

### **Covered Service Employees Shall Not:**

- Exceed 12 hours of on duty service without authority
  - Except they must not leave trains, engines, or cars on the main track without proper protection.
- Exceed 40 hours ( 20 hours between Oct 1 - 15, 15 hours between Oct 15 - 31, and 30 hours after October 31. 2009) of deadhead time (or waiting to deadhead) over the 12 hours on duty time per month
- Exceed 276 hours of total service in a month (all time combined)
- Abbreviate any actual time entries
- Work more than 6 consecutive days
  - Unless the 7th day is from the away from home terminal
- Return to duty without:
  - 10 consecutive hours off duty, or
  - 10 consecutive hours off duty plus the time spent deadheading or waiting to deadhead that is over 12 hours
- Remain on Duty without 10 consecutive hours off duty within the previous 24 hours



### **Covered Service Employees Shall:**

- Record and certify total hours of service in a month
  - all time in covered service
  - all time waiting for or in deadhead transportation over the 12 hours on duty
  - all time in any other mandatory service
- Record consecutive days started on the time sheet
- Record all co-mingled service
- Record all violations of the HSL
- Take 48 hours off after 6 consecutive days started on duty
- Take 72 hours off after 7 consecutive days started on duty
- Sign each hours of service report (Conductor can sign for crew)



**TRAIN EMPLOYEE  
AMENDED HOURS OF SERVICE  
TRAINING**

**Effective: JULY 16, 2009**

Train employee are required to comply with the aspects of hours of service laws relevant to the employee's position.

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**Personal Liability**

Failure to comply with any aspect of the regulation can subject an employee to:

- A fine of \$5,000 per violation.
- Imprisonment of up to 2 years.
- Or both.

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**MAJOR  
CHANGES**

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## Major Changes

### LIMBO TIME

Limbo time means a period of time treated as neither time on duty nor time off duty and any other period of service that does not qualify as either covered service or commingled service.

Note: Limbo time is:

- Time spent awaiting deadhead transportation and in deadhead transportation to the point of final release.
- Mandatory activities, such as rules classes, when they are attached to covered service.

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## Major Changes

### Quick Tie-Up

Quick tie-up is a data entry process used only when an employee is within 3 minutes of, or is beyond, his or her statutory maximum on duty.

Note: Employees are prohibited from performing any service beyond his or her statutory maximum on duty (12 hours) except for a quick tie. The quick tie-up provision allows an employee to report, record, or provide an oral or written statement related to a current, previous, or future duty tour.

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## Major Changes

### RELIEVED TIME

Relieved time means the actual time that a train employee stops performing a covered service assignment or commingled service.

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## Major Changes

### CALENDAR MONTH LIMITATION

Limits train employees per calendar month to 276 combined hours of:

- Time on duty,
- Awaiting or on in deadhead transportation from a duty assignment to the final release, or
- In any other mandatory service.

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### Major Changes

#### MINIMUM OFF-DUTY PERIOD

Changes the minimum off-duty period to 10 consecutive hours for freight employees and 8 consecutive hours for passenger employees of uninterrupted rest in the preceding 24-hour period.

Note: Railroads are restricted from communicating with train employees except in case of emergency during the minimum (mandatory) off-duty period, statutory period of interim release, and periods of additional rest required equal to the amount that combined on-duty time and time awaiting or in deadhead transportation to point of final release exceeds 12 hours. If the railroad interrupts an employee's 10 hours of undisturbed rest, the employee must have an additional 10 hours of undisturbed rest from the time of interruption. The 10 hours undisturbed rest is not affected if the employee elects to voluntarily contact the railroad during the 10 hour period of undisturbed rest.

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### Major Changes

#### 6 CONSECUTIVE DAYS

After an employee begins a covered service tour of duty each day for six consecutive calendar days the employee must receive at 48 hours consecutive rest.

Note: The law clearly specifies calendar days not job starts when calculating the number of consecutive days. With proper rest it is possible to have two job starts on the same calendar day. Regardless of the number of job starts in a day only the calendar day on which the job starts occur is counted for the consecutive day total.

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### Major Changes

#### 7 CONSECUTIVE ON-DUTY DAYS

Train employees must receive 72 consecutive hours off duty if:

1. The sixth on duty period ends at a location other than the home terminal and
2. The employee begins an on-duty period for a seventh consecutive day.

