



# **VIA Rail Canada Contractors Safety Guidelines**

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Where:

Name	Initial	Position
Paul Boisvenue	PB	Director Infrastructure, Train Operations
Steve Tselios, Eng.	ST	Senior Director, Capital Programs
Aaron Branston, Eng.	AB	Senior Manager, Infrastructure Program
Derek Tardif, Eng.	DT	Infrastructure Engineer
Pascal Renaud	PR	Legal Counsel

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## ***Introduction***

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All VIA Rail Canada Inc. (“**VIA**”) Contractors shall undertake to read and understand the safety rules contained in this policy and comply with them while on duty or on VIA property. If in doubt as to the meaning of a rule, they shall request clarification from their immediate supervisor or other authority as designated by VIA.

Safety is a core value in the performance of duty. If there is any doubt as to how a task is to be performed, the safe course must be taken. Where no rule, work procedure, or guideline for a specific situation is stated, good judgment shall be used to ensure the safety of all concerned.

There are some basic principles that Contractors must understand and apply to ensure your safety and the safety of others, as well as to protect VIA’s operations:

- Plan ahead
- Organize your work
- Look where you are going
- Take the weather into consideration
- Take into consideration structures, power lines, cables, bridges, ditches etc.
- Use common sense and good judgment
- Be sure of your footing
- Expect the unexpected
- Have a clear understanding of the work to be done and how it is to be done
- Discuss the task to be performed with team members
- Always take the safe approach
- Consider the consequences of your actions
- Be prepared for emergencies

Contractors must take all reasonable and necessary precautions to protect their safety and health as well as that of other employees and any person(s) likely to be affected by their acts or omissions. At all time, they should refrain from discussing railroad business and train movements with the general public, friends and family. This information must be shared only with individuals or groups who need to know for VIA’s railroad operation.

VIA reserves its right to modify its guidelines at any time subject to a reasonable prior notice.

## **Definitions**

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### **Claims**

Include all claims, costs, charges, losses, liabilities, damages, demands, legal actions, attorney fees and expenses of whatever nature, source and kind in any manner, including environmental damages.

### **Close Clearances**

Space in which two or more objects, usually one stationary and one moving or both moving, pass within hazardous distance of each other with the potential of being struck.

### **Contractors**

Include individually and collectively any contractor, its directors, officers, shareholders, employees, mandataries, agents, servants, representatives, subcontractors, consultants and those for whom Contractor is in law responsible.

### **Foreman**

Employee in charge of the protection of track work and track units.

### **Personal Protective Equipment (PPE)**

Gears and/or equipment to protect Contractors and visitors on the ROW.

### **Proper Authority**

The rail traffic controller or the appropriate railway supervisor.

### **Rail Traffic Controller (RTC)**

Employee in charge of the supervision and direction of rail traffic and for the provision of protection for track work and track unit operation on a specified territory.

### **Right Of Way (ROW)**

All property belonging to VIA adjacent to the track, the roadbed or to a VIA yard or building.

### **Schedule**

Information pertaining to the operating times of a train.

### **Station**

Location identified by a station name sign and designated by that name in the time table.

## **Definitions (...)**

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### **Switch**

Device used to route equipment or a track unit from one track to another.

### **Subdivision**

Railway trackage designated by time table.

### **Track Occupancy Permit (TOP)**

Authority issued for the protection of track units and track work is required before fouling the track for any reason.

### **Track Unit (TU)**

Vehicle or machine capable of on-track operation utilized for track inspection, track work and other railway activities when on a track.

### **Track Work**

Any work on or near the track that may render the track unsafe for movements at normal speed or where protection against movements may be required for employees and machines involved in track construction and repairs.

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## **1.0 General Notice and Policy**

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### **1.1 SAFE WORK PROCEDURES**

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- 1.1.1** The safety guidelines contained herein shall govern all Contractors of VIA on VIA trackage and all other trackage operated over by VIA personnel. These rules take effect as soon as Contractors are on VIA property or involved in any type of projects.
- 1.1.2** These safe work procedures have been developed to minimize the risk of injury or mishap during specific operational activities. These safe work procedures must be used in conjunction with Operation Rules and all other pertinent guidelines, standards, local procedures, etc.
- 1.1.3** It is critical that these procedures be **understood and applied** by all Contractors.
- 1.1.4** Contractors will ensure that all their employees are properly trained. Contractors, when working on VIA property, will be required to comply with the applicable safety policies, standards and procedures. Further to this, Contractors shall ensure that all new personnel working within the ROW are aware of these policies understand them and comply with them.
- 1.1.5** When working on VIA ROW, maintain a distance of at least 25 feet (8 meters) to any track unless VIA or its representatives is present to authorize movements. VIA or its representatives will determine and provide the type of On-Track Safety that is required for the work being performed.
- 1.1.6** The applicable safety policies, standards and procedures shall not be considered as a substitute for applicable government regulations. These guidelines are the minimum requirement and must be exceeded where the hazard or government regulation warrant.

## ***General Notice and Policy (...)***

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### **1.2 COMPLIANCE WITH GOVERNMENT REGULATIONS**

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- 1.2.1** The guidelines are not a limitation but are in addition to all provisions of any laws, regulations, rules and orders of any nature whatsoever. Notably, Contractors shall comply with all provisions of any and all laws, regulations, rules and orders of any authority having jurisdiction respecting the operations, maintenance, condition, inspection and safety of railway track, roadbed and right of way, notably the Transport Canada *Railway Safety Management Systems Regulations*.
- 1.2.2** Contractors shall therefore follow all applicable federal, provincial and municipal acts, regulations, laws and codes, including but not limited to those related to the licensing of workers, occupational health and safety, transportation or handling of dangerous substances, inspection and certification of equipment. As VIA is a Crown Corporation, Contractors are advised that work undertaken on VIA ROW may be governed by Federal regulation.
- 1.2.3** Contractors shall grant reasonable access to VIA for the purposes of inspection and audits of the compliance with VIA requirements.
- 1.2.4** In all cases, the minimum VIA requirements must be met.

### **1.3 GENERAL RULES AND CONDUCT**

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- 1.3.1** When reporting for duty, be fit, rested and familiar with their tasks and the territory over which they operate; and while on duty, not engage in non-railway activities which may in any way distract their attention from the full performance of their duties.
- 1.3.2** Repairs to damaged signals or any other signal apparatus must not be made by other than qualified employees. Signals that have been knocked over must not be re-erected by other than an authorized employee. If it is known or suspected that a signal bungalow, signal structure or any other signal apparatus has been damaged, such fact must be reported to the RTC immediately.

