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# UNION PACIFIC RAILROAD COMPANY

## Contractor Minimum Safety Requirements

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## POLICY STATEMENT and INTRODUCTION

It is Union Pacific Railroad's policy to conduct its business in a manner that addresses the safety of employees, contractors, customers and the communities we serve. Union Pacific will strive to prevent all incidents, accidents, injuries and occupational illnesses through the active participation of all stakeholders. The company is committed to continuous efforts to identify and manage safety risks associated with its activities.

Accordingly, **Union Pacific's policy is to:**

- Encourage and support:
- Employee engagement in workplace safety;
- A Total Safety Culture;
- Care for employees;

Maintain infrastructure and equipment, establish documented safety management systems, provide training and conduct operations in a manner aimed at safeguarding people and property;

Communicate with employees, contractors, communities and customers with respect to their roles and responsibilities surrounding rail safety.

Comply with all applicable laws, regulations, rules and instructions.

Respond quickly, effectively, and with care to emergencies, accidents, or incidents in cooperation with authorized government agencies;

Undertake appropriate reviews and evaluations of its operations to measure progress, foster compliance with this policy and continually improve.

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The term "**Contractor**", "**Contractor-in-Charge**" and "**Contractor Personnel**" as used in this document or other reference materials applies to all non-employees at the work site including contract personnel, third party vendors, subcontractors and others within Railroad work areas owned, leased or used by Union Pacific.

Depending on the type of work and the work location, there are many specific safety regulations, including but not limited to OSHA, FRA, FMCSA requirements, that Union Pacific requires its Contractors to follow. Contractors should also be prepared to comply with all safety requirements found in their agreements to perform work for Union Pacific.

These safety and operational requirements are minimum safety standards required by Union Pacific and are not intended to be inclusive of all safety requirements required by rule, policy or regulation. All contractors, third party vendors and subcontractor operations must meet these standards as they apply to the work being performed under agreements with Union Pacific and are to comply with additional, specific safety requirements called for in connection with the work performed for Union Pacific.

## SECTION 1: GENERAL SAFETY REQUIREMENTS

- 1.1 Union Pacific requires its contractors to follow the same safety rules that govern Union Pacific employees. These include, but are not limited to, requirements related to work gear, equipment, and safety conduct, reporting, prohibitions against weapons, drugs & alcohol, and fires.
- 1.2 Railroad management is authorized to take any actions necessary to prevent injuries to any person, damage to railroad property, disruption of railroad operation, and the safety of the public.
- 1.3 The Contractor is responsible for the safety of its personnel, subcontractors, and any vendors or material/delivery drivers working on behalf of the Contractor.
- 1.4 Contractor Personnel must be familiar with and obey all rules, regulations, and instructions applicable to their duties and work location prior to performing work. The Contractor is responsible for training Contractor Personnel to be prepared to work in compliance with all applicable standards and requirements.
- 1.5 Any questions regarding this information should be directed to the Union Pacific manager in charge of the work location.

## SECTION 2: CORE RESPONSIBILITIES

### 2.1 Contractor Personnel are empowered to work safely and must:

- Be responsible for personal safety and accountable for their behavior;
- Correct or protect any unsafe condition or practice and report to proper authority;
- Maintain situational awareness;
- Work within the limits of physical capabilities. Excessive force must not be used to accomplish tasks;
- Comply with instructions pertinent to their work responsibilities.

### 2.2 Instructions, Rules and Standard Work:

Copies of the current UPRR Safety Rules, General Code of Operating Rules, standard work, site-specific directives can be obtained from the UPRR manager in charge of each work location. Any questions or concerns should be addressed to the UPRR manager in charge of each work location.

Contractors who have access to Union Pacific's internal website may access timetables, subdivision general orders, and system general orders by selecting **Departments**, then select **Operating**. Next select **Union Pacific Rules**, and then click on the desired link from the **Electronic Rules, Bulletins and Timetable (ERT)** page.

### **2.3 Identification and Permission to Enter Work Site:**

- All Contractor Personnel must have a valid contractor badge and/or an eRailsafe Badge where applicable or readily show identification showing employment with the Contractor.
- Contractor Personnel must conduct themselves in a safe manner that does not expose Union Pacific, themselves or any other person to risk of property damage and /or personal injury. This includes compliance with all Union Pacific rules related to working on or around tracks and equipment.
- Permission granted to enter upon Union Pacific premises will be used solely in connection with an authorized purpose and will terminate once that purpose is accomplished.