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### Major Change

#### LIMITED EXCESS LIMBO TIME

Limits the amount of cumulative time an employee can exceed awaiting or in deadhead transportation from duty that is neither on duty nor off duty for limbo time in excess of 12 hours on duty to:

- 40 hours per month decreasing to,
- 20 hours between Oct. 1 and Oct. 15,
- 15 hours between Oct. 15 and Oct. 30,
- 30 hours per month thereafter

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**Major Changes**

**ADDITIONAL REST**

Train employees must receive additional time off duty equal to the amount of time that exceeds 12 hours for time spent awaiting or in deadhead transportation to the point of final release.

Example:

An employee works in cover service for 11 hours 30 minutes, awaits and deadheads 1 hour 30 minutes to final release point. The employee is in service for 13 hours exceeding 12 hours by 1 hour. The employee must receive 11 consecutive rest ( 10 mandatory hours + 1 hours spent in excessive service).

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**HOURS OF SERVICE  
RECORD**

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**Major Changes**

**ACTUAL TIME**

When dates and times are entered on the hours of service record the actual date in mm/dd/yy and time in hours and minutes must be entered. 12+, 24+, or any similar abbreviations are no longer permitted.

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**Hours of Service Record**

Employees must complete a hours of service record for each single duty tour applicable to the covered service position and must include:

1. Employee's name (initials and last name)
2. Each covered service position in a tour of duty.

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### Hours of Service Record

3. Amount of time off duty before beginning a new covered service assignment or resuming a duty tour.

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### Hours of Service Record

4. Train ID for each assignment except:
- (i) Utility employees in covered service may use a unique job or train ID.
  - (ii) Employees assigned to yard jobs.  
Note: A record must be completed for each shift when working on consecutive shifts
  - (iii) Assignments established to shuttle trains into and of a terminal during a single tour of duty identified by a unique job or train symbol.

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### Hours of Service Record

5. Location, date, and beginning time of the first assignment in a tour of duty and if the tour of duty exceeds 12 hours and includes a period of interim release of 4 hours or more, the location, date, and beginning time of the assignment immediately following the interim release.

Interim Release Example: A crew goes on duty at Apex on 6/10/09 at 5:00 AM and takes a train to Midvale. At Midvale on 6/10/09 at 9:00 AM they are relieved for an off-duty period of 5 hours, transported 45 minutes to Provo, and are released on 6/10/09 at 9:45 PM. They then to duty Midvale on 6/10/09 at 2:45 PM, take the train back to Apex and have a final release on 6/10/09 at 11:00 PM. Total tour of duty time for the crew is 16 hours.

The location, date, and time required to be listed on the record in item 5 is Midvale 6/10/09 2:45 PM.

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### Hours of Service Record

6. Location, date, and beginning time of the first assignment in a tour of duty and if the tour of duty exceeds 12 hours and includes a period of interim release of 4 hours or more, the location, date, and beginning time of the assignment immediately following the interim release.

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The location, date, and time required to be listed on the record in item 5 is Midvale 6/10/09 2:45 PM.

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### Hours of Service record

7. Location, date, and time released from the last assignment in a duty tour, and, if the duty tour exceeds 12 hours and includes a qualifying period of interim release, the location, date, and time released from the assignment immediately preceding the interim release.

Interim Release Example: A crew goes on duty at Apex on 6/10/09 at 5:00 AM and takes a train to Midvale. At Midvale on 6/10/09 at 9:00 AM they are relieved for an off-duty period of 5 hours, transported 45 minutes to Provo, and released on 6/10/09 at 9:45 AM. They return to duty at Midvale on 6/10/09 at 2:45 PM and take the train to Apex and are relieved and released on 6/10/09 at 11:00 PM. Total duty tour time for the crew is 16 hours.

The location, date, and time required by item 7 to be listed on the record is Provo 6/10/09 9:45 AM.

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### Hours of Service Record

8. Beginning and ending location, date, and time for periods spent in transportation, other than personal commuting, if any, to the first assignment in a duty tour, from an assignment to the location of a period of interim release, from a period of interim release to the next assignment, or from the last assignment in a duty tour to the point of final release, including the mode of transportation (train, track car, railroad-provided motor vehicle, personal automobile, etc.).

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### Hours of Service Record

9. Beginning and ending location, date, and time of any other service performed at the behest of the railroad.

10. Identification (code) of service for any other service performed at the behest of the railroad.

11. Total time on duty (hours of service) for the tour of duty.

Note: Total time on duty is calculated by subtracting the date and time on duty from the relieved date and time. The total time on duty should not exceed 12 hours unless you are specifically instructed by your supervisor to perform covered service in excess of 12 hours.

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### Hours of Service Record

12. reason for any service that exceeds 12 hours total time on duty for the tour of duty.