## ***General Rules and Conduct (...)***

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- 1.3.3** Weather conditions can dramatically change the working environment. Conditions such as heavy accumulations of rain, snow and ice could present a hazard to people or equipment. Conditions such as fog, heavy rain, heavy snowfall, strong winds, etc. can greatly reduce hearing and visibility. Working procedures should be adjusted to compensate.
- 1.3.4** It is essential for their safety that Contractors while working give their undivided attention to the performance of their duties.
- 1.3.5** Contractors must provide every possible assistance to ensure every rule, special instruction and general operating instruction is complied with and shall report promptly to the proper authority any violations thereof.
- 1.3.6** Communicate by the quickest available means to the proper authority any condition which may affect the safe operation of a movement and be alert to the company's interest and join forces to protect it.
- 1.3.7** Whether Contractors work in the VIA ROW, out along the railroad track, or in a shop or an office, security awareness means contributing to a safe work environment by being aware of your surroundings at all times. In other words staying alert for people, events or circumstances that could pose a security threat to VIA. Particular attention should be paid to: bridges; maintenance center; fuel storage facilities; stations; dispatching centers; communication & signal systems and computer centers.
- 1.3.8** Obtain assistance promptly when it is required to control a harmful or dangerous condition.
- 1.3.9** Be conversant with and governed by every safety rule and instruction of the company pertaining to their occupation.
- 1.3.10** Seek clarification from the Proper Authority if in doubt as to the meaning of any rule or instruction.
- 1.3.11** Conduct themselves in a courteous and orderly manner.
- 1.3.12** The following actions are prohibited:
- a) Horseplay, including scuffling and playing jokes;
  - b) Tampering with or disabling any safety device (e.g. Lockout/Tag out, Safety Valve, etc.);

## ***General Rules and Conduct (...)***

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- c) Sleeping, except as provided for in company policies, sleeping or assuming the position of sleeping;
- d) Reading books, magazines or newspapers other than company authorized manuals required to perform assigned duties is prohibited. Printed material not connected with the operation of movements or required in the performance of duty, must not be openly displayed or left in the operating cab of equipment or track unit or at any work place location utilized;
- e) Using personal entertainment devices is prohibited. (e.g. portable music device, cell phone, IPAD, IPOD, IPHONE, etc.);
- f) Engaging in any activity which is not directly associated with your duties;
- g) Smoking in any VIA interior workplace or motor vehicle;
- h) Being under the influence of intoxicants, alcoholic beverages or narcotics while on duty;
- i) Taking any medication or drug which may cause drowsiness or any condition that may affect your ability to work safely.

## **2.0 Threatening or Hostile Behavior**

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### **2.1 GENERAL**

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- 2.1.1** VIA will not tolerate any threatening or hostile behavior and will take immediate and appropriate action against offenders, up to and including termination of employment and criminal complaint. VIA will take all reasonable measures to protect its employees from acts of violence in the workplace. Contractors must not engage in any assaults, hostile physical contact or intimidation, fighting, verbal threats of physical harm or violence, or any other actions that are threatening, hostile or abusive in nature while on VIA property or on VIA business. Also, it is forbidden to damage, destroy or otherwise harm the property of VIA, its employees, its business partners or the public. Contractors must not use any tool, supply, firearms or other resource in a manner that implies it is a weapon.

## ***Threatening or Hostile Behavior (...)***

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- 2.1.2 Contractors must immediately report to VIA management, or its representative, any actual or potentially threatening or hostile behavior that could cause a risk to your own or others' safety or lives.

## ***3.0 Harassment and Discrimination***

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VIA is committed to providing a harassment-free work environment. Harassing behavior demeans others, threatens productivity, can adversely affect the reputation of VIA and may violate the law.

### **3.1 HARASSMENT**

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Contractors must not engage in any behavior that ridicules, belittles, intimidates, threatens or otherwise demeans co-workers or others associated with VIA including its customers, suppliers, employment applicants, other business partners or members of the public. VIA will not tolerate harassment by any of the parties mentioned above against a VIA employee. Harassment can include making racist, sexist, or ethnic comments, jokes or gestures or hazing. VIA prohibits all harassment or discrimination based on any grounds protected by the *Canadian Human Rights Act* including: sex, age, race, national or ethnic origin, color, sexual orientation, religion, disability, marital status, family status or conviction for which a pardon was granted.

### **3.2 SEXUAL HARASSMENT**

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Contractors must not engage in unwelcome sexual conduct or make sexual overtures to co-workers; or others associated with VIA including customers, suppliers, employment applicants, other business partners or members of the public.

This includes but is not limited to any behavior that:

- Offends, shocks or humiliates someone, or undermines their dignity;
- Can be interpreted by someone as being a condition of their employment or as having a potential influence on any decision regarding their working conditions or chances of promotion;
- Can be interpreted by someone as having or being likely to have negative effects on their performance.

## **4.0 Job Briefings**

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### **4.1 CONDUCTING JOB BRIEFINGS**

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- 4.1.1** It is mandatory before starting work that Contractors must ensure they are aware of conditions that will affect safety, work limits, procedures to clear trains, particularities of the work location, safety procedures etc. Contractors are responsible for their, as well as the groups safety, while on duty or on VIA property.

### **4.2 PURPOSE**

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- 4.2.1** To ensure all Contractors on VIA property communicate critical information pertaining to safe train operations, prior to, and throughout their tour of duty.

### **4.3 STEPS TO JOB BRIEFING**

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- 4.3.1** Plan Briefing
- Review work assignment, materials and resources.
- 4.3.2** Job Basics
- Discuss sequence of basic job steps that are relevant to the work that your group will be involved in;
  - Point out potential hazards and discuss how to protect against them;
  - Ensure emergency equipment is available (first aid kit etc.);
  - Be aware of weather conditions actual and forecast;
  - Potential for slip/trip/falls;
  - Train, vehicular and pedestrian traffic;
  - Tools, equipment and materials to be used;
  - Make sure that tools, equipment and materials are in good working order;
  - Verify if you have the required tools (E.G. Brass hammers, thermometer, track gauge etc.);
  - Identify who is cardio-pulmonary resuscitation qualified;
  - Identify who is first aid qualified;
  - Locate where the first aid kits are;

## ***Job Briefings (...)***

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- Where are the fire extinguishers located;
- Review emergency procedures;
- Ensure that we competently can provide direction to our location in case of emergency ;
- Emergency meeting location for Police and Ambulance;
- Name and contact number of person holding Work Authority;
- Limits of the Work authority;
- Clearing for train procedures;
- Clearing time for track equipment;
- RTC Emergency number;
- Location of nearest hospital;
- Emergency telephone numbers – Police, Fire, Ambulance;
- PPE requirements;
- Switch manipulation – who, when and process.

