protection rules is poor: 31 percent of FRA inspections resulted in a finding of deficiency. The rule is an employee protection procedure requiring a blue flag marker to notify locomotive engineers that employees are working on equipment on the flagged track. The report concluded that the carrier has attempted to circumvent this regulation by giving train-crew job titles to other workers, apparently in an effort to exempt their duties from those covered by the rule.

TRACK

The FRA report found Conrail's mainline track in good to excellent condition. However, the number of defects reported by Conrail track inspectors was substantially lower than those reported by federal inspectors examining the same tracks.

OPERATIONAL TESTING PROGRAM (CORPS)

Conrail's operating rules testing program (CORPS) is not in compliance with federal regulations because it fails to provide for testing under all operating conditions, fails to state the purpose of each test and fails to establish frequencies for each test. The CORPS guidelines do not include explicit specifications for recording test levels appropriate for each class of officer. Program norms (quality control audits) do not prevent inclusion of duplicative reports of tests conducted. FRA found duplicative reporting.

HAZARDOUS MATERIALS

Conrail has not established an effective data base to measure its employees compliance with federal or railroad regulations. The study found Conrail has also underreported hazardous materials incident costs. Intermodal units inspected had 18 percent with the wrong placard and 12 percent with incorrect shipping papers.

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SAFETY PROGRAMS

FRA found that Conrail's safety department does not exercise adequate managerial overview of the company's safety initiatives. The safety audit programs that are in place often are not used.

STRUCTURES

Conrail's structural inspection program was found to be well conceived and executed, and is the single most important factor in the safety of Conrail's bridges and structures.

Copies of the report may be obtained by contacting FRA's Office of Public Affairs, 400 7th Street, S.W., Washington, D.C. 20590, telephone (202) 366-0881.

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**Federal Railroad
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News:

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FOR IMMEDIATE RELEASE
Monday, February 10, 1986

FRA 02-86
Contact: Wendy DeMocker
Tel.: (202) 426-0881

FEDERAL ALCOHOL AND DRUG RULE FOR RAILROAD WORKERS TO TAKE EFFECT

Secretary of Transportation Elizabeth Hanford Dole announced that a federal rule governing the use of alcohol and drugs among railroad operating employees takes effect today, February 10, 1986. The Secretary's announcement follows an order by the U.S. Supreme Court vacating a stay of the rule imposed by a lower court.

The new federal regulation prohibits railroad employees from reporting to work impaired by alcohol or drugs or possessing or using these substances while at work. The rule requires post-accident testing of employees involved in major accidents; authorizes toxicological testing of employees when there is reason to suspect impairment, after accidents, and after certain rule violations; and requires pre-employment drug screening. The rule also requires railroads to probe more thoroughly the possibility of alcohol or drugs as a causal or contributing factor in accidents through changes in the accident reporting format. In almost two-thirds of the accidents where alcohol and drug use has been found to be a causative factor, such use was not noted in the report by the railroads.

"This rule is designed to end 12 years of debate over whether federal regulations governing drug and alcohol use should be imposed upon railroads. Although the regulation is still the subject of litigation, I'm gratified that the Supreme Court has cleared the way for its implementation so that it can begin saving lives," Dole said.

Under the rule, railroads must also establish "bypass" policies as an incentive for troubled employees to seek help voluntarily or to be referred, before causing an accident. The bypass provision in the rule allows an alcohol or drug dependent employee to get treatment through an employee assistance program without fear of job loss, providing it is the employee's first referral or treatment. The bypass program is not available after the employee has been apprehended for violation of the rule.

"I strongly believe the rule strikes a fair balance between the rights of the employee, the rights of others to be protected from the consequences of alcohol and drug use in the workplace. This rule is a major step toward making the railroad workplace safer for railroad employees and the public," Dole said.

MORE

The rule was to have gone into effect November 1, 1985. However, the Railway Labor Executives' Association (RLEA), an organization composed of heads of various rail labor unions, filed suit against the federal government in U.S. District Court for the Northern District of California, claiming that provisions of the rule violated constitutional rights. The court issued a temporary restraining order preventing the rule from taking effect until a decision could be made in the case.

In late November, the district court judge determined that the federal alcohol and drug rule struck a fair balance between the employees' right to privacy and the public's right to safety, and that the final rule was valid in all respects. The temporary restraining order was dissolved on December 9, 1985.