### **2.4 Job Briefings:**

**Must be conducted with all individuals involved in the task before work begins and if the work plan or work group changes.**

**The job briefing must:**

- Consider existing and potential hazards that might be involved as a result of:
  - ✓ Weather,
  - ✓ Scope of work; and
  - ✓ Tools and equipment.
- Identify PPE requirements.
- Review electronic device use restrictions.
- Assign responsibility.
- Explain group / individual assignments, while considering abilities and experience.
- Be aware of work groups and equipment in work area.
- Identify job location.
- Verify understanding of instructions and assignments.

**For complex jobs:**

- Brief only a portion of the job, and
- Conduct additional briefing(s) as the job progresses.

### **2.5 Personal Protective Equipment and Proper Attire:**

**Protective Equipment (PPE) used on duty must:**

- Be approved by the Safety Department;
- Only be used as intended;
- Be used where conditions of the job require and in accordance with rules; instructions, or directions from supervisor;
- Not be altered or used if altered.

Complete and sign the job briefing document when applicable.

Anyone entering designated areas or working near others wearing PPE must also wear the required PPE. Keep all PPE issued in good condition, properly fitted, and replace as required in order to maintain the intended protection.

Wear clothing that allows the person to perform duties safely and efficiently. Contractors must wear PPE high visible outerwear color defined by the employing Union Pacific department.

**Clothing must not:**

- Interfere with vision, hearing and free use of hands and/or feet;
- Block peripheral vision. When hooded sweatshirts and/or coats or similar type clothing are worn, they must be secured around the face to prevent the blocking of peripheral vision;
- Be torn, baggy, ragged, loose, or worn so that it could snag easily or catch on cars, engines, tools, machinery or other equipment but must allow freedom of movement. This includes neckties or similar clothing.

**When working outside, Contractor Personnel must wear:**

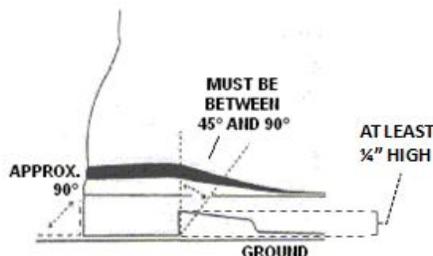
- Pants that cover the legs;
- Shirts with at least quarter-length sleeves that cover the back, shoulders, chest, abdomen and provide protection from sun, insects, abrasions or scratches.

Jewelry that may affect one's safe performance of their duties must not be worn.

Hair, including beards, must be worn in a manner to permit safe performance of duties.

**While on duty or on company property, employees must wear footwear that meets the following requirements (Rule 71.7):**

- Boot height must be a minimum of 6 inches or more when measured from the floor to the topmost part. At no time should the measurement from the floor to any part of the collar be less than 4 1/2 inches.
- Boots must be lace up.
- Have soles that provide good traction, thick enough to withstand punctures, not excessively worn, or have loose soles or heels.
- A defined heel ('Riding heels' are NOT approved) as illustrated below, the back of which is at an approximate right angle from the sole of the shoe and from the ground when standing. The front of the heel must not be at an angle of less than 45 degrees from the sole of the shoe to the ground. Approved snow packs are acceptable. Defined heel means a heel 1/2" deeper than the rest of the sole when new. At no time should that measurement be less than 1/4".



- Footwear as defined by OSHA Standard 1910.136, ANSI Z41.1, ASTM F-2412-11, ASTM F-2413-11 and Standard Class #75 for safety toe footwear must be worn by all employees except TE&Y.

Footwear meeting requirements shown above are not required in:

- Offices, lunchrooms, and similar areas.
- Automobiles.
- Areas specifically designated by the department head or
- Parking areas when tracks will not be fouled.

## 2.6 Use of Electronic Devices:

**Contractor Personnel shall not use an electronic device while on duty if that use would interfere with the performance of safety-related duties.**

The restrictions in 49 CFR §220 and Union Pacific Rules 2.21 and 74.3 regarding electronic device use apply to Contractor Personnel. The rules do not affect the use of railroad radios under FRA regulations.

