



# Transportation Division

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JOHN PREVISICH  
President

JOHN RISCH  
National Legislative Director

December 19, 2014

Bob Lauby  
Associate Administrator for Railroad Safety/Chief Safety Officer  
Federal Railroad Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Mr. Lauby:

I am writing concerning a safety issue with CSX remote control operating boxes.

The issue is when the battery falls out of the box it does not activate the "man down" safety feature. Recently this occurred and one of our members was injured and no one came to help him for more than 30 minutes.

Enclosed is detailed information about this problem, provided by Dale Barnett, one of our CSX General Chairmen.

I ask that the FRA investigate this situation and please let me know of your findings. If you need additional information please contact Mr. Barnett directly at 904-733-1250.

Thank you in advance for reviewing this and for your commitment to rail safety.

Sincerely yours,

A handwritten signature in black ink, which appears to read "John Risch", is written over a white background.

John Risch  
National Legislative Director

Cc: John Previsich, SMART-Transportation Division President  
Neal Elders, SMART-Transportation Division, Alabama State Legislative Director  
Dale Barnett, General Chairman

Enclosures

**SMART**  
**Transportation Division**  
**GENERAL COMMITTEE GO-513**

*Dale Barnett*  
GENERAL CHAIRMAN

*Reuben Ford*  
VICE CHAIRMAN

CSXT/L&N-NC&ST.L & CRR  
3560 Cardinal Point Drive  
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904.733.1250  
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*Brian Killough*  
ASSISTANT CHAIRMAN

*Ricky Harris*  
SECRETARY

December 15, 2014

John Risch, SMART-TD National Legislative Director  
Neil Elders, Alabama SMART-TD State Director  
John Previsich, President, SMART-TD

RE: Safety concerns with Remote Control Boxes on CSX

To All Concerned,

Our office wishes to notify all parties that CSX continues to maintain an unsafe condition with their remote control boxes that could cost a trainman his life or a more severe injury when working in Remote Control Operations.

The issues were first addressed by UTU/SMART-TD-CSX Florence Safety Coordinator Darren Ferrell in February of 2010 when he sent an email to his fellow UTU/CSX Safety Coordinators about the issue of the remote control boxes on CSX that were manufactured by Wabtech.

The two major concerns involved the location of the on/off switch and that the battery could easily fall out of the remote control box. The location of the on/off switch was subject to be bumped easily during routine working conditions and when the box is switched off it would also eliminate the man down feature, which is a radio broadcast to inform all parties that the operator is down and might need immediate assistance.

The battery can also easily fall out if the box is bumped or the employee was to fall down and once the battery falls out the man down feature is eliminated and no broadcast will be made that the employee is down and might need immediate assistance.

Thanks to Brother Ferrell bringing out this issue, I, Tracy Adams (UTU/SMART-TD Coordinators Chairman) and several other Coordinators became involved in looking into this issue and to assist Brother Ferrell in having this major safety concern corrected. Brother Farrell sent many emails on the matter to various CSX managers at all levels. The matter was even addressed during a meeting between the FRA Region 3 and UTU/SMART-TD officers on 5-28-2010, where Brother Ferrell gave a presentation on these two safety concerns on the remote control boxes. I gave the FRA a list of our safety concerns at this meeting and this matter was on the list. Patrick Plumb, Region 3 FRA Administrator told us they were behind us and that this safety concern had to be addressed. Brother John Risch was also in attendance and might recall these issues.

(I am including a picture in the attachments of our Union's representatives along with the FRA of this meeting).

Former SCL General Chairmen, John Hancock, even sent a formal letter to CSX Vice President Jim Marks concerning these major safety concerns that affected the man down features. Apparently Mr. Marks advised that CSX would establish a remote control advisory committee to address issues but Brother Ferrell never received any notification of any conference calls or meetings for this Committee.

These major safety concerns still exist today without the FRA mandating any changes and without CSX requiring the manufacturer to make changes to the remote control boxes to ensure a safer operation and to ensure that if an employee goes down during these operations that they can receive immediate assistance that could prevent further injury or even death.