13. The total amount of time by which the sum of total time on duty and time spent awaiting or in deadhead transportation to the point of final release exceeds 12 hours.

Example: An employee performs covered service for 11 hours and 30 minutes at a location other than their final release point. The employee spends another 1 hour and 30 minute awaiting deadhead and in deadhead transportation and is released. Total duty tour time is 13 hours which exceeds 12 hours and 1 hour must be recorded on the hours of service record.

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### Hours of Service Record

14. The cumulative total for the calendar month of:
- (i) Time spent in covered service;
  - (ii) Time spent awaiting or in deadhead transportation from a duty assignment to the place of final release in excess of 12 hours; and
  - (iii) Time spent in any other service at the behest of the railroad.

Note: It is the literally the cumulative total for the calendar month. If a duty tour begin on 6/30/09 at 8:00 PM and ends on 7/1/09 at 4:00 PM, 4 hours are counted in the June total and 4 hours are counted in the July total.

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### Hours of Service Record

15. The cumulative total for the calendar month of time spent in awaiting or in deadhead transportation from a duty assignment to the place of final release following a period of consecutive hours on duty.

16. Number of consecutive days in which a period of time on duty was initiated.

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### Summary

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  - Except they must not leave trains, engines, or cars on the main track without proper protection.
- Exceed 40 hours (20 hours between Oct 1 and Oct 15, 15 hours between Oct 15 and Oct 31, 30 hours after Oct 31) of deadhead time (or awaiting to deadhead) over the 12 hours on duty time per month.
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## Definitions for Hours of Service Regulation – 49 CFR Part 228

**Actual time** means either the specific time of day, to the hour and minute, or the precise amount of time spent in an activity, in hours and minutes, that must be included in the hours of duty record, including, where appropriate, reference to the applicable time zone and either standard time or daylight savings time.

**Administrator** means the Administrator of the Federal Railroad Administration or any person to whom the Administrator has delegated authority in the matter concerned.

**Administrative duties** means any activities required by the railroad as a condition of employment, related to reporting, recording, or providing an oral or written statement related to a current, previous, or future duty tour. Such activities are considered service for the railroad, and time spent in these activities must be included in the total time on duty for any duty tour with which it may commingle.

**At the behest of the employee** refers to time spent by an employee in a railroad-related activity that is not required by the railroad as a condition of employment, in which the employee

voluntarily participates.

**At the behest of the railroad** refers to time spent by an employee in a railroad required activity that compels an employee to perform service for the railroad as a condition of employment.

**Broken (aggregate) service** means one or more periods of time on duty within a single duty tour separated by one or more qualifying interim releases.

**Call and release** occurs when an employing railroad issues an employee a report-for-duty time, and then releases the employee from the requirement to report prior to the report-for-duty time.

**Carrier, common carrier, and common carrier engaged in interstate or foreign commerce by railroad** mean railroad.

(1) For a train employee or a signal employee, any non-covered service at the behest of the railroad and performed for the railroad that is not separated from covered service by a qualifying statutory off-duty period of 8 or 10 hours or more. Such commingled service is counted as time on duty pursuant to 49 U.S.C. 21103(b)(3) (for train employees) or 49 U.S.C. 21104(b)(2) (for signal employees).

(2) For a dispatching service employee, any non-covered service mandated by the railroad and performed for the railroad within any 24-hour period containing covered service. Such commingled service is counted as time on duty pursuant to 49 U.S.C. 21105(c).

**Commuting** means—

(1) For a train employee, the time spent in travel—  
(i) Between the employee's residence and the employee's regular reporting point, and  
(ii) In railroad-provided or authorized transportation to and from the lodging facility at the away-from-home terminal (excluding travel for purposes of an interim release), where such time (including travel delays and room availability) does not exceed 30 minutes.

(2) For a signal employee, the time spent in travel between the employee's residence and the employee's headquarters.

(3) For a dispatching service employee, the time spent in travel between the employee's residence and any reporting point.

