



**CANADIAN
PACIFIC
RAILWAY**



General Fatigue Management Plan

for

Canadian Pacific Railway

and the

***Canadian Council of Railway Operating Unions
Brotherhood of Locomotive Engineers and the United Transportation Union***

Operating Employees

Introduction:

This Fatigue Management Plan (hereinafter the ‘Plan’) has been developed pursuant to the requirements of Section 6 of the “Work/Rest Rules for Operating Employees” (hereinafter the ‘Rules’) and the Railway Safety Act (hereinafter the ‘Act’), incorporating the guidance provided from the RAC Circular No. 14 entitled “Recommended Procedures and Practices for the Application of Work/Rest Rules.”

The Parties have outlined the goals of the Plan, roles & responsibilities and its’ application. Responsibility for the establishment, maintenance and monitoring of working conditions that will allow operating employees adequate rest between tours of duty and to help sustain alertness throughout the on-duty period is shared jointly between the Company and the Council. Subject to compliance with applicable regulatory requirements, the Company and the Council will jointly be responsible for changes to this Plan in the future.

Pursuant to Section 6.2.4, specific operating plans must be in place to address fatigue of operating employees when operating in work train service, in emergency situations and where Operating Employees are more than 64 hours on duty in a 7-day period. Such specific fatigue management plans will be jointly developed and filed in accordance with the Rules. This document details our fatigue management plan in relation to the following points, as outlined in Section 6.2.2 of the Rules and is not intended to be an exhaustive list.

- 1) Employee Work Scheduling Practices
- 2) Education and Training
- 3) Job Alertness Strategies
- 4) Rest Environments
- 5) Work environments
- 6) Working under Unusual Operating Conditions
- 7) Unique Deadheading Circumstances
- 8) Ongoing Monitoring & Review

OPERATING EMPLOYEES FATIGUE MANAGEMENT PLAN

GOALS

- Recognizing industry best practices, minimize/eliminate employee fatigue and thereby improve the operational task performance and safety of employees and operations in accordance with Transport Canada rules and guidelines on Fatigue Management.
- Impact positively on the work/family balance and quality of life of all CPR Operating Employees.

STRATEGY OVERVIEW

We will achieve solutions through:

1. Promoting awareness of the impact of fatigue on human performance, and striving to reduce the effects of fatigue in all CPR operations.
2. A work environment that allows for the effective implementation of fatigue counter measures.
3. A combination of Corporate and Individual responsibility and empowerment to manage fatigue.

Roles & Responsibilities

Role of the Labour/Management Leadership:

Lead the development, implementation, monitoring and sustainability of the fatigue management plan. Provide decision-making and coaching for the overall process. Ensure the ongoing focus and support of their organizations and assist in the resolve of any problem areas in the establishment, maintenance and monitoring of the process.

Role of the General Chairs & General Managers:

To ensure that the fatigue management plan satisfies Employee, Company, Regulatory and Union concerns as well as deals with unique territorial conditions.

Role of Industrial Relations:

Support the fatigue management plan, working closely with Management and Labour to facilitate agreements or processes as required. Provide insight as to labour related issues at CPR and/or on other railways as applicable.

Role of Safety and Regulatory Affairs:

Working in conjunction with Union Legislative Departments, provide input and insight as to the regulatory and safety impacts or potential impacts affecting the fatigue management plan. Ensure that appropriate safety management systems risk assessments are conducted on major operational changes that may affect employee fatigue. Also in conjunction with Union Legislative Departments, discuss related issues with outside third parties (i.e. regulator) as appropriate.

Role of Front Line Managers & Union Representatives:

Support the rollout, sustainability and compliance with the fatigue management plan and offer recommendations for improvement to the Plan.

Roles & Responsibilities (continued)

Role of Employees:

To manage their rest within the time frames provided by the Work/Rest Rules in a way that will enable them to report for duty in a rested condition.

Role of the CPR Field Operations/Transportation Department:

To provide operating employees with the most accurate lineups and information possible, in order that they can manage their rest in a way that will enable them to report for duty in a rested condition. To actively track the accuracy of train lineups and information on an ongoing basis and take corrective action as needed. In addition, the department will continue to manage crews in a manner consistent with the collective agreement(s).

Application

The Work/Rest Rules for Operating Employees are intended to cover those employees physically involved in the operation or switching of trains, engines and equipment in any class of service.