On November 20, 2014, one of my members in CSX Montgomery yard in Montgomery, Alabama was involved in a serious accident and was injured. Brother Chase Waller was working as the 3<sup>rd</sup> shift south end foreman on a regular yard assignment and was working overtime into first shift. He had pulled a cut out of the south end of the yard to shove back north. The lead he was to shove split into two different tracks. One track was clear and the other track had a cut of cars closer to the north end of the track. Mr. Waller's switchman was at the north end of the open track to watch and protect the shove. Brother Waller had shoved his cut back on the lead until the engine got to his location at the switch from the yard where he boarded the engine steps and began to shove north again. We are unsure how Brother Waller was lined into the track with the cut of cars instead of the open track but as Brother Waller was shoving north with his cut, it impacted the standing cut of cars, throwing him off the engine steps and landing on the rails at the location where the two tracks start to split. His radio fell down the track and his remote control box battery fell out and fell outside his reach.

Brother Waller lay in this location for at least 30 minutes or longer without anyone checking on him. Since the battery fell out of his remote control box, the engine did stop and it gave the switchman's remote box a "poll offline" reading, which happens all the time and requires a manual reset at the engine. The switchman thought this was what the foreman was doing during this time and was walking down to the engine to manually reset the system. Somewhere during this time period, the first shift assignment that had been waiting for the engine for their shift, were instructed to go out to the yard and take over the operations from Brother Waller and his crew. It was the first shift assignment that found Brother Waller lying on the rails in severe pain and unable to move and they called the yardmaster for immediate help. The managers did show up a few minutes later and instead of calling an ambulance, helped Brother Waller get up and walked a distance to a truck and took him to the hospital. The managers claim Brother Waller said he did not need an ambulance but when an employee has been laying immobile in obvious pain to his back and hip area, it would seem the safest course to call emergency medical personnel to handle the employee.

But this member having to lie in pain across the rails for some time, without any immediate assistance certainly could have had his injury manifested. We understood he had broken his sacrum bone in his back, injured his hip and hit his head and other injuries.

Due to any delays in receiving immediate emergency medical assistance in incidents such as this one, our members could be subject to the loss of life or the injury being more severe than if they had received prompt care.

This has been a major safety concern for over 4 years now and addressed with the upper echelon of the FRA and CSX management and still has not be corrected or resolved. Our office is seeking assistance from both our National Legislative Office and the President's office to bring this matter to the attention of the FRA and CSX again to demand action for the sake of safety for our members. As Brother Hancock had officially advised, the intent of the Carrier to use single person RCO crews in remote locations with remote operations and having the loss of a man down broadcast is a very dangerous situation, especially when the very same danger exists in locations with other crews, yardmasters and managers on duty, and yet this failure still happened and could have been even more severe.

Thank you for your time and assistance in addressing this matter. If our office can be of any further assistance please advise.

Fraternally,

A handwritten signature in black ink, appearing to read "Dale Barnett". The signature is fluid and cursive, with a prominent initial "D" and "B".

Dale Barnett  
General Chairman

Cc: Dave Weir, SMART-TD Vice President, CSX Safety assignment  
John Whitaker – SMART-TD General Chairman, GO-851  
Steve Mavity – SMART-TD General Chairman, GO-049  
Travis Raynes, SMART-TD General Chairman, GO-201  
James Darby, SMART-TD General Chairman, LO-762

JOHN C. HANCOCK, johnh@utu851.org  
General Chairman

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GENERAL COMMITTEE GO-851  
CSX/SCL - FECR - WSSB - HPTD - GM - GARR - SCPR - SCCR

June 9, 2010

Mr. James Marks  
Vice President – Safety  
CSX TRANSPORTATION  
500 Water Street, J-120  
15<sup>th</sup> Floor  
Jacksonville, FL 32202  
Jim\_Marks@csx.com

SCANNED & SENT

**RE: SAFETY ISSUES WITH REMOTE CONTROL BOX**

Dear Jim:

Initially, let me say that the UTU has and continues to support the CSXT Safety Department and its goals. It has been proven over the years that through teamwork we can continue to make vast changes in our safety record by working together in a proactive process to promote safety and rules compliance with the employees. Over the years we have discussed that safety, from a contractual point, is non-negotiable. We agree with that concept; but we have also said that how safety programs are administered is an item that can be negotiated so that the end result can be accomplished. I believe we have obtained such in our UTU Safety Model.