### **4.4 WORK ASSIGNMENT**

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- 4.4.1 Contractors must review their responsibilities and confirm understanding of instructions.

### **4.5 FOLLOW UP**

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- 4.5.1 Additional job briefings must be held as work conditions change.

### **4.6 ADDITIONAL BRIEFING**

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- 4.6.1 Additional briefing for specific tasks by subgroups should include the protecting Foreman when practical. In all cases the protecting foreman should be advised if this may influence the safe work procedures, or if the change affects the original work plan and procedures.

## **5.0 Responsibilities for Safety, First Aid and PPE**

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### **5.1 CONTRACTORS AND EMPLOYEES RESPONSIBILITY**

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**5.1.1** Contractors shall ensure the following is provided for their personnel, as required in accordance with applicable government regulations:

- Adequate first-aid supplies and equipment;
- Qualified personnel to render first-aid treatment;
- All required PPE in a good condition and be properly fitted.

### **5.2 EVERYONE'S RESPONSIBILITY**

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It is everyone's responsibility (Contractors, visitors, etc.), to adhere to and enforce the following:

**5.2.1** Report fit for duty, alert and able to perform safely. It is the responsibility of Contractors to know and understand the possible effects of any medication or drug prescribed or chosen;

**5.2.2** Immediately take appropriate action to prevent an injury or accident when a hazardous or dangerous condition is discovered;

**5.2.3** Follow rules, safe work procedures, standards, etc;

**5.2.4** Wear all required PPE, *Canadian Standards Association* ("**CSA**") standard Z94.1 approved hard hats, CSA standard Z195 approved safety boots, reflective vests, CSA standard Z94.3 approved safety glasses with side shields, work gloves, respirators, hearing protection etc. Inspect PPE before use to ensure that they are in good condition. Never work with defective PPE or tool. (minimum requirements when on ROW are hard hat, safety boots, reflective vest and safety glasses);

**5.2.5** Ensure all tools and power tools and equipment to be employed are in proper working condition, and do not present a safety hazard. Inspect all tools and equipment to ensure that they are in good working order;

**5.2.6** Immediately report all accidents, injuries or damage as well as near misses to the Proper Authority, Safety Management System requires we follow trends to correct deficiencies;

## ***Responsibilities for Safety, First Aid and PPE (...)***

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- 5.2.7 Ensure a high standard of cleanliness in vehicles and in general work area.
- 5.2.8 Identify high risks areas and protect them;
- 5.2.9 If Contractors have a new employee working with them, take the time to brief him/her on what is normal or accepted in your work area, what they may expect on the job site;
- 5.2.10 Suggest improvements on how the work should be done to improve safety.

### **5.3 CONTRACTORS PROTECTION**

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- 5.3.1 Contractors shall ensure the protection of:
  - Themselves;
  - The general public;
  - VIA customers inside and outside of VIA property;
  - Property inside and outside of VIA;
  - The environment.

## **6.0 *Specialized PPE***

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In specific applications, additional or specialized PPE is required when:

- Welding
- Grinding
- Chipping;
- Cutting (e.g., cutting rail or using a chainsaw);
- Handling hazardous materials (see appropriate material safety data sheet);
- Working in confined spaces (e.g., tunnels, tanks, underground vaults);
- Working in hazardous environments containing particulates, gases, vapors and/or oxygen deficient atmospheres, (e.g., painting, welding, asbestos, lead, etc.);
- Working where there is a danger of falling (e.g., ladders, elevated locations);
- Working in or over waterways;

## ***Specialized Personal Protective Equipment (...)***

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- Working with electricity;
- Working near sparks or fire;
- Driving or operating equipment;
- Working in the vicinity of loud noises;
- Exposed to extended periods of sunlight; and
- Doing any work requiring special PPE.

NOTE: See the appropriate policies, standards, practices and guidelines for details on specific applications (more than one may apply).

## ***7.0 Policy to Prevent Workplace Alcohol and Drug Problems***

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### **7.1 POLICY**

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- 7.1.1** VIA has a “**Zero Tolerance Policy**” in regards to alcohol and drug. Contractors and visitors shall remain free from any adverse effects of alcohol or other drugs and conduct themselves in an appropriate manner while on VIA business or premises.
- 7.1.2** Contractors shall ensure that all those having access to the site adhere to the following standards when on VIA business or premises, including vehicles and equipment:
- a) No use, possession, distribution or sale of illegal drugs or drug paraphernalia;
  - b) No use, possession, distribution or sale of beverage alcohol or any form of alcohol;
  - c) Responsible use of prescribed and over-the-counter medications;
  - d) No distribution, offering or sale of prescription medications;
  - e) To report for duty and remain during the entire period of duty free of the negative effects of alcohol and other drugs, including the after effects of such use.

## ***Policy to Prevent Workplace Alcohol and Drug Problems (...)***

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### **7.2 CONSEQUENCES OF VIOLATION**

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- 7.2.1** Failure to meet these standards will be considered a breach of contract. Notably, VIA may, without restriction, initiate the consequences described in Section 34.1 of these guidelines.

### **7.3 POLICY VIOLATION PROCEDURES**

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- 7.3.1** Where VIA or its representatives has reasonable grounds to believe any individual in the employ of Contractors is on duty in an unsafe condition or otherwise in violation of the Policy, or where during the preliminary phase of any investigation such an individual has been identified as being directly involved in the chain of acts or omissions leading up to an accident or incident;

- 7.3.2** Those procedures must be followed:

- a) VIA or its representatives will escort the individual to a safe place. The employee under the suspicion of being under the influence or in the possession of drugs or alcohol will be removed from the job site;
- b) VIA or its representatives will notify Contractors;
- c) Contractors will investigate the situation;
- d) Contractors must satisfy VIA that there has been no policy breach;
- e) If a policy breach has occurred, the individual will not be allowed to continue providing services to VIA without written permission from a VIA official, and the individual will be required to adhere to any conditions governing his/her return.