The RLEA subsequently appealed to the U.S. Court of Appeals for the Ninth Circuit, and filed a motion asking that court to enjoin implementation of the rule while the appeal is being argued and decided. The court granted that motion on January 3, 1986, and once again the rule was prevented from taking effect.

The government then filed an application with the Supreme Court to vacate the Ninth Circuit stay order, which would permit the rule to go into effect while the case was being appealed by the RLEA. On January 27, 1986, the Supreme Court granted the government's motion to vacate the stay.

Since 1975, the FRA has recorded 48 train accidents that have been caused by alcohol or drug impaired employees resulting in 37 deaths, 80 injuries and \$34 million in property damage.

While the rule will take effect February 10, 1986, compliance with the provisions concerning post-accident testing and pre-employment drug-screening becomes mandatory on March 10, 1986, and May 1, 1986, respectively, to give railroads time to select medical facilities where samples will be collected and to make other necessary arrangements.

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m-493.1

FOR IMMEDIATE RELEASE
Wednesday, September 24, 1986

FRA 04-86
Contact: Wendy DeMocker
Tel.: (202) 366-0881

FRA PROVIDES MAJOR PAYMENT TO CONRAIL FOR JOB REDUCTION

The Federal Railroad Administration has provided \$2.8 million to Consolidated Rail Corporation (Conrail) for labor protection. The funds will be used for payment of separation allowances to the railroad's train service employees voluntarily terminated by Conrail's job reduction program, otherwise known as the "702 Workforce Reduction Program," which was authorized by the Northeast Rail Service Act of 1981.

The purpose of the workforce reduction program was to help Conrail cut its labor costs and achieve a profitable financial status by abolishing excess train and engine service positions. All brakemen and firemen who agreed to the voluntary elimination of their jobs were entitled to up to \$25,000 in separation allowances paid by the federal government. The FRA has paid out a total of \$92.7 million since the program's beginning. The estimated labor cost savings for Conrail is over \$100 million a year.

The program has enabled Conrail to eliminate 2,126 second brakemen and 1,630 firemen positions. As a result, Conrail is the only major railroad in the United States to have voluntarily "bought out" all surplus brakemen and firemen positions. Conrail trains will now run with three-person crews (engineer, conductor and a brakeman) and the craft of fireman has been phased out on the Conrail system.

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FOR IMMEDIATE RELEASE
Wednesday, November 5, 1986

FRA 05-86
Contact: Wendy DeMocker
Tel.: (202) 366-0881

FRA TO EXAMINE RAILROAD COMMUNICATIONS

Federal Railroad Administrator John H. Riley today announced that the Federal Railroad Administration (FRA) will hold a special safety inquiry into railroad communications. The inquiry will focus on radio communications in railroad operations, as well as new communication technologies such as satellite train control that may warrant changes in FRA's safety rules.

Riley said FRA's decision to initiate the safety inquiry stems in part from an ongoing review of railroad accident data. "Nearly one-third of all train accidents are attributable to human factors. And there have been numerous accidents in recent years where better communication practices might have avoided the accident, or at least lessened its severity. The inquiry will explore what actions the railroads and the FRA can take to ensure that the industry's radio communication systems are in fact 'state of the art,'" Riley said.

"The scope of the three-day inquiry, will, however, be much broader than radio communications. The railroad industry is on the brink of a communications technological revolution. We will generally explore where the new technologies are taking us, and what safety opportunities they offer. I want to ensure that existing federal regulations are not a barrier to the rapid development and implementation of safer communications technologies. I also intend to ensure that these communication tools are used properly and effectively to enhance the safe operation of the railroads," Riley said.

While radio voice communication is most often used as a backup system on railroads, it is, in certain areas, the only way to communicate important information. In the future, satellites may be used for the dispatch and control of train movements. For now, radios are often the only way for a dispatcher to get a message to the train engineer, or a yardmaster to the yard crews. Radios are used to warn employees working near the track that a train is approaching. Radios are used to summon emergency help to the scene of a train accident, and to warn other trains of hazards and emergency situations along the route.

The information gathered during the three day inquiry, which will be held as a formal hearing, will be examined by the FRA to determine whether the agency should take any action in the area of railroad communications.

Hearings will be conducted for three days, beginning at 10 a.m. on January 27, 1987 and continuing on January 28 and 29 in Room 2230, U.S. Department of Transportation, 400 7th Street S.W., Washington, D.C. 20590.



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