

# Fighting Fatigue in the Rail Industry

ASSOCIATION OF AMERICAN RAILROADS

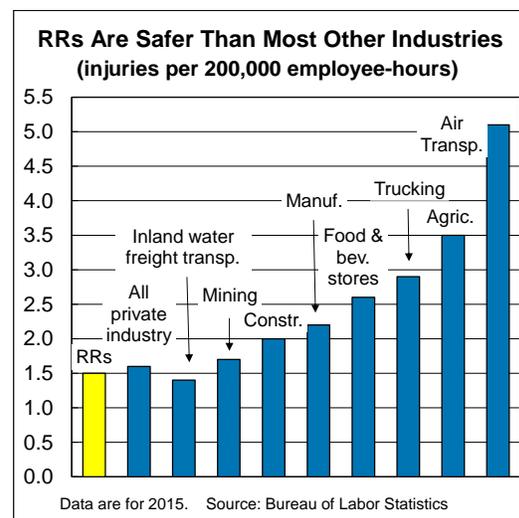
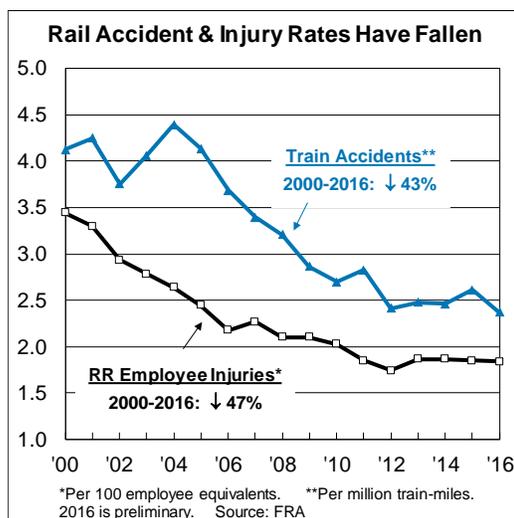
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## Summary

Railroads want properly rested crews — it's not in a railroad's best interest to have employees who are too tired to perform their duties properly. That's why railroads have long been working to find innovative, effective solutions to fatigue-related problems. Combating fatigue in the rail industry is a shared responsibility: employers should provide an environment that allows employees to rest during off-duty hours, and employees should set aside time when off duty to obtain the rest they need.

## Railroads: Always Searching For Ways to Improve Safety

- Nothing is more important to railroads than safety, and **the industry's commitment to safety is reflected in safety statistics from the Federal Railroad Administration (FRA)**. The train accident rate in 2016 was the lowest in history and down 43 percent from 2000; the employee injury rate in 2016 was down 47 percent from 2000; and the grade crossing collision rate in 2016 was down 39 percent from 2000. **By all of these measures, recent years have been the safest in rail history.**
- Today, **railroads have lower employee injury rates than most other major industries**, including trucks, barges, airlines, agriculture, mining, manufacturing, and construction — even lower than food stores.
- Nevertheless, railroads know there is always room for improvement, which is why they support efforts to further improve rail safety — including fighting fatigue.



## Overview of the Hours of Service Act

- The on-duty time of freight rail employees involved in operating, dispatching, and signaling trains is governed by the Hours of Service Act (HSA). The HSA has been amended several times over the years, most recently by the Rail Safety Improvement Act (RSIA) in 2008. Under the HSA, freight rail engineers and conductors:
  - ✓ Must go off duty after 12 consecutive hours on the job and then must have at least 10 consecutive hours off duty before the railroad can notify them of their next assignment.
  - ✓ May not remain or go on duty unless they have had at least 10 consecutive hours off duty during the prior 24 hours.
  - ✓ If they work for six consecutive days, they must have at least two days off before they can work again. Working seven consecutive days is acceptable if the seventh day is required to return employees to their home terminal. However, if employees work seven consecutive days, they must have at least three consecutive days off before they can return to duty.
  - ✓ On duty time and limbo time<sup>1</sup> cannot, in aggregate, exceed 276 hours per month. (The vast majority of rail employees do not come close to this limit, and in fact are on duty for periods comparable to employees in most other industries.)
  - ✓ For train dispatchers, a workday is limited to nine hours in a 24-hour period where two shifts are used, or 12 hours over the same period when there is only one shift. Signal employees can work a maximum of 12 consecutive hours on duty followed by at least 10 hours off duty.
- Railroads have been working with the Federal Railroad Administration and rail labor to develop new rules governing fatigue management plans that will include education and training, as well as guidelines for lodging facilities and scheduling practices.