**Consecutive service** is a period of unbroken total time on duty during a duty tour.

## Definitions for Hours of Service Regulation – 49 CFR Part 228

<p><b>Covered service</b> means—</p> <p>(1) For a train employee, the portion of the employee's time on duty during which the employee is engaged in, or connected with, the movement of a train.</p> <p>(2) For a dispatching service employee, the portion of the employee's time on duty during which the employee, by the use of an electrical or mechanical device, dispatches, reports, transmits, receives, or delivers an order related to or affecting the movement of a train.</p> <p>(3) For a signal employee, the portion of the employee's time on duty during which the employee is engaged in installing, repairing, or maintaining a signal system.</p> <p><b>Covered service assignment</b> means—</p> <p>(1) For a train employee, each unique assignment of the employee during a period of covered service that is associated with either a specific train or a specific yard job.</p> <p>(2) For a signal employee, the assigned duty hours of the employee, including overtime, or unique trouble call assignments occurring outside the employee's assigned duty hours.</p> <p>(3) For a dispatching service employee, each unique assignment for</p>	<p>the employee that occurs within any 24-hour period in which the employee, by the use of an electrical or mechanical device, dispatches, reports, transmits, receives, or delivers orders related to or affecting train movements.</p> <p><b>Deadheading</b> means the physical relocation of a train employee from one point to another as a result of a railroad issued verbal or written directive.</p> <p><b>Designated terminal</b> means the home or away-from-home terminal for the assignment of a particular train crew.</p> <p><b>Dispatching service employee</b> means an operator, train dispatcher, or other train employee who by the use of an electrical or mechanical device dispatches, reports, transmits, receives, or delivers orders related to or affecting train movements.</p> <p><b>Duty location</b> for a signal employee is the employee's <i>headquarters</i> or the precise location where the employee is expected to begin performing service for the railroad as defined in 49 U.S.C. 21104(b)(1) and (2).</p>	<p><b>Duty tour</b> means—</p> <p>(1) The total of all periods of covered service and <i>commingled service</i> for a train employee or a signal employee occurring between two <i>statutory off-duty periods</i> (i.e., off-duty periods of a minimum of 8 or 10 hours); or</p> <p>(2) The total of all periods of covered service and <i>commingled service</i> for a dispatching service employee occurring in any 24-hour period.</p> <p><b>Employee</b> means an individual employed by a railroad or a contractor or subcontractor to a railroad who—</p> <p>(1) Is actually engaged in or connected with the movement of any train, including a person who performs the duties of a hostler;</p> <p>(2) Dispatches, reports, transmits, receives, or delivers an order pertaining to a train movement by the use of telegraph, telephone, radio, or any other electrical or mechanical device; or</p> <p>(3) Is engaged in installing, repairing, or maintaining a signal system.</p> <p><b>Final release</b> is the time that a train employee or a signal employee is released from all activities at the behest of the railroad and begins his or her <i>statutory off-duty period</i>.</p>
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## Definitions for Hours of Service Regulation – 49 CFR Part 228

**Headquarters** means the regular assigned on-duty location for signal employees, or the lodging facility or crew quarters where traveling signal gangs reside when working at various system locations.

**Interim release** means an off-duty period applied to train employees only, of at least 4 hours but less than the required *statutory off-duty period* at a *designated terminal*, which off-duty period temporarily suspends the accumulation of time on duty, but does not start a new *duty tour*.

**Limbo time** means a period of time treated as neither time on duty nor time off duty in 49 U.S.C. 21103 and 21104, and any other period of service for the railroad that does not qualify as either covered service or commingled service.

**On-duty time** means the actual time that an employee reports for duty to begin a *covered service assignment*.

**Other-than-regular reporting point** means any location where a train employee reports to begin or restart a *duty tour*, that is not the employee's *regular reporting point*.

time;

(4) Contact information for the employee during the statutory off-duty period;

(5) Request for rest in addition to the statutory minimum, if provided by collective bargaining agreement or local practice;

(6) The employee may be provided an option to enter basic payroll information, related only to the duty tour being tied up; and

(7) Employee certification of the tieup information provided.

**Railroad** means a person providing *railroad transportation*.

**Railroad transportation** means any form of non-highway ground transportation that runs on rails or electromagnetic guideways, including commuter or other short-haul rail passenger service in a metropolitan or suburban area, and high speed ground transportation systems that connect metropolitan areas, without regard to whether they use new technologies not associated with traditional railroads. Such term does not include rapid transit operations within an urban area that are not connected to the general railroad system of transportation.

**Prior time off** means the *amount of time* that an employee has been off duty between identifiable periods of service *at the behest of the railroad*.

**Program edits** are filters contained in the logic of an hours of service recordkeeping program that detect identifiable reporting errors made by a reporting employee at the time of data entry, and prevent the employee from submitting a record without first correcting or explaining any identified errors or anomalies.

