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NATIONAL TRANSPORTATION ACT

RAILWAY ACT

Railway Employee Qualification Standards Regulations

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REGULATIONS RESPECTING THE MINIMUM QUALIFICATION

STANDARDS FOR LOCOMOTIVE ENGINEERS, TRANSFER

HOSTLERS, CONDUCTORS AND YARD FOREMEN

Short Title

1. These Regulations may be cited as the Railway Employee Qualification Standards Regulations.

Interpretation

2. In these Regulations,

"candidate" means an employee who is required to undergo examination and on-job training in accordance with these Regulations in order to be qualified for an occupational category, but does not include an employee who undergoes re-examination; (candidat)

"certificate" means a document issued by a railway company pursuant to subsection 13(2) and identifying the employee to whom it has been issued and the occupational category for which the employee is qualified; (certificat)

"classroom training instructor" means a person qualified under these Regulations to give classroom instruction; (moniteur de formation théorique)

"Commission" means the Canadian Transport Commission; (Commission)

"Committee" means the Railway Transport Committee of the Commission; (Comité)

"examiner" means an employee or officer of a railway company who is qualified under these Regulations to examine employees; (examineur)

"occupational category" means the occupational category of locomotive engineer, transfer hostler, conductor or yard foreman; (catégorie d'emploi)

"on-job training" means instruction provided to an employee by a railway company in the work environment appropriate to the employee's occupational category; (formation en cours d'emploi)

"on-job training instructor" means an employee or officer of a railway company who is qualified under these Regulations to instruct employees; (moniteur de formation en cours d'emploi)

"required subject", in respect of an occupational category, means a subject required by subsection 14(1) in order to qualify for the category; (sujet requis)

"transfer hostler" means an employee who is assigned to move motive power units over yard tracks and main tracks between the locations where the units are maintained and repaired and the locations where the units are put into or removed from train or yard services. (mécanicien de manoeuvre)

Application

3. (1) Subject to subsection (2), these Regulations apply to all railway companies operating in Canada under the jurisdiction of the Commission.

(2) The requirements of these Regulations, except in so far as they involve the subject of Regulations No. O-8, Uniform Code of Operating Rules, do not apply in respect of a railroad crew that originates from a home terminal in the United States and enters Canada to reach a terminal or turnaround point that is within 24 km (15 miles) of the boundary between Canada and the United States.

General

4. A railway company shall provide employee training necessary for the purposes of these Regulations.

5. (1) No railway company shall permit any employee to work as a locomotive engineer, transfer hostler, conductor, or yard foreman unless the employee

(a) has qualified for that occupational category in accordance with section 14; and

(b) in the case of a locomotive engineer or transfer hostler, has received a passing mark for on-job training in that occupational category.

(2) Subsection (1) comes into force on July 1, 1990.

6. A railway company shall provide to its locomotive engineer candidates and transfer hostler candidates sufficient on-job training in respect of the required subjects to enable them to demonstrate to instructors and examiners that they are competent to perform their required duties.

7. No examiner shall issue a passing mark for on-job training to a locomotive engineer candidate or transfer hostler candidate unless the examiner

(a) is satisfied that the candidate is competent to perform his required duties by

(i) obtaining an evaluation of the candidate's competency from the locomotive engineer or transfer hostler with whom the candidate has made student on-job training trips, and

(ii) assessing the candidate's competency in actual locomotive or train operation, or both, depending on the requirements of the occupational category for which the candidate is being examined; and

(b) has completed, signed and placed on the candidate's personnel file a document indicating that the candidate has

passed the on-job training.

8. An examiner shall determine the overall mark for a candidate based on written or oral classroom examinations, or both, dealing with the required subjects.

9. An employee undergoing on-job training in order to qualify as a locomotive engineer or transfer hostler may perform the duties of the occupational category for which he is a candidate under the direction of an on-job training instructor for the duration of the employee's training period.

10. (1) A railway company shall, at intervals of not more than three years, have each employee in an occupational category re-examined on the required subjects.

(2) The overall pass mark for re-examination is 80 per cent.