Contractor Personnel authorized to use work-related electronic devices are prohibited from using such devices when:

- In a red zone or work location where safety sensitive duties are being performed.  
Red Zone is defined as: Anytime an employee is working within an area where there is the potential to be struck by moving equipment, when required to work on under or between equipment, when working with or around machinery or when entering control operator/train dispatcher work stations;
- Operating any equipment;
- Any Contractor Personnel are on the ground fouling the track or on moving or rolling equipment;
- Anyone is assisting in preparation of a train, engine or on-track equipment for movement.
- It is necessary to verbally obtain or release mandatory directives when radio communication is available;
- Fueling a vehicle;
- Standing or walking on a roadway.

Unless required to be powered on for purposes of timely, automated updating or transmission of information, work-related electronic devices must be powered off with any earpiece removed from the ear, and stowed when not in use.

Operators of over the road trucks, passenger vehicles and repair type vehicles are permitted to use cell phones only when a hands free device is used along with voice activated or speed dialing or when parked in designated parking areas. The use of a cell phone for anything other than voice communication is prohibited while operating a motor vehicle.

Use of electronic devices is permitted only in break areas, office areas or in parked passenger or over the road type vehicles in designated parking areas. Gate lanes are not designated parking areas for this purpose.

## 2.7 Fire Prevention:

**No open fires are permitted on railroad property or in connection with any railroad project or activity. Fire prevention is accomplished by:**

- Maintaining good housekeeping;
- Not allowing the accumulation of combustible materials and debris;
- Ensuring that fire doors, windows, stairways, fire escapes, passageways, and roadways are in good condition, not blocked, and free from obstruction;
- Maintaining access to firefighting equipment;
- Ensuring that catalytic converters, exhaust systems, and exhaust gases do not come in contact with dry grass, weeds, or flammable material.

Immediately correct and/or inform a supervisor of a potential fire hazard.

## 2.8 Smoking:

**Smoking, including the use of electronic smoking devices, is prohibited at the following locations and activities:**

1. All Union Pacific property, whether owned or leased, including mechanical facilities, along the right-of-way, in office buildings, and all service unit facilities and yards;
2. In or near building entrances and contiguous sidewalks;
3. In locomotive cabs, cabooses, bunk cars, company vehicles, and similar equipment;
4. In meetings held at off-site locations.

## 2.9 Weapons:

Union Pacific employees and all other **individuals on Company property or involved in Union Pacific business off Company property are prohibited from possessing or hiding weapons in facilities, equipment, or vehicles used in operations while on such property, or on their persons, which includes but is not limited to grips, suitcases, gym bags and purses. This prohibition applies even if the individual is licensed to carry a concealed handgun under state law.** Only Union Pacific Police and on-duty law enforcement officers acting in an official capacity are authorized to possess weapons on Company property.

A "**weapon**" shall mean any device, instrument, material or substance (animate or inanimate) that is used to threaten, or is capable of causing, death or bodily injury. This prohibition includes but is not limited to firearms, knives with a blade longer than three inches, tasers, stun guns and pepper sprays. Union Pacific Police are authorized to make the final determination of whether a particular item constitutes a weapon under this policy.

## 2.10 Drugs and Alcohol:

**Contractor Personnel must not have any prohibited substances in their bodily fluids when reporting for duty, while on duty or while on Union Pacific property.**

The use or possession of, alcoholic beverages while on duty or on Union Pacific property is prohibited. The use or possession of intoxicants, over-the-counter or prescription drugs, narcotics,

controlled substances, or medication that may adversely affect safe performance is prohibited while on duty or on Union Pacific property.

Prohibited drugs include "controlled substances" on Schedule I through V of the Federal Controlled Substances Act, as revised. Controlled substances are listed in 21 CFR Part 1308. The controlled substances list includes illegal drugs (Schedule I) and those that are distributed only by medical practitioner's prescription or other authorization (Schedules II through IV, and some drugs on Schedule V), and certain preparations for which distribution is through documented over-the-counter sales (Schedule V only).

Pre-employment and random testing is required when 49 CFR 219 and 49 CFR 382 applies and contractors will be in compliance with part CFR Part 40 regulations accordingly. Proof of this testing is required through periodic audits and/or reports.