As information, our Union is divided into four departments, one of which is the UTU Legislative Department, and it is charged with promoting safety, safety rules and laws, etc. One of the other departments is our protective group of which I am a part. All of us work together in promoting the general well being of the Membership, which is the Union.

The leadership of the UTU has received many concerns lately concerning Remote Control Operation. The main concern deals with the failure of the "man down" feature to broadcast if the Locomotive Controlling Unit (LCU) loses communication with the Operating Control Unit (OCU).

When communication is lost, the train goes into a full service brake application. At this point, if you tilt the remote control box, the "man down" feature will not activate; thus, it will not broadcast. As such, even though the locomotive is in full service application,

there is no emergency signal broadcast to notify anyone of a possible emergency situation.

We add that our concern is heightened because of the Company's movement towards single person remote control. Although our opinions on such operations as being safe and efficient are different, we must still look at the current reality of the situation. One of our concerns deals with locations where there is only one crew working with a radio being monitored by some other personnel. As information, we recently tested whether the other personnel would react to a man down failure. The test – man down failure activation – was performed twice within five minutes; there was no response. Simply stated, this failure is a very important safety issue to your employees, and the concern for their well-being.

We note the following actual events:

When a RCO accidentally activates the "on/off" switch, which simply turns the OCU on and off, if linked up and running, you turn the remote control box off and the "man down" feature will not activate and will not broadcast. The locomotive brake system makes a full service brake application, but there is no broadcast. The man could have fallen with the on/off switch being turned off. No one would respond because there was not any announcement. This is not good, nor is such an expression of care for the fallen employee.

When the battery is taken out, knocked out or one of the clips on the battery breaks, the battery becomes disengaged from the remote control box, and the "man down" feature will not activate, and will not broadcast. Once again, this is a safety default.

Our members who have experienced the above; i.e., they have had batteries to dislodge from the OCU just by accidentally hitting against the grab irons on the engine while dismounting. There have been many communication losses in which employees have been riding on a box car and accidentally turned the box off by adjusting themselves on the car. Once again, the "man down" feature involving these issues is not activating. The engine brake system does make full application; however, no one know if we have a member that is injured – minutes are vital when an employee is injured.

We had an event at Charleston, SC where one of our Members was pulled off the side of a car. The vest, somehow, got attached to a piece of scrap metal and remained upright while the employee operating it got jerked off the car. If the gentleman would have been knocked out or unable to get up and place the remote box in "stop", the train would have continued and we could have had a very serious/dangerous situation.

We understand that RCO will continue and that technology will continue to advance. RCO technology has been in place for many years now, and with advancements in such we believe it is time for the railroads to seriously look at a smaller-type box operation to ensure better ergonomics, and improved safety features. Providing employees with good

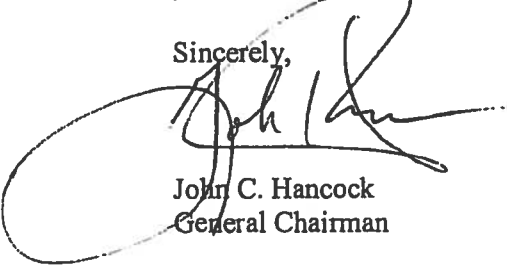
equipment that will work under a hostile work environment is vital to the safety of employees as well as the Carrier's operation.

We would like to suggest that a Task Force be assembled with people from the field who work in the RCO operations, along with some of our safety leaders, to meet with CSXT to:

1. Make an immediate correction to the foregoing "man-down" concerns, and
2. Develop a new technology to "fit" remote control with possible smaller and lighter operational machines that are user-friendly which have built-in safety procedures/actions.

