

## Contractor-in-Charge Requirements

UPRR has adopted a Contractor-In-Charge (CIC) policy exception (see attached letter dated May 8, 2009). If the contractor plans on utilizing this exception the contractor employee(s) designated as CIC(s) must be trained and the training documented prior to the work commencing. Below are guidelines to qualify individuals to perform CIC duties on construction projects:

1. Provide individual with a copy of the CIC exception letter (attached). Copy of this letter should be retained on site at location where CIC is being utilized.
2. Give the attached questions to the individual that will perform the CIC duties in advance of assuming position.
3. Have the individual answer questions.
4. Have the individual sign the answer sheet to verify that he or she answered the questions, print their name, designate the Company they represent, and show security badge number if available.
5. Provide by fax, scanned pdf file or personally deliver the completed answer sheet showing the individual's name and contracting company to the UPRR Engineering representative. The contractor should also retain a copy of the answer sheet on site at the project location.

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To: Engineering Department Employees and Contractors

From: David Connell, Vice President Engineering

A handwritten signature in black ink, appearing to read "David Connell".

RE: Policy Exceptions for Engineering Department Contractors Working Near Live Tracks

Reference UP's policy on Minimum Safety Requirements for Engineering Department Contractors, section 6.1 "On-Track Safety" (page 11) which states:

"In addition to the instructions contained in FRA's Roadway Worker Protection (RWP) regulations, all contractor employees must: (first bullet only)

- Maintain a distance of at least 25 feet from any track unless the railroad's EIC (Employee in Charge) is present to authorize movements."

This letter will serve as documentation of a policy exception hereby granted to engineering department contractors. The railroad EIC must consider when this exception should **not** apply. Some situations, such as the type of work to be performed or specific work locations, may require a railroad EIC present at each work location or a physical reminder (orange construction fence or posts with white flags) placed 10 feet from the centerline of a live track.

This policy exception allows engineering department contractors to work without a railroad employee EIC present at the work site only under the following conditions:

- All contractor employees are trained on FRA's RWP regulations and UP's Minimum Safety Requirements for Engineering Department Contractors.
- A contractor employee at each work site will be assigned as the Contractor in Charge (CIC). The CIC must ensure that:
  - No personnel or equipment will get any closer than 10 feet from the centerline of any live track except to cross the tracks.

**Note:** If it will be necessary for personnel or equipment to work closer than 10 feet from the centerline of a live track, an **authorized**, properly qualified and documented employee must be present to provide the appropriate form of On-Track Safety.

- No equipment or vehicles will cross a live track except at a road crossing.

- All contractor employees wear orange, DOT Type II, reflective vests or similar work wear approved by the railroad's representative any time they are working within 25 feet of a live track.
- The contractor employee who will be performing the duties of a CIC must be trained, qualified, designated and equipped to provide train approach warning.
 

**Note: This is required even though On-Track Safety by Train Approach Warning is not necessary because they will not be within 4 feet of a live track.**
- A UP manager will audit all contractors performing the duties of a CIC to ensure they are qualified prior to work commencing on the job site. An audit will be performed at least once per month thereafter until the project is completed to ensure the provisions of train approach warning are being complied with.
- If the contractor work site will be within the limits of a Form B track bulletin, the CIC at the work site must be added to the contact list and acknowledge when a train is to be cleared. A working radio must be available for communication between the contractor work site and the railroad EIC of the Form B.
- If there is no Form B track bulletin in effect when contractors are working between 10 and 25 feet from centerline of a live track, the railroad representative will issue a Form C track bulletin that reads:

"CONTRACTORS ARE WORKING AT LEAST 10 FEET FROM THE TRACK AT THE FOLLOWING LOCATION(S): (IDENTIFIED AT MP \_\_\_ OR BETWEEN MP \_\_\_ AND MP \_\_\_)."

- The CIC must remain vigilant for the approach of trains and is responsible for alerting their personnel by the predetermined method of all approaching trains and ensuring personnel and equipment remain more than 10 feet from the centerline of any live track. When warned of an approaching train, all contractor ground personnel and equipment operators not in a protected cab must immediately move to a place of safety that is at least 25 feet from the live track. Operators of protected cab equipment working between 10 and 25 feet from centerline of a live track must immediately stop work until the head end of the train passes the work site.

Note: Equipment is considered to be "protected cab" when it has a solid roof and four-corner structural protection around the operator(s).

- The CIC must participate in a Job Briefing each day with the designated railroad representative prior to work. This Job Briefing may be conducted over the telephone but, at a minimum, must include a discussion of the work areas, any Form B that is in effect at that work location, speed of trains through the work site area, sight restrictions and other operating conditions. The CIC must be reminded that trains do not sound a whistle in advance of private road crossings. The CIC will then conduct a thorough Job Briefing with all contractor employees prior to work.

Should you have any questions about this policy exception, please contact Bobby Odom at 402-544-6229.