## **8.0 Manual Material Handling**

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Help should always be obtained for handling heavy or unwieldy objects. When an object is being lifted or handled in any way, by one or more people, these rules should be followed:

Note: Use only approved lifting devices that are properly rated for the load to be moved that have been inspected and maintained as per applicable standards.

### **8.1 HANDLING OBJECTS**

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**8.1.1** When two or more people handle an object:

- a) Place persons according to size, strength and experience;
- b) Designate one person and place him/her at the most advantageous point to give command for lifting, walking, placing or lowering;
- c) The person designated to give commands should fully inform those assisting of what need to be done and what the words of command will be. The commands should be given loudly and distinctly;
- d) Persons other than the one designated to give commands should not give commands or talk unnecessarily;
- e) Lift or make a move only on command.

**8.1.2** When handling objects to or from platforms, piles, pallets, trucks, mechanized equipment, vehicles, trailers or elsewhere:

- a) Observe the conditions and take the necessary precautions to prevent the objects from getting out of control;
- b) Do not throw any objects.

**8.1.3** When handling luggage:

- a) Keep it clear of aisle, hallway or passageway between cars;
- b) Place it securely to prevent it from being dislodged;
- c) Secure with nets or bungee cords;
- d) Avoid stacking items of luggage on top of each other in the luggage rack.

### **8.2 LIFTING TECHNIQUES**

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- 8.2.1** The following general tips must be taken into consideration when lifting an object alone or with others:
- a) Move cautiously and carefully;
  - b) Take the necessary precautions to prevent slipping or tripping. Remove slipping or tripping hazards whenever possible;
  - c) Know the “walking conditions” and the locations of other objects. If it is necessary to walk backward, walk slowly and avoid hazards;
  - d) Lift only within the limits of everyone’s physical capabilities;
  - e) Grip the object firmly at the most suitable points, avoiding sharp edges or slivers. Use gloves whenever necessary and practicable;
  - f) If there is a feeling that a handhold is being “lost” or tongs are losing their contact or grip, the other people should be told what is happening and the object gradually lowered;
  - g) If the object gets out of control, warn the others and immediately move clear until it comes to rest.

### **8.3 LIFTING AND LOWERING TECHNIQUE**

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#### **LIFTING A LOAD**

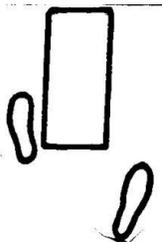
##### **STEP 1**

- Check conditions for movement and good footing;
- Use mechanical aids or get help if too heavy or awkward.



##### **STEP 2**

- Place feet shoulder width apart;
- Place one foot beside load, the other behind.



##### **STEP 3**

- Do not stoop;
- Keep back straight, but not vertical;
- Tuck in chin.

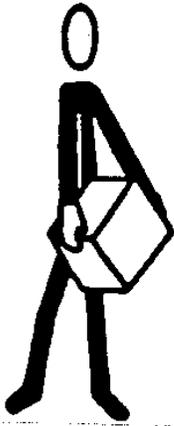
## Manual Material Handling (...)

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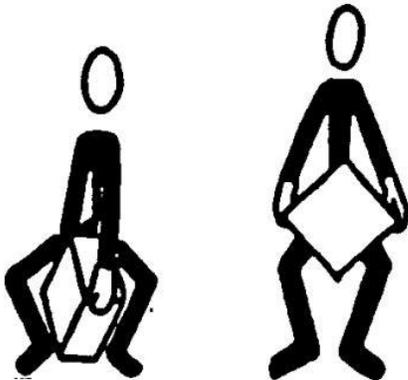
### STEP 4

- Ensure grip is comfortable and secure;
- Make sure back is straight.



### STEP 5

- Use body weight to start lifting the load and then lift by pushing up with the legs.

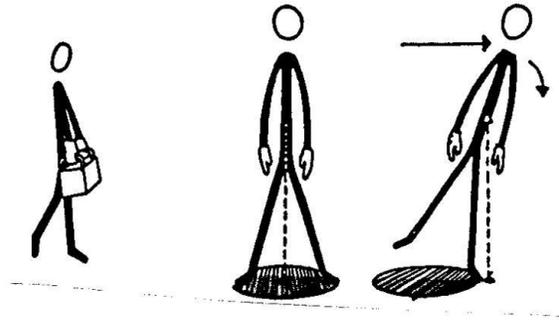


## ***Manual Material Handling (...)***

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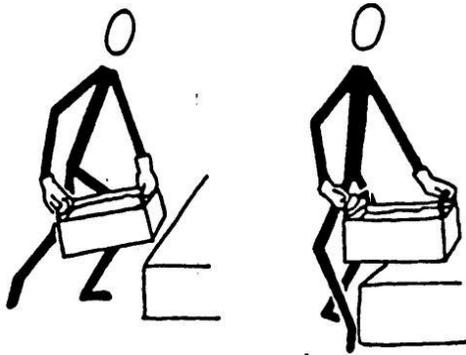
### **STEP 6**

- Keep arms and elbows close to the body when lifting;
- Keep load as near as possible to the body's centre of gravity.



### **LOWERING A LOAD**

- Bend the knees keeping back straight;
- To deposit load on a shelf or table, place it on the edge and push it into position.

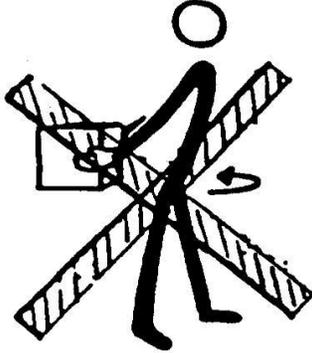


## **Manual Material Handling (...)**

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### **CAUTION**

- Do not twist the body;
- To change direction shift the foot position and turn the whole body.



## **8.4 MOVING MATERIAL**

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- 8.4.1** Make sure aisle ways, your area and walkways are free of obstructions before proceeding.
- 8.4.2** Observe the location of obstructions and persons nearby, especially when making a turn.
- 8.4.3** Do not follow closely behind material being moved or carried by someone else.
- 8.4.4** Keep the material or object being moved, whether by hand or on rollers, dollies, or wheels, under control at all times so that its movement can be stopped short of any person or obstruction.
- 8.4.5** Do not throw or drop material. It may rebound or otherwise cause an injury.
- 8.4.6** Assign someone to a strategic point to warn and protect others when you are moving long or heavy objects.