We would appreciate a meeting in this regard for further discussion. We thank you for your interest in safety.

Sincerely,



John C. Hancock  
General Chairman

JCH:gmt

Cy: Mike Futhey, International President, UTU  
James Stem, National Legislative Director, UTU  
Arthur Martin, Asst. President, UTU  
Kim Thompson, GS/T, UTU  
David Brown, Executive Vice President, Operations, CSXT  
Cynthia Sanborn, Vice President, Northern Region, CSXT  
Mike Pendergrass, Vice President, Southern Region, CSXT  
D. Ferrell, Safety Coordinator, UTU  
Dale Barnett, Safety Coordinator, UTU  
Mark Patrick, Safety Coordinator, UTU  
CSXT General Chairmen, UTU  
UTUSLD - VA, NC, SC, GA, FL, AL  
LC of GO-851

## **Email from Brother Farrell to his fellow member concerning a recent meeting with local managers.**

Sent: Fri, Nov 13, 2009 8:22 am  
Subject: One man Remote and FRA

We had a very good meeting with the trainmasters yesterday afternoon concerning one-man remote operations. In attendance was *RFE Mike Bias, TM Bud Carson, TM Sollie Solomons, Safety Chairman Bryan Jones, Yardmaster Local Chairman Joel McClellan, UTU President and RCO expert Robbie Sikes* and myself. The first item discussed was the fact that Augusta Yard is not set up as a good remote yard but going to one man remote is inevitable. We agreed that the meeting would not be a pissing contest but just a fact-finding mission. The current plan will be 2 one-man remote jobs set up at the east end. One job will be working the long ladder and one job will be working the short side – with two separate remote zones. CSX will start the one man remote in three phases – First shift, Third shift, and then Second Shift. This will start once all the equipment arrives and the bulletin is put out. Two major concerns were brought up, which I will work with the General Committee to get straight:

- 1. If you fall down and the power button is pressed on the remote box – No “man down” feature will happen. This is a very critical point.**
- 2. Remote zones will extend to the clearance points on the switching ladders. If you are in a track and your engine is past the clearance point you are no longer in your remote zone. CSX stated, “It is Ok to pull ahead as long as you have no intervening switches and your remote zone was never broken.” CSX also mentioned rule 103 and GS 10. Our position is we will not pull ahead unless CSX puts out a bulletin or changes a rule. If you are no longer in a remote zone Rule 96 territory applies– Half the range of vision looking out for obstacles (which could be a clerk or car inspector).**

## **Email from Brother Farrell to CSX Florence Division Manager Tom Wolfe**

From: Ferrell, Darren  
Sent: Monday, June 23, 2008 9:10 AM  
To: Wolfe, Tom  
Cc: Sowers, Matthew  
Subject: remote control issues

This message has been archived. To retrieve the entire message, double click on the message.

Mr. Wolfe, here is a couple of the issues that were brought to my attention about the remote control box and also the function of the box. The first issue was if for any reason the battery becomes dislodged from the actual OCU (green box) the "man down" feature will not activate. If the battery comes out during operation the box becomes dead. It stops movement and goes into full service



but will not be able to perform any action until the battery is placed back into the OCU. There needs to be some type of safety feature placed over the battery to keep it from being dislodged from the OCU. The second issue was during normal operation you have a communication lose between the OCU and the LCU the engine will go into full service but you do not have the option of placing the OCU into emergency. I have been asked by crew members why it puts the LCU into full service and not into emergency.

### **Email from Brother Farrell to CSX Manager of Remote Control Operations**

From: Ferrell, Darren  
Sent: Monday, March 28, 2011 3:12 PM  
To: Ammons, Steve  
Subject: remote control questions

Steve, how are doing? I hope the family is doing well and I hope your new job is what you want.