11. An employee who is transferred from one occupational category to another shall

(a) have qualified in accordance with section 14 for the occupational category to which he is transferred; and

(b) in the case of a transfer to the occupational category of locomotive engineer or transfer hostler, have received within the preceding three years a passing mark for on-job training in the required subjects for the occupational category to which he is transferred.

12. (1) Within 90 days after the coming into force of these Regulations, a railway company shall file with the Committee two copies of each type of classroom examination and two copies of a detailed description of each method of assessing on-job competence used by the company.

(2) A railway company shall notify the Committee of a change to a type of classroom examination format or method of assessing on-job competence within 90 days after implementing the change.

13. (1) During the period of employment of each employee examined in accordance with these Regulations, a railway company shall maintain an examination record for the employee.

(2) A railway company shall issue a certificate in the form of a wallet-sized card to each employee who has qualified for the employee's occupational category.

(3) An employee who receives a certificate shall carry it on his person while on duty and shall produce the certificate when requested to do so by an officer of the railway company that employs him or by an officer of the Commission.

Qualification Standards for Candidates

14. (1) The subjects required for a person to qualify for an occupational category are the subjects listed in those items of the schedule marked with an "X" under the heading that corresponds to the occupational category, excluding those subjects or portions of subjects dealing with equipment that is not used by the railway company that employs the person.

(2) No railway company shall qualify a person for an occupational category unless the person obtains an overall mark of at least 80 per cent in the required subjects.

Qualification Standards for On-Job Training Instructors

15. No railway company shall qualify a person as an on-job training instructor for the occupational category of locomotive engineer unless the person

(a) meets the qualification requirements for a locomotive engineer with an overall mark of at least 90 per cent; and

(b) completes not less than two years service as a locomotive engineer, including at least three months service in the area where the locomotive engineer is to give the on-job training.

16. No railway company shall qualify a person as an on-job training instructor for the occupational category of transfer hostler unless the person

(a) meets the qualification requirements for a transfer hostler with an overall mark of at least 90 per cent; and

(b) completes not less than one year of service as a transfer hostler, including at least three months service in the area where the transfer hostler is to give the on-job training.

Qualification Standards for Classroom Training Instructors

17. No railway company shall qualify as a classroom training instructor for a required subject a person who has not obtained a mark of at least 90 per cent in a written examination on that subject.

Qualification Standards for Examiners

18. An employee or officer of a railway company who is an on-job training instructor or a classroom training instructor is qualified to act as an examiner on the subjects on which the employee or officer is qualified to give instruction.

Training Programs and Consultation

19. (1) A railway company shall establish employee training programs for each occupational category.

(2) A railway company shall establish and modify its employee training programs in consultation with the trade unions representing its employees in the occupational categories.

(3) Within 90 days after the coming into force of these Regulations, a railway company shall file with the Committee a description of all employee training programs relating to each occupational category.

(4) Within 90 days after any change is made to an employee training program required by subsection (1), a railway company shall file with the Committee a description of the change.

Reporting

20. (1) For each calendar year a railway company shall submit to the Committee, not later than March 31 of the following year, a comprehensive report on its employee training programs.

(2) A report referred to in subsection (1) shall specify

(a) the total number of employees in each occupational category;

(b) the total number of employees who received training in each occupational category;

(c) the number of employees who received training and met the training requirements for each category and the number who failed to meet the training requirements; and

(d) any new or improved techniques or devices adopted in the company's employee training programs.

SCHEDULE

(Section 14)

Occupational Category

Locomotive	Transfer		Yard	
Item	Subject	Engineer	Hostler	Conductor
Foreman				

1.	Regulations No. O-8, Uniform Code of Operating Rules	x	x	x	x
2.	Railway Radio Regulations	x	x	x	x
3.	Dangerous Commodities	x		x	x
4.	Train Marshalling	x		x	x
5.	Air Brake Systems and Tests	x		x	x
6.	Locomotive Operation	x	x		
7.	Train Handling	x			
8.	Freight Car and Train Inspection	x		x	x
9.	Passenger Evacuation Procedures			x	

Established by

SOR/87-150 16 March, 1987 pursuant to section 46 of the National Transportation Act and section 227 of the Railway Act.

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