## Contractor In Charge (CIC)

### Questions 1 –10 Roadway Worker

- 1) A Roadway Worker is considered to be fouling the track when:
  - a) Within 25 feet of the nearest rail of any track
  - b) Within 10 feet of the nearest rail of any track
  - c) Within 4 feet of the nearest rail of any track
  - d) Operating on-track equipment only
  
- 2) What type of Company approved Personal Protective Equipment (PPE) identifies a Roadway worker?
  - a) Yellow Hard Hats
  - b) Fluorescent orange work wear with reflectorized striping
  - c) Safety glasses and ear plugs
  - d) All the above
  
- 3) On-track safety, referred to as Roadway Worker Protection by the FRA, is designed to:
  - a) Prevent deaths and injuries to Roadway Workers from being struck by trains and on-track equipment
  - b) Prevent derailments
  - c) Increase productivity
  - d) Increase the quality of track maintenance
  
- 4) Who is responsible for conducting job briefings for work groups?
  - a) All Railroad Employees
  - b) The gang supervisor
  - c) The lookout
  - d) The Employee-In-Charge
  
- 5) Before fouling any track, a Roadway Worker must:
  - a) Participate in a job briefing
  - b) Communicate with the dispatcher
  - c) Place orange cones to the right of the track
  - d) Mark the work zone with red flags
  
- 6) When a Lookout is providing Train Approach Warning, every Roadway Worker must:
  - a) Not foul any track until obtaining track & time
  - b) Be in a position to receive a train approach warning
  - c) Display red flags to establish working limits
  - d) Rely on a radio for train approach warning
  
- 7) When a good faith challenge is made to the type of on-track safety being used, the roadway worker has the right to remain clear of the track until the challenge is resolved.
  - a) True
  - b) False

- 8) What is the work zone around a machine?
- a) Only the area directly under the boom of a crane
  - b) The area that cannot be entered without contacting the operator
  - c) The operator's control compartment
  - d) The limits of the track authority
- 9) How far should the work zone extend around a machine?
- a) 5 feet in front of to 5 feet behind the machine
  - b) 15 feet in front of to 15 feet behind the machine
  - c) 20 feet in front of to 20 feet behind the machine
  - d) 25 feet in front of to 25 feet behind the machine
- 10) As a roadway worker, you must refuse any directive to violate an on-track safety rule.
- a) True
  - b) False

### Questions 11 –20 Lookouts

- 11) Train approach warning by lookout may be used as a means of on-track safety if the warning can be given in time to allow each roadway worker to occupy a previously arranged place of safety at least \_\_\_\_ before the arrival of a train.
- a) 10 seconds
  - b) 15 seconds
  - c) 30 seconds
  - d) 45 seconds
- 12) The means used by a lookout to communicate a train's approach must be distinctive and clearly understood. In what manner may this warning be given?
- a) Touching the roadway worker
  - b) Using a radio only
  - c) Verbal communication
  - d) Either verbal communication or by touching the roadway worker
- 13) Any roadway worker assigned to be a lookout must be:
- a) Trained and qualified to provide train approach warning
  - b) Designated by the railroad to be a lookout
  - c) Equipped to provide train approach warning
  - d) All of the above
- 14) When roadway workers are notified of an approaching train, they must clear the track. Where must the roadway workers clear the track?
- a) 15 feet from the live track
  - b) 25 feet from the live track
  - c) At a place of safety designated in the job briefing by the EIC
  - d) Anywhere that is at least 4 feet from the track

- 15) A lookout must devote their entire attention to detecting approaching trains in order to provide warning to roadway workers. Each lookout must:
- a) Perform no other duties
  - b) Remain at the lookout position until the EIC determines that protection is no longer necessary, or sends a relief lookout
  - c) Be equipped to provide train approach warning
  - d) All of the above
- 16) An EIC may be designated as the lookout as long as:
- a) The EIC is performing no other duties
  - b) The work is being performed on single track
  - c) No more trains are anticipated
  - d) The work group is within the limits of a Form B track bulletin
- 17) A signal maintainer needs to inspect bond wires at a control point and is unable to contact the dispatcher. Which of the following methods can be used to provide protection for the signal maintainer?
- a) Use a lookout to provide train approach warning (TAW)
  - b) The signal operations desk must issue track authority
  - c) Obtain permission from the yardmaster
  - d) Fill out the lone worker form
- 18) When working in multiple track territory, is it permissible to foul an adjacent track with a truck boom while using a lookout for protection on the adjacent track?
- a) Yes, provided the lookout is the EIC
  - b) Only if two lookouts are positioned on either side of the boom truck
  - c) No protection is required to perform this task
  - d) No, positive protection must be established to protect equipment occupying or fouling the track
- 19) Can a lookout be positioned 1500 feet from the gang being protected and use a radio to provide train approach warning (TAW)?
- a) Yes, provided the entire gang is within sight
  - b) Yes, if the radios are tested and certified
  - c) Only if the EIC has access to a working radio
  - d) A radio must not be used as the sole means to communicate TAW
- 20) Can a lookout provide train approach warning for a work group that is replacing a rail?
- a) Yes
  - b) No