Employee classifications that fall within the scope of these rules at CPR are:

- Locomotive Engineer
- Conductor
- Commuter Rail Service Employees
- Brakeman
- Yard Foreman
- Yard Helper
- Yard Service Employee
- Yard Service Helper
- Switchtender

In addition to the foregoing, any person who performs the duties of an operating employee is deemed to be an operating employee while they are performing those duties, such as, Company Officers, contractors or third parties.

Section 1 – Employee Work Scheduling Practices

Employee Work Scheduling practices must support the following objectives:

- *employees commencing duty have had and utilized the opportunity to report for duty rested and alert;*
- *alertness can be sustained throughout the on-duty period;*
- *employees are permitted to meet their personal need; such as the need to ensure that an employee's current standard of living is maintained and their earnings potential is protected through the regulation of maximum monthly mileages;*
- *the railway is permitted to meet its' service objectives.*

The Company and the Council have a variety of scheduling and work/rest practices currently available to them that support fatigue management objectives. Some of these practices are already in use and others will be reviewed to determine if they can be implemented in appropriate areas in order to meet the Goals of this Plan. These include, but aren't limited to, assigned and unassigned service with regular rest days and/or leave of absences; rest provisions at the home and away from home terminal; time pools, and bid packs. These options may be implemented based on the number of employees required, and the territory operated over, traffic density, patterns and operating times.

Other scientifically based scheduling options for reducing fatigue that meet the goals of this Plan and the objectives of employee work scheduling practices may be established subject to review and approval by the Company and the Council.

Additionally operating employees who work more than one tour of duty in any 24 hour period are afforded the opportunity to be involved in a decision to accept a subsequent tour of duty, based on their fitness at the time, in accordance with collective agreement provisions in force.

Section 2 - Education and Training

Awareness, through education and training, is the foundation of an effective and successful Fatigue Management program. Fatigue Management, like safety, must be a way of life.

Prior to implementation of any fatigue management program, the Company and the Council will jointly develop and deliver employer paid fatigue management training to all affected running trades employees and encourage family participation whenever and wherever possible. Employee participation will be mandatory.

The parties will jointly develop and deliver appropriate training to supervisors and employees responsible for crew management where fatigue management programs have been deployed. Supervisor and responsible employee participation will be mandatory.

The parties will jointly develop and deliver employer paid education/training components for any countermeasure implemented in the future.

The parties will jointly develop and deliver employer paid fatigue management training for new recruits.

Fatigue management information will be made accessible to all employees through both paper and electronic media.

Incorporate the education, training and awareness component of fatigue management into the Safety Framework process in order to provide ongoing auditing and communication.

Section 3 – *Job Alertness Strategies*

It is recognized that fatigue management strategies can be utilized to improve job alertness.

Implement a napping policy for crews based on but not restricted to the following points:

Opportunity Nap (Initial Terminal)

- To minimize fatigue of employees in road service, if the train is delayed and there are no other duties to perform upon reporting for duty, an employee may take an opportunity nap.

Opportunity Nap (En route)

- To minimize fatigue of employees in unassigned or work train service, providing that there are no other duties to perform, an employee may take an opportunity nap.

Demand Nap

Upon request, employees in time pools will be provided an opportunity to one nap when projected to run into times of the day when employees experience circadian dips.

- Employee and RTC are required to work together to minimize train delay and ensure the balance of the operations are not adversely impacted.
- Demand naps may be included as part of other formal work scheduling practices.

In all cases, napping periods will not exceed a defined duration.

The Company and the Council will research and evaluate other alertness countermeasures with the intention of implementing if and when deemed appropriate. They will also review local operating practices that may have an impact on alertness.

The Company and the Council recognize and agree that a napping policy is a countermeasure to address issues of fatigue. Pursuant to Circular No. 14, napping facilities in terminals are intended to allow operating employees to rest as they wait for trains or prior to driving home at the end of a trip. Employees in assigned service who are working regularly assigned tours of duty are not normally considered to be in this classification of employees, however the parties also recognize that there are individual circumstances that may play a part in an employee's need to utilize an opportunity to nap. Such circumstances, for example, include an employee doubling in yard service or a spare board employee being called for spare turns in different classes of service or varying shifts. The parties agree that napping policies developed and implemented will be primarily intended for road service

Section 4 - Rest Environment

The key to restorative sleep is the quality of the rest environment as well as the opportunity use the rest environment.

