



# Memorandum

U.S. Department  
of Transportation

**Federal Railroad  
Administration**

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Reply to Attn of: G-05-04

Subject: Roadway Worker Protection Technical Bulletin  
On-track safety training for train service employees

From:   
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To: Regional Administrators  
Deputy Regional Administrators  
Track Supervisory Specialists  
Signal and Train Control Supervisory Specialists  
Operating Practices Supervisory Specialists

Question: What are the on-track safety training requirements for employees other than roadway workers?

The training and qualification of roadway workers<sup>1</sup> and other employees who are associated with on-track safety is a critical element of any roadway worker protection program. There are various levels of training based on the function of the worker in relation to on-track safety. Regardless of the roadway worker's function, it is essential that he or she and others associated with on-track safety have sufficient knowledge to assure that protection is properly applied.

Section 214.315(c) requires that an employer designate at least one roadway worker in charge (RWIC) to provide on-track safety while a roadway work group<sup>2</sup> is working together. This designation can either be for a specific job or for a particular work situation. This section is vital to the success of any on-track safety program because the mere presence of two or more persons together can be distracting for all persons involved. The Federal Railroad Administration (FRA) believes that awareness will be

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<sup>1</sup> Roadway worker means any employee of a railroad, or of a contractor to a railroad, whose duties include inspection, construction, maintenance or repair of railroad track, bridges, roadway, signal and communication systems, electric traction systems, roadway facilities or roadway maintenance machinery on or near track or with the potential of fouling a track, and flagmen and watchmen/lookouts as defined in this section.

<sup>2</sup> Roadway work group means two or more roadway workers organized to work together on a common task.

enhanced and confusion eliminated by requiring railroads to formally designate a responsible person. This designation must be clearly understood by all group members in order to be effective. An individual, such as a foreman, may generally be designated to be responsible for his or her group, but if two groups are working together or roadway workers of different crafts are assisting one another, it is imperative that this formal designation (in relation to on-track safety) be communicated to and understood by all affected employees.

On some railroads, transportation department employees such as conductors may occasionally be directly involved with on-track safety at work sites. The function of conductors varies from fulfilling the role of a flagmen (withhold trains under the direction of a RWIC) or acting as the employee that establishes the on-track safety for a roadway work group.

The qualification of the RWIC is addressed under Title 49, Code of Federal Regulations (CFR), Part 214 Subpart C of the Rule. Under Section 214.315(c), each roadway work group whose duties require fouling a track must have one roadway worker designated by the employer to provide on-track safety [known as the roadway worker in charge (RWIC)].

When working limits are established to provide on-track safety, all movements of trains and equipment within working limits shall be made only under the direction of the RWIC [ §§ 214.321(d), 214.325(b), and 214.327(b)]. If a conductor/flagman is assigned to withhold movements, that employee may authorize moments under the direction of the RWIC. If a qualified roadway worker is not assigned to provide on-track safety for the work group, a conductor/flagman may perform this function but must have received the relevant training to assume those responsibilities (see Table 1). This would also be true of any employee that would be protecting a contractor<sup>3</sup> to a railroad engaged in roadway worker functions.

Section 214.353(b) states: *“Initial and periodic qualification of roadway worker to provide on track safety evidenced by a recorded examination.”* For employees other than roadway workers associated with on-track safety 214.343(c) states: *“Railroad employees other than roadway workers, who are associated with on-track safety procedures, and whose primary duties are concerned with the movement and protection of trains, shall be trained to perform their functions related to on-track safety through the training and qualification procedures prescribed by the operating railroad for the primary position of the employee, including maintenance of records and frequency of training.”*

Table 1 provides a list of required training and qualification elements for employees other than roadway workers based on specific activities.

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<sup>3</sup> The Rule does not apply to employers, or their employees, if they are not engaged by or under contract to a railroad. Personnel who might work near railroad tracks on projects for others, such as cable installation for a telephone company or bridge construction for a highway agency, come under the jurisdiction of other Federal agencies with regard to occupational safety. However, FRA encourages on-track safety for those personnel as well.

**Table 1  
Training and Qualification of Employees Associated with Roadway Worker Protection**

Section	Description	Dispatcher	Engineer	Conductor	Conductor providing on-track safety (1)
309	Each RWIC shall maintain a copy of the program document				A
311	Good faith challenge and written procedure				A
315	On-track safety briefing				A
321	Exclusive track occupancy	D	D	D	D
323	Foul time	D			A
325	Train coordination		R	R	R
327	Inaccessible track			2	A
329	Train approach warning				A
335	Train approach warning large scale (adjacent track)				A
339	Audible train warning		R		A
341	Roadway maintenance machines				3
351	Flagmen	D	D	D	D
353	Physical characteristics	D	D	D	D

D Default training received through craft training.

R On-track training received in addition to craft qualification as required by 214.343.

A Additional qualification of employee providing on-track safety for roadway workers. Qualifications may be limited to those required for a specific situation. For example, a conductor providing on-track safety for a contractor working on a single controlled main track with exclusive track occupancy without roadway maintenance machines will not need to be qualified on roadway maintenance machine on-track safety, train approach warning, or inaccessible track. Only the elements that are utilized are applicable.

1. On-track safety qualification elements may be split between a conductor and roadway worker. For example, a conductor who is qualified to obtain a track permit but not on-track safety, a roadway worker may fulfill the other elements such as the on-track safety briefing, etc.

2. Railroad operating rule that would prohibit conductor from pulling spike in switch used to make track inaccessible.

3. An employee providing on-track safety is not required to be fully qualified to operate every roadway maintenance machine but must have knowledge of the general and specific on-track safety procedures for each machine.

*This bulletin is based on consultation with FRA's Office of Chief Counsel. Anyone desiring a formal legal interpretation on any issues discussed in this bulletin should contact that office.*

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