## Why Can't All Rail Employees Work Set Schedules?

- Many rail employees work set schedules. However, some rail employees, such as some train crews, work flexible schedules that vary based on a variety of factors, including business levels, the time of the year, and the day of the week.
- Generally speaking, the more rail traffic there is, the more rail employees are needed. But because many different factors affect rail traffic, volume can vary by tens of thousands of carloads from one day to the next, much less one week or month to the next. Railroads have no control over the external forces that drive most of these variances, such as the state of the overall economy; the size and timing of grain harvests; factory ramp-ups and

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<sup>1</sup> For various reasons, a train crew may be unable to reach its destination within the allotted 12 hours. When this happens, the crew must stop the train and wait for replacements. Transportation of the crew from the stopped train to its destination terminal where the employees are released from duty is called “deadhead” transportation. (The mandatory rest period does not begin until an employee is released from duty.) For purposes of the HSA, time that the crew spends waiting for deadhead transportation after 12 hours of service, as well as the time they spend being transported to where they are released from duty, counts as neither time on duty nor time off duty. Instead, this time is considered “limbo time.” Limbo time cannot exceed 30 hours per month. Employees receive additional rest after a duty tour where time on duty and limbo time exceed 12 hours.

shutdowns; commodity prices; the timing and frequency of ocean vessel arrivals and departures; the status of export markets; and more.

- In many cases, **collective bargaining agreements** allow rail employees, especially those with the most seniority, to largely determine for themselves when and how many hours they work (subject to the HSA limitations noted above). These employees' actions, in turn, affect how many hours, and when, less senior employees work. This greatly complicates railroads' ability to schedule crew assignments. For example, if an employee suddenly decides to take a day off just before being called to work, it would cause an employee next in line to unexpectedly move up in the calling chain.
- Weather conditions, track maintenance, accidents, an unexpected employee illness, and dozens of other factors can affect an employee's work schedule, thus impacting the time other crews will be needed. For example, when a motor vehicle goes around crossing gates and is hit by a train, not only might that train be delayed for several hours, but trains behind it, other trains approaching from the opposite direction, and trains at terminals elsewhere on the railroad's system might be delayed as well.

### What Are Railroads Doing to Fight Fatigue?

- Because factors that can result in fatigue are multiple, complex, and frequently intertwined, **there is no single solution to the fatigue problem.** That's why railroads and their employees are pursuing a variety of scientifically-based fatigue countermeasures.
- Not every countermeasure is appropriate for every railroad, or even for different parts of the same railroad, because circumstances unique to each railroad influence the effectiveness and practicality of specific countermeasures. That said, individual railroads have been using the following countermeasures (among others) to help combat fatigue:
  - ✓ Increasing the minimum number of **hours off duty** and providing **more predictable calling assignments** and rest opportunities between shifts.
  - ✓ Focusing on **returning crews home** rather than lodging them away from home and making away-from-home lodging more rest-inducing.
  - ✓ Devising systems (including web sites, e-mails, and automated telephone systems) to **improve communication** between crew callers and employees.
  - ✓ Allowing employees who have been off work more than 72 hours (*e.g.*, on vacation) to begin their first shift in the morning rather than the middle of the night.
  - ✓ Encouraging confidential **sleep disorder screening and treatment.**
  - ✓ Offering **fatigue education programs** for employees and their families. Education is critical, since the effectiveness of fatigue initiatives depends on the actions of employees while off duty. Employees must make appropriate choices regarding how they spend their off-duty time, and education is important in encouraging sound decision making.