## ***Manual Material Handling (...)***

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### **8.5 STACKING MATERIAL**

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- 8.5.1** Keep your hands, fingers, arms and other parts of your body away from pinch points.
- 8.5.2** Place the material on a suitable and substantial foundation and secure it if necessary.
- 8.5.3** Place the material in a safe and orderly manner and avoid making a high or narrow pile.
- 8.5.4** Securely block any material that is likely to shift or fall.
- 8.5.5** Stack material, boxes, or supplies to a height of not more than 6 feet 6 inches and in keeping with the strength/size ratio and the weight of objects being stacked.
- 8.5.6** Always place heavier cans, containers or crockery at the bottom of a pile.

### **8.6 HAND TRUCKS**

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- 8.6.1** Do not overload the hand trucks.
- 8.6.2** Securely load all equipment. If necessary, use rope or another device to prevent the equipment from shifting or falling.
- 8.6.3** Always pull a hand truck; do not push it.
- 8.6.4** Keep your hand truck balanced and controlled by having a firm handhold on each handle.
- 8.6.5** Place all items a safe distance from a track, edge of a platform, roadway, doorway or walkway.

## **9.0 Working On or Near Tracks / Working On Equipment, TU or Rolling Stock**

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### **9.1 GENERAL**

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***Always look in both directions before coming out onto the track especially when you walk out from between cars or any location where vegetation or structures may limit your visibility.***

- 9.1.1** Contractors and others working on tracks shall ensure that they have the required protection in accordance with applicable operating rules and any other pertinent rules, regulations or instructions. Additionally they should have a copy of “*VIA Rail Canada Contractors Safety Guidelines*” available for reference.
- 9.1.2** Walk clear of tracks when duties permit. Contractors and others who must walk on or near the track must be constantly alert and use good judgment.

***Expect the movement of a train, engine, car or TU at any time, on any track, and in either direction.***

- 9.1.3** If Contractors must cross the tracks, look in both directions for approaching trains or rolling stock. This precaution should be taken while approaching and crossing tracks. Walk straight across when safe to do so and not less than 25 feet (8 meters) from standing equipment that is not under Contractors control.
- 9.1.4** Walking, sitting or stepping on rails, frogs, switches, guard rails or other track-related devices is strictly prohibited.
- 9.1.5** Do not leave unattended off-track equipment, foul of track, or in a position that will allow it to move foul of any track. When possible move it to the minimum clearance of 25 feet (8 meters) from the center of any other track.

## ***Working On or Near Tracks / Working On Equipment, TU or Rolling Stock (...)***

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- 9.1.6 When clearing on-track equipment, ensure that it is not foul of another live track, or in a position that will allow it to move foul of another active track. When possible, move it far enough to ensure a minimum clearance of 13 feet 6 inches (4.2 meters) from the center of adjacent tracks.
- 9.1.7 Secure unused equipment with padlocks or other devices as to restrict unauthorized operation or movement.
- 9.1.8 All work executed by Contractors shall not interfere with the continued, safe movement of rail traffic. Any ***OBJECT WAVED VIOLENTLY*** by anyone on or near the tracks ***IS A SIGNAL FOR TRAINS TO STOP***.
- 9.1.9 The Contractor shall be liable for all costs, direct or indirect, incurred by VIA as a result of damage, disruption or inconvenience to VIA's operation, property or infrastructure, caused by the Contractor's operations.
- 9.1.10 Ensure headlights, strobes lights, warning beacon and back-up alarm are turned on when working or traveling on rail with a track unit.
- 9.1.11 Seat belt use is required when operating machines so equipped and when driving or riding in vehicles. This requirement is optional when on the rail but its use is recommended.
- 9.1.12 All On-Track Equipment must be insulated so as to not affect the signal system.
- 9.1.13 All vehicles, trucks, backhoes are to give the ROW to trains and must be prepared and able to stop at all railroad at-grade crossings and shall stop when necessary.
- 9.1.14 All Contractor's vehicles must be prepared to stop at all crossings.
- 9.1.15 Machine operators must be qualified on the equipment they are operating and must also be Canadian Rail Operation Rules (C.R.O.R.) qualified.

***Ensure that all equipment and all safety devices are in a good working order.***

## ***Working On or Near Tracks / Working On Equipment, TU or Rolling Stock (...)***

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### **9.2 WORKING ON OR ABOUT EQUIPMENT AND TU**

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- 9.2.1** Keep a safe distance from any passing train or rolling stock to avoid protruding or falling objects and leaking substances.
- 9.2.2** Crossing over, under or between rolling stock is ***PROHIBITED*** except as required in the performance of duty and only when proper protection is provided. When required to do so, use only the stirrup, side ladder, end ladder, handholds and crossover platform where provided.

***Never step on the coupler head, draft gear, or between the coupler horn and striker casting.***

- 9.2.3** Leaning against rail equipment or rolling stock is prohibited.
- 9.2.4** Contractors must not ride on locomotives, cars, or other moving equipment unless their duties require it, or they are authorized to do so. They must not ride on top or side of equipment when on any main shop, diesel shop, or car shop track whether or not the overhead or side clearance is restricted. This restriction includes the steps and footboards of locomotives and applies on all shop tracks both inside and outside of building facilities.
- 9.2.5** Exercise caution when entraining or detraining any railcar, locomotive, equipment or TU, whether moving or stationary. Contractors must face the equipment and ensure that good hand grip is maintained, and that feet are firmly planted when entraining, riding or detraining.
- 9.2.6** When entraining or detraining from moving equipment, ensure that the speed of the equipment is stopped, or moving slow enough to allow you to get on or off safely.
- 9.2.7** While riding inside or outside a locomotive, other rolling stock, TU or other equipment ensure that you are prepared for sudden starts, stops or slack action.