I haven't talked with you in a while, but while I was in Jacksonville a couple of weeks ago I heard that you where in charge of the remote control issues. I would like to have an update, if possible, on when Florence Division will be getting new remote control boxes. (the ocu controls). Some of my concerns are the life span of our boxes we have now (I know that we do test on these boxes daily just wondering if there was a certain date of expiration or calibration just like all other electronic devices have). I still have concerns about the man down feature not working when the battery is dislodged from the ocu for whatever reason it may be.

April 3, 2009

Tom Wolfe, Division Manager, CSXT, Florence Service Lane  
Myron Becker, HDO, Director, Labor Relations, CSXT, Southern Region

Gentlemen:

I am addressing this to the two of you as it involves both safety and contractual concerns so thoroughly intertwined that any solution to the problem would have to resolve both.

On February 5, 2009, Tom and VGC Yvonne Hayes discussed a concern in Wilmington, NC, that remote control job Y290 was being required to depart the yard with a single operator to service the port 11-12 miles away. It was acknowledged that no process was in place to render assistance to the operator should he sustain an injury or encounter problems several miles outside the yard proper. While the yardmaster at Wilmington might be able to hear the "man-down" alarm, he would have no way of pinpointing the position of an unresponsive operator. Tom said he would suspend this operation until such time as these concerns could be resolved.

On March 20, 2009, Tom and Yvonne had another discussion when Y290 instructed to work the industry at DuPont several miles outside the yard. Tom said that plans were in the works to address the safety issues, but nothing was yet in writing. He then immediately contacted the trainmaster at Wilmington and the Y290 foreman, who had already left the yard, was contacted and arrangements made to monitor his progress and test the "man-down" feature and radio communications at points along the way to DuPont, at the industry, and during the return trip.

At the March Safety Overlap meeting in Wilmington a week later, UTU safety committee members raised concerns about the safety of single-person operations outside the yard. Their concerns were based primarily on the lack of any means of locating an unresponsive operator in the event of a derailment or injury and on the absence of anyone in proximity to the operator who might be able to render potentially life-saving first aid to an operator who was injured or became ill. There were also concerns about the ability of a single person to adequately protect crossings if the train were disabled and about the personal security of a single operator in some isolated or unsavory areas, although this was considered minor relative to the potential for accident and injury.

Despite Tom's assurances that a plan was in the works and that it was just a matter of getting something into writing and out to the employees, the managers at the Safety Overlap appeared to know nothing of such a plan. The impression given to the UTU safety team was that local management was relatively unconcerned about the safety issues being raised. Rather than take responsibility for developing procedures to address the concerns, Trainmaster Ammons shifted responsibility to the employees for coming up with a procedure. Once they did that, Mr. Ammons said, he would take a look at it.

In its Safety Advisory 2001-01, FRA noted:

FRA is also concerned about RCO safety when operations are conducted in isolated areas. There is no assurance that emergency aid can be adequately provided in a timely manner in the event of an emergency situation. Therefore, FRA recommends that the railroad or RCT should provide some automatic means of communication that will notify the railroad in the event the RCO becomes incapacitated, i.e., "a worker alarm". This automatic communication feature should also be capable of determining the non-responsive RCO's location to ensure that emergency help can respond effectively.

It should be noted that this recommendation was issued long before single-person remote control operations were considered by CSX and long before the use of remote control operations outside of switching yards was seriously contemplated. Even with two operators working in tandem, FRA felt that a locator was advisable; the current equipment has no such feature.

Remote control operators working on switching leads wholly within the confines of a yard where a yardmaster is on duty and often in position to see the locomotive and or operator from his/her window can be readily located if the "man-down" alarm is activated and the operator fails to respond to a radio call from the yardmaster. With a two-man crew, the other operator is in close proximity to locate his fellow crewmember and render assistance. Even with just a single operator on a switching ladder, an alert yardmaster knows which track the job is working and can make an educated guess as to where to start looking if the alarm sounds.