**Quick tie-up** is a data entry process used only when an employee is within 3 minutes of, or is beyond, his or her statutory maximum on-duty period, which process allows an employee to enter only the basic information necessary for the railroad to identify the beginning of an employee's *statutory off-duty period*, to avoid the excess service that would otherwise be incurred in completing the full record for the *duty tour*. The information permitted in a quick tie-up process is limited to, at a maximum:

- (1) Board placement time;
- (2) Relieved location, date, and time;
- (3) Final release location, date, and

## Definitions for Hours of Service Regulation – 49 CFR Part 228

**Regular reporting point** means the permanent on-duty location of a train employee's regular assignment that is established through a job bulletin assignment (either a job award or a forced assignment) or through an employee's exercise of seniority to be placed in an assignment. The assigned regular reporting point is a single fixed location identified by the railroad, even for extra board and pool crew employees.

**Release** means—

- (1) For a train employee,
  - (i) The time within the *duty tour* that the employee begins an *interim release*;
  - (ii) The time that an employee completes a *covered service assignment* and begins another *covered service assignment* on a different train or job, or
  - (iii) The time that an employee completes a *covered service assignment* to begin another activity that counts as time on duty (including waiting for deadhead transportation to another duty location at which the employee will perform *covered service*, deadheading to duty, or any other *commingled service*).
- (2) For a signal employee, the time within a *duty tour* that the employee—
  - (i) Completes his or her regular assigned hours and begins an off-duty period of at least one hour but less than

a *statutory off-duty period*; or

- (ii) Completes his or her return travel from a trouble call or other unscheduled duty and begins an off-duty period of at least one hour, but less than a *statutory off-duty period*.
- (3) For a dispatching service employee, when he or she stops performing *covered service* and *commingled service* within any 24-hour period and begins an *off-duty period* of at least one hour.

**Relieved time** means—

- (1) The actual time that a train employee stops performing a *covered service assignment* or *commingled service*.
- (2) The actual time that a signal employee:
  - (i) Completes his or her assigned duty hours, or stops performing *covered service* or *commingled service*, whichever is later; or
  - (ii) Stops performing *covered service* associated with a trouble call or other unscheduled duty outside of normally assigned duty hours.

**Reports for duty** means that an employee—

- (i) Presents himself or herself at the location established by the railroad at the time the railroad established for the

employee to be present; and  
(ii) Is ready to perform *covered service*.

**Report-for-duty time** means—

- (1) For a train employee, the actual time that the employee is required to be present at a *reporting point* and prepared to start a *covered service assignment*.
- (2) For a signal employee, the assigned starting time of an employee's scheduled shift, or the time that he or she receives a trouble call or a call for any other unscheduled duty during an off-duty period.
- (3) For a dispatching service employee, when the employee begins the turn-over process at or before the beginning of his or her assigned shift, or begins any other activity at the behest of the railroad during any 24-hour period in which *covered service* is performed.

**Reporting point** means any location where an employee is required to begin or *restart a duty tour*.

**Seniority move** means a repositioning at the behest of the employee, usually a repositioning from a regular assignment or extra board to a different regularly assigned position or extra board, as the

## Definitions for Hours of Service Regulation – 49 CFR Part 228

result of the employee's selection of a bulletin assignment or the employee's exercise of seniority over a junior employee.

**Signal employee** means an individual who is engaged in installing, repairing, or maintaining signal systems.

**Station, office or tower** means the precise location where a dispatching service employee is expected to perform service for the railroad as defined in 49 U.S.C. 21105(b) and (c).

**Statutory off-duty period** means the period of 8 or 10 consecutive hours or more time, that is the minimum off-duty period required under the hours of service laws for a train employee or a signal employee to begin a new 24-hour period for the purposes of calculating his or her *total time on duty*.

**Total off-duty period** means the actual amount of time that a train employee or a signal employee is off duty between duty tours after the previous final release and before the beginning of the next duty tour. This time may differ from the expected prior time off that will be generated by the recordkeeping

system, if the employee performed service at the behest of the railroad between the duty tours.

**Total time on duty (TTOD)** means the total accumulation of time spent in periods of *covered service* and *commingled service* between qualifying *statutory off-duty periods* of 8 or 10 hours or more. Mandatory activities that do not constitute *covered service*, such as rules classes, when they may not attach to *covered service*, are counted as *limbo time*, rather than *commingled service*, which limbo time is not counted toward the calculation of *total time on duty*.

**Train employee** means an individual engaged in or connected with the movement of a train, including a hostler.

**Travel time** means—

- (1) For a signal employee, the time spent in transportation between the employee's *headquarters* and an outlying duty point or between the employee's residence and an outlying duty point, or, between duty locations, including both on-track and on-highway vehicular travel.
- (2) For a dispatching service

employee, the time spent in travel between *stations, offices, or towers* during the employee's time on duty.