## ***Working On or Near Tracks / Working On Equipment, TU or Rolling Stock (...)***

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- 9.2.8** When riding equipment, ensure that you maintain a firm grip and always have at ***LEAST THREE POINTS*** of contact.
  - 9.2.9** Entraining or detraining locomotives, railcars and other equipment by other than designated steps, ladders, or handholds is prohibited. Use the leading side ladders of railcars, rear steps of cabooses and front steps of locomotives on engineer's side whenever possible.
  - 9.2.10** Do not ride in, between, or on railcars where there is a hazard of being trapped between lading and body of railcar. Never ride between two pieces of rolling stock with a foot or hand on each.
  - 9.2.11** Do not ride on work equipment, maintenance of-way, intermodal or any other type of equipment/crane that is not designed or equipped with seating for passengers.
- 9.3 WORKING ON EQUIPMENT (LOCOMOTIVES, ROLLING STOCK, TRACK EQUIPMENT AND MACHINERY)**
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- 9.3.1** Before beginning work, on or about a train or rolling stock, track machines/equipment, Contractors must ensure they are properly protected in accordance with operating methods as well as all safe work procedures. Make certain that the unit being worked on, and its components, that could cause injury are immobilized.
- 9.3.2** Ensure that all body parts and limbs are kept clear of any exposed rotating or moving equipment.
- 9.3.3** Before starting, operating or moving any equipment, ensure that all unsecured tools, equipment and obstructions have been removed and that ***ALL EMPLOYEES ARE IN THE CLEAR.***
- 9.3.4** Where required, ensure equipment is secured by handbrakes, wheel chocks or other approved means.

## **10.0 Clothing, Hair and Jewelry**

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### **10.1 GENERAL**

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Contractors must wear clothing appropriate for the weather and the duties they perform. Consider cold, heat, rain, snow and sun exposure. The following minimum requirements apply:

- 10.1.1** Pants or trousers shall be ankle length. Flared, loose or torn cuffs shall be tied or secured to prevent catching in machinery or on equipment;
- 10.1.2** Shirts shall cover the torso and have at least 1/4 length sleeves. Loose or torn sleeves shall be tied or secured in a safe manner;
- 10.1.3** Keep long hair secured by a hairnet or appropriate headgear at all time;
- 10.1.4** Facial hair shall be of a style not posing a hazard and allowing full use of PPE;
- 10.1.5** Neckwear, wristwatches or jewelry shall not be worn in any circumstances where there is a danger of catching in machinery or on equipment;
- 10.1.6** Clothing having rips or tears that create a safety hazard shall be replaced or repaired;
- 10.1.7** Gloves and clothing which are contaminated with any hazardous substance (e.g., fuels, solvents, herbicides, etc.) shall be cleaned or replaced before reuse;
- 10.1.8** Finger nails must be kept at an acceptable length to prevent interference when performing duties or causing potential injury.

## **11.0 *Confined Spaces Entry***

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### **11.1 GENERAL**

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- 11.1.1** A confined space is defined as a work area that is not designed or intended for continuous occupancy by personnel. A few examples are sanitary or storm sewers, fuel tanks, underground utility vaults, pits and utility tunnels.
- 11.1.2** All work areas shall be large enough and so configured that a Contractor can bodily enter and perform assigned work.
- 11.1.3** All work areas should have unlimited or unrestricted means of entry or exit.
- 11.1.4** Only trained and qualified individuals may enter a confined space or participate in a confined space entry task (see Confined Space Standard as prescribed in your locality). This training needs to be documented in Contractors documentation.

## **12.0 *Fall Protection***

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### **12.1 GENERAL**

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- 12.1.1** When working on elevated surfaces greater than 8 feet (2.4 meters), fall protection equipment must be used. Personnel must be trained and qualified. Refer to Fall Protection Standards, further to this standards that specifically address activities such as construction of maintenance of towers for communication, bridges and others must be complied with at all times.

## **13.0 Access to VIA Property**

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### **13.1 GUIDELINES**

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- 13.1.1** Before coming on VIA property, Contractors must ensure that they are in compliance with all rules and policies. Contractors must read, sign and deliver to VIA and its representatives the release of liability and access to property form.
- 13.1.2** At VIA's request, Contractors shall provide and cause all persons assigned to VIA's property to provide personal data for security clearance purposes. Such security clearance may include finger printing.
- 13.1.3** Advise VIA or its representatives a minimum of 48 hours prior to commencing work or coming onto property.
- 13.1.4** Once on property, Contractors must keep gates closed and refrain from bringing unauthorized people on the ROW.

## **14.0 Trespassers**

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- 14.1.1** If a trespasser is observed, it is important to immediately ask the individual to leave and escort him/her off VIA property.
- 14.1.2** People who appear to be lost or confused; they may actually be lost, or they may be trying to find their way around your office building or work area for criminal purposes. Contractors need to determine whether they are there by accident or on purpose, and take appropriate action.
- 14.1.3** Report all suspicious activity to: VIA or its representatives or to **VIA Operations Control Center: 1-800-361-6265**. If the trespasser is unwilling to leave, observe the individual until a police officer or supervisor arrives.

## **15.0 Firearms and Explosives**

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### **15.1 FIREARMS**

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- 15.1.1** Firearms (loaded or empty) are not permitted on VIA property, except for police officers and other designated persons performing authorized work and when authorized to do so. In all cases, a written authorization from VIA Management is required and the person should have in his/her possession all pertinent government permits. Consequently, Contractors must not carry weapons on VIA property.

### **15.2 EXPLOSIVES**

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- 15.2.1** When Contractor's duties require them to handle explosives of any kind, they shall be familiar with and follow all pertinent regulations.
- 15.2.2** Fuses and explosives shall be used only for their intended purpose.
- 15.2.3** Fuses and explosives shall be handled and used only by authorized Contractors which have received a written authorization from VIA management.
- 15.2.4** When fuses or explosives are used, then the responsible person shall ensure that any and all other persons within the vicinity of the blast area are warned and ensure that they are all at a safe distance from the intended blast area.
- 15.2.5** Fuses and explosives shall be stored in approved containers until required for use.
- 15.2.6** Approved containers shall be used for transportation of fuses and explosives.
- 15.2.7** Fuses and explosives which have been water damaged or show evidence of having been contaminated by any other substance shall be returned to Supply Management for handling.
- 15.2.8** Under no circumstance shall fuses and explosives be disposed of by burning them, or left in garbage containers, or abandoned. They must never be left in a location where they may be obtained by unauthorized personnel or members of the general public.