REST HOUSES

CPR currently has a rigorous process in place, in conjunction with committees mandated by collective agreement, to evaluate and improve rest facilities in order to bring them up to standards consistent with scientifically developed fatigue management principles; such as, but not limited to, soundproofing, blackout curtains, white noise generators, etc. These facilities will continue to be assessed and, where necessary, improved based upon those scientific standards. Separate standards are being established for renovations to current rest houses, construction of new rest houses, and for third party facilities. These standards are subject to federal and provincial building codes, other applicable regulations as well as collective agreement provisions and will be modified as deemed necessary and as agreed upon by the Company and the Council.

Local bunkhouse committees will be given the opportunity to provide recommendations to the Company and the Council concerning the priority of changes and improvements pertaining to rest facilities.

NAPPING FACILITIES

To enable employees covered by this fatigue management plan to take advantage of opportunities to nap, napping facilities will be provided where deemed appropriate by the Company and the Council. The napping facility will be close to booking-in rooms and will be suitably equipped to enable employees to nap undisturbed.

HOME REST ENVIRONMENT

As part of the training and education program, information will be provided to employees concerning optimizing their home rest environment.

Section 5 - Work Environment

Work environment factors may have an adverse impact on employee fatigue. This Plan is intended to minimize the adverse impact of those factors. Some of those factors include, but aren't limited to, noise, lighting, temperature, vibration and ergonomic design.

The Company and the Council agree that newly constructed road locomotives purchased in the future will be equipped with air conditioning and will meet other standards consistent with scientifically developed fatigue management principles in regard to noise, lighting, vibration and ergonomic design. They will also be equipped with locomotive cab audio systems. These locomotives will be used in leader service whenever in a lead locomotive consist.

The Company and the Council will review current cab standards, to determine how those standards relate to factors that may have an adverse impact on employee fatigue. The standards will be adjusted to ensure that they properly address those factors in order to minimize the adverse impact of those factors. The parties will identify locomotives conforming to the standards set. Every effort will be made to have all locomotives used by crews conform to the standards set.

Section 6 – Working Under Unusual Operating Conditions

Recognize the importance of managing fatigue during emergencies, service interruptions and other unusual operating conditions.

Notwithstanding that this section on unusual operating conditions applies in circumstances where crews may work over 12 hours, rest provisions in the applicable collective agreement remain in effect.

Employees involved in unusual operating conditions who may exceed 12 hours on duty will be removed from their train at the first available opportunity. Local union and management officers will identify areas where providing relief may pose problems and will agree upon methods for dealing with those problems.

Other crews who may be affected by an emergency situation will be notified by the use of Voice Response Unit (VRU) or other such similar means of the existence of the emergency in order that they may properly plan to be rested for the upcoming work event.

Crews involved in unusual operating conditions will be advised of the circumstances in order to enable napping during downtime.

In certain circumstances, locomotives may be removed from the train to expedite movement to a change off location when handling the train would otherwise significantly delay transit time of the operating employee to the change off location.

A systematic process to shut down and start up work schedules interrupted by an emergency will be jointly developed.

Section 7 – Unique Deadheading Circumstances

According to the rule and circular detailing the intent of the rule, at the present time, CPR does not have extended hour passenger operations that would require on-board facilities to accommodate deadheading operating crews. Therefore, this item does not apply to CPR. Should such operations be put into place in the future, this issue will be addressed at that time.

Section 8 - Ongoing Monitoring & Review of Fatigue Countermeasure Program.

The long-term success of Fatigue Management Programs depends upon ongoing measurement and review.

The ongoing effectiveness of the Fatigue Management Program will be measured and monitored by the Company and the Council. Jointly developed and agreed upon methods for measurement and monitoring the effectiveness may include but are not limited to the following:

- Use of scientifically validated questionnaires (pre and post implementation of fatigue countermeasures), the Stanford Sleepiness Scale as an example.
- Use of wrist activity monitors.
- Use of logbooks to track sleep/wake/work patterns.
- Use of fatigue modeling software
- Use of scheduling software

The Company and the Council will meet regularly to review the Plan as well as evaluate new studies and practices relating to managing fatigue.

The Company and the Council will establish a measurement system to monitor success. These measures may include level of employees participating in work scheduling, percentage of employees completed training and ongoing planned work for rest houses.

If it is suspected that fatigue may be a contributing factor in an occurrence, investigations into such occurrences will focus on establishing a connection between any unsafe act or decision which may have lead to the accident and the fatigue state of the employees involved. The primary purpose of this focus will be to ensure that if the fatigue state of the employees involved is a contributing factor in the occurrence that the Plan in place at that location is reviewed to ensure that it is meeting the objectives and goals as set out in this General Plan and in the Rules.