All contractors are required to comply with 49 CFR 219 and 382 pre-employment, suspicion, post accident, and random testing as it applies to duties performed by contract employees on Union Pacific property. Drug and alcohol testing will be in compliance with 49 CFR part 40 regulations. Proof of testing will be required through periodic audits and/or reports as required by regulation.

### **2.11 Reporting:**

All cases of personal injury, while on duty or on company property, must be **immediately reported** to the proper manager and the prescribed form completed. All cases of occupational illness must be **immediately reported** to the proper manager and the prescribed form completed. Because railroads are required by federal regulations to report injuries and occupational illnesses that meet certain medical treatment criteria, Contractor Personnel must report to their manager any medical treatment they receive that was directly related to their injury or illness, including any follow-up visits.

**Contractor Personnel must immediately contact the Union Pacific Railroad Response Management Communications Center (RMCC) at 1-888-UPRR COP (877-7267) or local law enforcement authorities** to remove trespassers, etc. on company property. All environmental hazards caused by or observed by the contractor should be reported to **RMCC** and the local Union Pacific manager responsible for the facility as soon as practical. This does not relieve the Contractor of any obligations to properly report injuries in accordance with any laws or regulations (e.g., OSHA requirements).

## **SECTION 3: VEHICLE OPERATIONS**

### **3.1 Seat Belts:**

**All vehicle occupants must use seat belts, where provided. This includes:**

- Company vehicles;
- Privately-owned vehicles used on company business;
- Leased, rented or contract vehicles;
- Hi-rail vehicles on and off the rail;
- Operating material handling or utility type vehicles, if so equipped (i.e. forklifts, mobile cranes, mules, utility trucks, etc).
- Engineering work equipment as outlined in the "Engineering Seat Belt Matrix"

The driver must not move a vehicle until assured all passengers are seated and have their seat belts fastened in proper restraining position.

**Exception:** Seat belt use is not required if vehicle is not exceeding 5 mph and vehicle is used during the task of inspecting cars, coupling air hoses or changing brake shoes.

### **3.2 Driver Responsibilities:**

**Drivers are required to:**

- Know and observe all local, state, and federal laws and regulations governing vehicle operation;
- Use courtesy, consideration, and common sense to prevent accidents and control situations encountered that cannot be provided for in the law;
- Obey posted speed limits and the following maximum speed for all Company vehicles regardless of posted speed:
  - 75 MPH for vehicles weighing less than 10,000 lbs.
  - 65 MPH for vehicles weighing 10,000 lbs or greater.
- Not exceed a safe and prudent speed for their vehicle when weather, traffic, road condition, vehicle load or any other prevailing condition necessitates operating at a lower speed.
- Ensure that required emergency equipment and tools are in the vehicle.
- Maintain good housekeeping;
- Ensure loose items are not kept on the dash or rear window shelf;
- Ensure tools, equipment, material and freight are properly secured;
- Ensure Gross Vehicle Weight Rating (GVWR) of vehicle is not exceeded;
- Ensure headlights or running lights are on while vehicle is moving.

**Drivers must not drive when suffering fatigue, lack of sleep, illness, or any other physical condition which may affect alertness and ability to operate the vehicle safely.**

### **3.3 Operating Yard Vehicles:**

**Only qualified, authorized drivers are permitted to operate yard vehicles. Compliance with other vehicle rules including speed and inspection also apply to operating all vehicles. Reckless or careless driving is prohibited. Operators of vehicles must not:**

- Make adjustments or disable any speed limiting devices;
- Park the vehicle foul of any railroad track;
- Park vehicle to foul a portion of a roadway unless proper warning to approaching traffic is provided;
- Cut through empty parking stalls;
- Pull through parking stalls;
- Cross over yellow crane safety distance lines;
- Drive under or park under overhead cranes;
- Enter a protected work area;
- Pass any vehicle on the right side of the roadway.

### **3.4 Back-Up Moves:**

**Work must be planned to minimize back-up moves and to avoid driving into areas requiring back-up moves.** No back-up move is allowed when a forward move can safely be made. Employee(s) in the cab of a vehicle must not distract the driver with unnecessary conversation or other distractions until the back-up move is completed, except in case of emergency. Unless vehicle is equipped with an operative rear vision camera, before initiating a back-up move driver must:

- Walk to the rear of the vehicle to confirm that it is safe to move unless a second person is directing the move in accordance with Union Pacific safety rule requirements.
- Look in the direction of movement.
- Sound horn prior to back up move if back up alarm is inoperative or unavailable.
- Not exceed 5 MPH; conditions may require a lower speed.

