Training, Qualification, and Oversight for Safety-Related Railroad Employees

Part 243
Implementation Update
Agenda

• Implementation dates
  – Employers (400k or more employee hours annually)
  – Employers (less than 400k annually)
  – TO/LI
  – Designation of existing employees
• Initial program submission
  – What am I supposed to submit?
  – What don’t I have to submit?
• Periodic oversight
• Annual reviews
• Summarize compliance guide updates
• Part 243 Petition status
• Open discussion
Implementation Dates

• Large employers - January 1, 2020
  – Program approved upon submission
  – New employees generally trained to programs in place at that time

• TO/LI – January 1, 2020
  – Must have programs approved by FRA by 1/1/2020

•Declare occupational category of employees by September 1, 2020
Implementation Dates - Continued

• Smaller employers – May 1, 2021
  – Program approved upon submission
  – New employees generally trained to programs in place at that time

• Declare occupational category of employees by January 1, 2022
Program Submission
What do I submit?

• Employers
  – Course syllabus
  – OJT documents

• TO/LO
  – Course syllabus
  – OJT documents (if applicable)
  – Resume(s)
  – List of references

See pages 53 – 57 in Compliance Guide
What don't I submit?

• Employers only
  – Anything that already has a regulatory training mandate (e.g. Part 214, 232, 238, etc.) *See 2019 Compliance Guide for more details pages 8 – 11*

• **TO/LI** must submit all programs to FRA for review and approval
Periodic Oversight

• Applies to all employers
• The focus is on FRA regulations pertaining to workgroup safety
• Does not include T&E
• Oversight begins January 1, 2020
• May combine with operational testing Part 217
• Be aware of contractor oversight provisions
  – 15 or more employees
  – Trains its own employees
  – Qualified supervisors to conduct oversight
Annual Reviews

- Applies to large railroads only
  - First annual review due by September 1, 2021
- Can be combined with review required under Part 217
- Possible data review sources
  - Operational testing/periodic oversight results
  - Accident/incident data
  - FRA inspection data
  - Employee training feedback
  - Labor feedback
# Guide Updates

<table>
<thead>
<tr>
<th>Similar Training Programs Not Requiring Part 243 Submission</th>
<th>8 - 11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detailed chart listing all FRA regulations by subsection not requiring submission under Part 243.</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section-by-Section Review / 49 CFR Section 243.107, <strong>Training program submission, introductory information required</strong></th>
<th>17 - 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shortened the guidance section to reflect the simplification and consolidation of the information required at the Web portal.</td>
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</tbody>
</table>

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<thead>
<tr>
<th>Section-by-Section Review / 49 CFR Section 243.201, <strong>Employee qualification requirements</strong></th>
<th>22 - 23</th>
</tr>
</thead>
<tbody>
<tr>
<td>Added two 49 CFR Parts that require refresher training.</td>
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</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Frequently Asked Questions / Scope of Part 243 – <strong>Training Programs Required by Other FRA Regulations</strong></th>
<th>29 - 30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expanded answers in two questions to reflect FRA’s position on existing training programs not requiring submission under Part 243.</td>
<td></td>
</tr>
</tbody>
</table>
Guide Updates Continued

<table>
<thead>
<tr>
<th>Frequently Asked Questions / On-the-Job Training &amp; Designated Instructors – Added “Designated Instructors” to the subheading and three new FAQs regarding designations.</th>
<th>32 - 33</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequently Asked Questions / Contractor Compliance – Added new FAQ to address instances where railroad trains contractor employees and what contractor responsibilities are in terms of Part 243 submissions. Also added new FAQ to address Web-based RWP training.</td>
<td>46 - 47</td>
</tr>
<tr>
<td>Frequently Asked Questions / Plant/Port Railroads – Added new FAQ to address newly regulated plant/port railroads.</td>
<td>50</td>
</tr>
</tbody>
</table>
Petition Docket

• FRA established DOT docket number FRA-2019-0050. It can be found by typing the docket number in the search box on www.regulations.gov or https://www.regulations.gov/docket?D=FRA-2019-0050

• FRA is considering delaying some implementation dates as well as codifying certain compliance guide language
New ASLRRRA/NRC Part 243 Petition
June 28, 2019 joint petition filed

• Seeking various changes to Part 243;
  1) Reclassify entities by type instead of AEH
  2) Definitions
  3) Eliminate training program content requirements
  4) Eliminate model program use notification to FRA
  5) Portal complexity
  6) New employees
  7) Refresher training too expensive
  8) Eliminate training records requirement
  9) Simplify or eliminate oversight
 10) No annual reviews
11) Delay implementation dates two years
Additional Resources

https://www.fra.dot.gov/Page/P1023

- FRA Public Website – Training Rule
  - OJT Matrix XLS Spreadsheet
  - OJT Task Standards
  - Part 243 Compliance Guide
  - Sample Courses

### Training Rule Resource Documents

<table>
<thead>
<tr>
<th>Resource Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance of Equipment Training Documents</td>
</tr>
<tr>
<td>Passenger Equipment Safety Standards</td>
</tr>
<tr>
<td>Brake System Safety Standards for Freight</td>
</tr>
<tr>
<td>Engineering/Track Maintenance Training Documents</td>
</tr>
<tr>
<td>Signal and Train Control Fundamentals</td>
</tr>
<tr>
<td>Operating Practices Training Documents</td>
</tr>
<tr>
<td>OJT Templates</td>
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<td>OJT Matrix</td>
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Questions?

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