Once any job leaves the yard proper, the picture changes dramatically. Even with a conventional job and two crewmembers on the job, directing emergency responders to a site can be a challenge. Working alone anywhere from 1 to 10 miles from a yard location, an operator who becomes incapacitated may lie helpless for extended periods of time while railroad personnel and first responders attempt to locate him or her. A second crewmember, who knows exactly where his/her partner has fallen, can stay with that person and render first aid, and can explain to first responders the rabbit holes to access the right-of-way, may mean the difference between life and death.

While we believe Tom's efforts to address this problem at Wilmington are sincere, they have been – thus far – inadequate to eliminate the potential hazard and allay our

concerns. While we agree that the potential for injury is minimal while the job is engaged is simply pulling a cut from one point to another, the instant that the operator hits the ballast, he is walking into a no-man's land. The further he gets from his safety line – the yardmaster – the greater the potential for a tragedy. We submit that good judgment and our agreements mandate that additional personnel be made available – either by adding a crewmember or utility employee – to ensure the safety of the operation.

We refer you to CSXT Labor Agreement 4-006(b)-92, which reads, in pertinent part:

This will confirm our understanding that the designation “blankable position” will not be used to circumvent a bona fide need for a Trainman/Switchman position on assignments that require a Trainman/Switchman, or more, to be able to provide safe and efficient switching service. [*emphasis added*]

With all due respect, we feel that this is an example of a disturbing tendency by the Carrier – fueled by hard economic times – to counterpose safety and efficiency. We assert that – between the two – safety must come first.

We look forward to meeting with you to discuss this issue with the goal of arriving at a mutually agreeable solution.

Kind regards,

John C. Hancock  
General Chairman

YRH:gmt

CC: Todd McCrary, LC  
Billy Fisher, LC  
Mike Pendergrass, Vice President – Southern Region, CSXT  
Don Menefee, Program Manager, Locomotive Engineer Certification, FRA  
James Stem, National Legislative Director, UTU

JOHN C. HANCOCK, jhnh@utu851.org  
General Chairman

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YVONNE R. HAYES, yvonneh@utu851.org  
Vice General Chairpersons



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GENERAL COMMITTEE GO-851  
CSX/SCL - FECR - WSSB - HPTD - GM - GARR - SCPR - SCCR

August 20, 2010

Mr. James Marks  
Vice President -- Safety  
CSX Transportation  
500 Water Street, J-120  
15<sup>th</sup> Floor  
Jacksonville, FL 32202  
[Jim\\_Marks@csx.com](mailto:Jim_Marks@csx.com)

SCANNED & SENT

Dear Sir:

During the safety conference on July 14<sup>th</sup> we discussed establishing an RCO Oversight Committee that could address the concerns of my June 9, 2010 letter (copy attached for ready reference).

Our office has selected the following craft employees to represent the UTU:

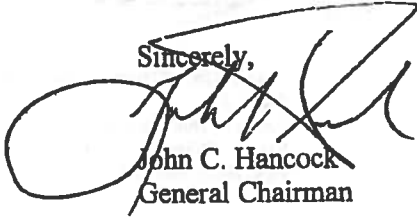
Todd McCrary	Local 1105	Wilmington, NC
<a href="mailto:ttmccrary@bellsouth.net">ttmccrary@bellsouth.net</a>		910.471.0726
Darren Ferrell	Local 407	Charleston, SC
<a href="mailto:Dferrell88@aol.com">Dferrell88@aol.com</a>		843.696.5687
James West	Local 903	Jacksonville, FL
<a href="mailto:Atlbch32233@aol.com">Atlbch32233@aol.com</a>		904.525.6299

I am sure you will find that the team presented will provide you with a host of knowledge on the RCO operations and offer many examples of the concerns that we face with the ever-evolving use of the RCO and one-man crews.

Our office looks forward to hearing from these individuals as to the progress being made in this area.

Thank you, once again, for the opportunity to allow us to assist in addressing our safety concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Hancock", written over a large, stylized circular flourish.

John C. Hancock  
General Chairman

JD:gmt

Cy: Todd McCrary, LC  
Darren Ferrell, Safety Coordinator  
James West, LC