### **3.5 Crossings:**

**Drivers must approach railroad crossings prepared to stop.** Before crossing track(s) where visibility is impaired by railroad equipment or other obstruction that prevents a clear view of approaching trains, the driver of the vehicle must:

- Stop the vehicle and verify (by either a flagman or personal observation) there will be no movement on the track(s) being crossed, or
- Use an alternate crossing.

**Vehicles designed to transport 16 or more passengers including the driver or placarded vehicles must stop at all highway railroad crossings at grade.**

**Drivers must stop before proceeding over any crossing within a yard.** This includes crossings where no stop sign is posted. Only one stop is required for multiple crossings.

## **SECTION 4: TRACK AND PROPERTY SAFETY**

### **4.0 On Track and Off Track Work Equipment**

**It is the responsibility of the Contractor-In-Charge to ensure that all on track and/or off track work equipment is in a safe condition to operate.** There must be a written inspection process regarding daily, weekly and other periodic inspections for work equipment operated on Union Pacific property, including inspections mandated by FRA, AAR, OSHA and/or other government agencies. In addition to the inspection process there must be a written maintenance process that includes timelines regarding resolution of safety sensitive defects. If, in the opinion of the Railroad Representative, any of the Contractors equipment is unsafe for use, the Contractor shall remove such equipment from the railroads property. The Contractor-In-Charge must ensure that there is a written training and qualification process for operators and support personnel regarding operation of such equipment. Written documentation of training and qualification must be carried by Contractor employees.

**In addition:**

- The operators of all work equipment must be properly trained and competent in the safe operation of the equipment. Operators must be:
  - ✓ Familiar and comply with OSHA regulations on lockout/tagout of work equipment.
  - ✓ Familiar and comply with FRA Regulation Title 49CFR214 Subpart D dealing with Roadway Maintenance Machine Safety.
  - ✓ Trained in and comply with the applicable operating rules if operating any hy-rail equipment on-track.
  - ✓ Trained in and comply with the applicable air brake rules if operating any equipment that moves rail cars or any other rail-bound equipment.
  - ✓ Comply with the FRA's Roadway Worker Protection regulations as required by 49 CFR 214.343
- The operator's manual, which includes instructions for safe operation, must be kept with each machine.
- All self-propelled equipment is equipped with fire extinguisher and audible back-up warning device.
- **Unless otherwise authorized by the Railroad Representative, all unattended equipment is parked a minimum of 25 feet from any track and minimum of 250 feet from any road crossing.** Before leaving any equipment unattended, the operator must stop the engine and properly secure the equipment against movement.
- Cranes are equipped with three orange cones that will be used to mark the working area of the boom and load and the minimum clearances to overhead power lines. All overhead lines are considered to be high voltage.
  - All moves are well communicated by the Contractor-In-Charge and coordinated with other Contractor Employees and the Railroad Representative at the job site. Emergency signals to stop movements may be given by anyone.
  - No equipment is moved or coupled into while under any color signal protection of workmen.
  - No handbrakes are released on rolling equipment unless authorized by Railroad Representative.
  - No derails are applied or removed without Railroad Representative permission.
  - The Contractor shall provide its own Hazardous Energy Control (Lock-out/Tag-out) procedures and devices to prevent injury to Railroad and Contractor Employees from unexpected energization, start-up, or release of stored power in machines with which they are working.

- The Contractor shall comply with all requirements of the U.S. Occupational Safety and Health Administration (OSHA) Standard 29 CFR 1910.147 on controlling hazardous energy

#### 4.1 Working Around Live Tracks (*Red Zones*)

**Prior to beginning work on live track the Contractor-In-Charge must notify a Railroad representative and a job briefing must be conducted with the Railroad representative.** Contractors are governed by FRA Roadway Worker Protection regulations, referenced in 49CFR214, Subpart C, which requires some form of On-Track Safety prior to fouling any track.

**Red Zones** are defined as “Anytime an employee is working within an area where there is the potential to be struck by moving equipment, when required to work on under or between equipment, when working with or around machinery or when entering control operator/train dispatcher work stations”. The following two rules are key to Red Zone compliance.