## **16.0 Fires and Fire Prevention**

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### **16.1 CONTRACTORS RESPONSIBILITIES**

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- 16.1.1** Familiarize themselves with evacuation procedures and location of fire alarms, fire extinguishers and emergency exits at their work location, as well as the means of contacting the local fire authority.
- 16.1.2** Ensure that fire exits, extinguishers and other emergency equipment are not blocked, locked or otherwise rendered inaccessible.
- 16.1.3** Report to the supervisor any fire extinguisher or fire suppression equipment that has been discharged, not inspected, or otherwise used, to ensure it is serviced and returned to service.
- 16.1.4** Fires on or near the ROW must be immediately reported to the RTC along with the exact location and approximate size of the fire.
- 16.1.5** Notify the local fire authorities or emergency organization and attempt to stop rail traffic if the fire poses any danger to safe operation.
- 16.1.6** Upon discovery of fire, sound alarm, notify local fire authorities and inform the immediate supervisor. Attempt to control or extinguish the fire to the extent conditions safely permit.
- 16.1.7** Grass or weeds may not be burned on the ROW without proper authorization. Any required federal, provincial or local permits must be obtained before burning begins. All applicable fire regulations shall apply.
- 16.1.8** There shall be no smoking, use of open flames or ignition sources where flammable materials are stored or handled.
- 16.1.9** All flammable liquids or substances are to be placed in approved containers and Workplace Hazardous Materials Information System (WHMIS) labels applied. Ensure the availability of Material Safety Data Sheets where applicable.
- 16.1.10** Flammable liquids/substances **shall not be** disposed of in sewer systems, drains or garbage containers used for general disposal.
- 16.1.11** Flammable liquids/substances shall not be stored in open containers. Ensure proper storage procedures with proper ventilation away from sources of heat or ignition.

## ***Fires and Fire Prevention (...)***

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- 16.1.12** Compressed gas cylinders must be stored in a designated location offering protection from passing vehicles or falling objects. All cylinders shall be secured in a vertical position with empty cylinders separated from full ones. Cylinders shall be stored in accordance with applicable fire codes.
- 16.1.13** Metal contact (ground/bonding cable) must be maintained between containers while transferring flammable liquids.
- 16.1.14** Filling gasoline tanks inside buildings or other enclosed spaces or while an internal combustion engine is running is prohibited.
- 16.1.15** Fire fighting equipment must be maintained in operating condition and must be readily accessible at all times. If fire extinguishers are discharged for any reason, they must be recharged as soon as possible or replaced by fully charged extinguishers.
- 16.1.16** Fire doors must never be locked, blocked or tied open.
- 16.1.17** Open fires are prohibited on VIA property except in situations where specific authorization has been obtained. Open fires are not to be left unattended.

## **16.2 FIRE PREVENTION ON VIA LOCOMOTIVES, TU OR OTHER EQUIPMENT**

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- 16.2.1** In the event of a fire whether at the engine or in the electrical equipment, the following procedure should be followed:
  - Shut down engine immediately;
  - Pull battery switch if practicable;
  - If possible, determine the location of the fire in order to properly direct fire extinguisher at flames;
  - If it appears that the fire cannot be brought under control, immediately notify the proper authorities so that assistance may be obtained as soon as possible;
  - Move adjacent equipment to a remote location (properly secured) to prevent further damage to railway and private property.

## ***17.0 Tools, Power Tools, Machinery and Accessories***

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- 17.1.1 Only qualified personnel may operate tools and machinery.
- 17.1.2 Tools and machinery shall be inspected before use and as often as necessary.
- 17.1.3 Tools shall be properly stored or secured when not in use.
- 17.1.4 Tools must only be used for their specified or intended purpose.
- 17.1.5 Electrical, explosive and pneumatic tools should never be pointed at yourself or another person.
- 17.1.6 All electrical cords and pneumatic hoses shall be protected from possible damage, either through overhead connection or other means of protection.
- 17.1.7 All manufacturer's recommendations and procedures for the safe use and handling of tools are to be reviewed and followed by Contractors using them.
- 17.1.8 All tools or machines with blades, rotating gears, belts or other moving parts shall be equipped with adequate guards. These guards shall only be removed when machine or tool is being serviced by qualified personnel.
- 17.1.9 Required PPE will be used at all times when operating tools, power tools, machinery and accessories.
- 17.1.10 Before on track machinery is moved operators must ensure that all safety locks have been properly engaged and that it can be moved safely.

## ***18.0 Derails Hand Operating***

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### **18.1 PURPOSE**

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- 18.1.1 Derails are installed to protect against unintended movement of equipment. They must be secured in the derailing position whenever the track on which they are installed is not in use. **Only qualified personnel must handle derails.**
- 18.1.2 Even though equipment has been moved / stored on any track equipped with a derail, the derail must be returned in the

derailing position and locked.

## **19.0 Conducting Wayside Train Inspections**

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### **19.1 PURPOSE**

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- 19.1.1** Wayside inspections are conducted to identify equipment problems that may have occurred while a train is en-route. Performing these inspections will also ensure your personal safety.
- 19.1.2** Always observe approximately three to five car lengths behind the approaching train. Be cautious of dragging chains, loose banding, ice, accumulated snow or other hazardous objects that may be protruding from the side of the train.

### **19.2 PROCEDURE**

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***Where it is safe to do so and where other duties permit, take up a safe position on the ground to observe the oncoming train. If two or more employees are present, then observe the train from both sides of the track.***

- 19.2.1** Remain a safe distance away when observing an approaching train, at a roadway crossing location, to avoid potential flying debris from the roadway.
- 19.2.2** Look and smell for smoke and/or glowing hot steel around the journal and brake shoes.
- 19.2.3** Listen for consistently heavy thumping or pounding on the rail from broken, flat or out-of-round wheels.
- 19.2.4** Watch, smell and listen for sticking brakes and sliding or skidding wheels emitting smoke or a smell of burning metal and possibly a hissing sound or high-pitched squeal.
- 19.2.5** Look for swinging doors on trailers or freight cars and open plug doors on box cars.
- 19.2.6** Watch for shifted lading over the side or end of car.

## ***Conducting Wayside Train Inspections (...)***

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- 19.2.7 Look for car bodies sagging, leaning, listing or improperly positioned on the truck.
- 19.2.8 Watch cars with high center of gravity for excessive sway.
- 19.2.9 Look for empty cars with wheels that are violently hunting back and forth for a smooth ride on the rail (truck hunting).
- 19.2.10 Watch out for dragging equipment.
- 19.2.11 Look for anything leaking from placarded dangerous commodity cars.
- 19.2.12 Pay attention to any other safety hazard that would likely cause an accident.