##### 1. Alert to Train Movement

Contractor Employees must expect the movement of trains, engines, cars or other moveable equipment at any time, on any track and in either direction. Do not rely on hearing the approach of a train or equipment.

##### 2. Sufficient Distance

Maintain a safe distance from equipment and **DO NOT**:

- Cross or step foul of tracks closely in front of or behind moving equipment or close to the end of equipment.
- Go around the end of equipment unless there is at least 20 feet between the employee and the equipment.
- Go between equipment if the separation is less than 100 feet

Use three-point contact when getting on and off locomotives and cars.

In locomotive and car repair facilities where equipment has been spotted for repair, and the distance between that equipment or around the end of equipment is less than specified, Contractor Employees may go between or around the equipment provided that the equipment is under Blue Signal Protection of Workmen in accordance with GCOR Rule 5.13 and the employee knows that no movement will be made by the equipment.

These are two of many *Red Zone* rules that deal with moving equipment. Any questions that arise related to working in the *Red Zone* should be directed to the Railroad Representative.

## SECTION 5: CRITICAL RULES

“**Critical rules**” are applicable to Union Pacific employees and Contractor Personnel. Noncompliance with these rules could potentially result in serious or life-threatening consequences

for Contractor Personnel performing safety sensitive work or the public or could compromise safe railroad operations. These rules include repeated or deliberate failure to comply with instructions.

Each department or work area must comply with the specific regulatory, rules and policy requirements associated with the work performed. It is the Contractor's responsibility to ensure all Contractor Personnel are trained regarding the rules, policies and regulations applicable to their work prior to performing their duties. Rules, policies and regulations are updated periodically, and it is the responsibility of the Contractor to be in compliance with the most recent versions of those requirements.

## **SECTION 6: TRAINING AND COMPLIANCE WITH 49 C.F.R. §243**

All Contractor Personnel must be trained in accordance with all regulatory and Union Pacific safety requirements prior to performing work. The Contractor is responsible for ensuring all Contractor Personnel have in their possession any required identification, certifications and licenses necessary when performing work for Union Pacific.

Contractors who employ Personnel who perform safety-related railroad work as defined in **49 C.F. R. §243** for Union Pacific must ensure that any person they employ is trained and qualified to comply with any relevant Federal railroad safety laws, regulations, and orders, as well as any relevant railroad rules and procedures promulgated to implement those Federal railroad safety laws, regulations, and orders. Part 243 contains the general minimum training and qualification requirements for each category and subcategory of safety-related railroad work. **Contractors must certify their compliance with the contents of 49 C.F.R. §243, including those aspects of training that are specific to the Union Pacific's rules and procedures.**

## **SECTION 7: INFORMATION SECURITY & COMPANY PROPERTY**

All physical property and business information the Company acquires and produces, in any form, constitutes a corporate asset. The ownership, usage, dissemination, storage, or formulation of information, as well as all physical and computer systems used to process, transmit, or store data, belong to the Company. It is the responsibility of every user to guard against unauthorized use or disclosure of Company assets. Anyone working for or on behalf of a Union Pacific may not divert to his or her personal benefit any invention, know-how, technology or computer program developed or learned of in the course of his or her employment.

Each person who is issued a User ID is responsible for the confidentiality of the password, and for any action performed with that User ID. Once a User ID is assigned, it shall identify the same person on all systems. A User ID and password is the individual's computer security credentials. A User ID and password are an individual's authorization for secure access and to track the identity of the user when accessing UP computer systems. Loaning out use of security credentials or sharing passwords with others is strictly prohibited. Each individual is personally accountable for all activity that is associated with an assigned computer security credentials.

## SECTION 8: AUDIT

Contractors are responsible for audit, oversight and any periodic testing required by regulation or Union Pacific. Contractors are subject to safety audits by Union Pacific management and supervisors at any time.



I have the courage to care. Worn with a lion's pride, it means those I work with will have my back, and I will have theirs. I pledge to shield myself and my team from harm. I will take action to keep them safe, by fixing an unsafe situation, addressing an unsafe behavior or stopping the line. In turn, I will have the courage to accept the same actions from my coworkers, who care enough to correct my path. We wear this badge out of respect for each other and those who have gone before us. On my watch, we will all go home safe to our families every day.