***Should you discover something that requires attention this should be communicated if possible directly to the train crew or to the RTC who will inform the crew.***

## ***20.0 Emergency Train Movement Protection***

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- 20.1.1 Anyone discovering a hazardous condition, which may affect the safe passage of a movement, must by the use of flags, lights, fuses, radio, telephone, or other means, make every possible effort to stop and/or provide necessary instructions to any movement that may be affected.
- 20.1.2 Protection must be provided on main track unless or until otherwise relieved of the requirement.
- 20.1.3 Any object waved violently by anyone on or near the tracks is a signal for trains to stop.
- 20.1.4 The RTC must be notified of any condition which may affect the safe passage of a train. The RTC will issue the appropriate train movement restriction, if applicable for any subsequent train movements. The RTC can be contacted by Radio, or telephone number **1-888-641-2177**.

## **21.0 Public Crossings at Grade With Warning Devices**

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Equipment, non insulated Track Work equipment or TU, must not be allowed to stand so as to cause unnecessary operation of automatic warning devices.

## **22.0 Crew Responsibilities**

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All crew members are responsible for the safe operation of movements and equipment in their charge and for the observance of the rules. Under conditions not provided for by the rules, they must take every precaution for protection

## **23.0 Protection of Track Work and Operation of Track Units**

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**The Foreman in charge of Track Work or train movement protection** must be in possession of the required type of track authority, for the protection of track work and operation of TU and train movements.

## **24.0 TU Speed**

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### **24.1 GENERAL**

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A speed that:

- 24.1.1** Permits a TU to stop within one-half the range of vision of equipment, a TU or any obstacle that is safety hazard; and
- 24.1.2** Permits a TU to stop short of a switch not properly lined for safe passage.
- 24.1.3** TU handling equipment must not exceed the authorized freight speed including temporary speed restrictions whichever is less. The delivery method for temporary speed restrictions will be indicated in special instructions.
  - No more than 25 Miles per hour unless authorized;
  - Unless otherwise authorized, TU must always be operated at track unit speed.

## ***25.0 Track Occupancy Permit (TOP)***

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Authority issued for the protection of track units and track work. Once the work is completed and before a TOP is cancelled the foreman must;

- Ensure that all Contractors or TU for whom the foreman is responsible is clear of the track;
- Ensure that the track within his/her limits is safe for train movements.

## ***26.0 Communication Between Contractors and Foreman***

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A Contractor who has been made aware of the contents of the TOP must remind the Foreman of the contents in sufficient time to ensure compliance.

## ***27.0 Sightlines at Crossings and at Signals***

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Contractors shall not park any vehicle or store any material or equipment in a location as to block sightlines at crossings or to obstruct the view of any signals, crossing warning signs or warning devices at crossings or along the ROW.

## ***28.0 Environmental Requirements***

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- 28.1.1** Contractors shall ensure that they respect all environmental regulations. No spillage or leakage of contaminants will be allowed.
- 28.1.2** Machines and equipment that come onto the VIA ROW must be in good working order and must not pollute the soil or water. Methods of maintenance and repairs must be conducive to maintaining a clean environment.
- 28.1.3** Contractors are responsible to clean up any spills. In the event of minor spills, spill kits must be used to clean up the property and the material must be disposed of in a proper manner. All incidents must be reported to the proper VIA authority or his/her representative as soon as possible.

## ***Environmental Requirements (...)***

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VIA's expectations are that:

- Appropriate action is taken to protect the environment and to respect all laws;
- Wetlands and watersheds are protected;
- Railroad and private property are protected from damage;
- Care is taken to protect overhead and underground utilities from being damaged to avoid causing spills;
- No materials are placed in or along side waterways where they may be washed into such waterways;
- Contractors shall provide VIA with copies of Material Safety Data Sheet for any hazardous chemicals that will be used prior to bringing them into a VIA facility or using them on VIA property.

### ***29.0 Close Clearances & Overhead Clearances when Working with Equipment***

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#### **29.1 CLOSE CLEARANCES AREAS**

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- 29.1.1** Many close clearances areas exist or are created while work is in progress.
- 29.1.2** Be constantly on the look-out for space in which two or more objects, usually one stationary and one moving or both moving, pass within hazardous distance of each other with the potential of being struck. Being caught in between objects is dangerous and could lead to serious injuries or fatalities. Monitor your work site and take actions to identify these areas.

#### **29.2 OVERHEAD**

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- 29.2.1** Be sure to maintain a safe distance from all obstacles and structures when working with lifting devices, cranes, boom trucks etc.
- 29.2.2** Special care must be taken where power lines are located; before starting work, be certain of voltages and clearance required.
- 29.2.3** Use a signalman during crane operation when operating within "one boom length" of an identified hazard. When performing this type of work, special mention should be made in the job briefing.

## **30.0 Excavation Work**

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### **30.1 GENERAL**

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- 30.1.1** Excavation work has the potential of causing damage to the railroad ROW. Care must be taken to avoid cave-ins, damage to underground utilities and to prevent equipment, personnel and material from falling into the work site.
- 30.1.2** Contractors will ensure that a competent person is on site during the excavation work as to comply with all regulations, who will conduct inspections at the beginning of the shift and as needed afterwards.
- 30.1.3** Should any underground pipe or other obstruction be encountered the work will be immediately discontinued until the owner of the utility can be found and appropriate safety measures taken.
- 30.1.4** Extra care must be taken by Contractors as not to undermine the track structure when digging near the track or when sloping in the ROW. Care must also be taken to guaranty that excavated material will not migrate into the track or drainage system. Sloping, benching, shield and support systems must be used when required, and as per the appropriate regulation or law.
- 30.1.5** It is Contractors responsibility to obtain specific approval from VIA before starting the work. When conditions warrant, Contractors shall provide and implement an excavation safety plan.
- 30.1.6** Excavations are not to be left uncovered or unprotected overnight. Excavations on or near adjacent public roads are to be physically protected, with locations highlighted through the use of highway barriers equipped with lights/cones in accordance with applicable government regulations.

## **31.0 Other Types of Contractor Work**

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### **31.1 GENERAL**

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There are several examples of other work that will require Contractors to have a work plan, and to have a flagman on site:

- 31.1.1** Horizontal boring below track structure since a failure could result in track humping or a cave-in.
- 31.1.2** Utilization of cranes for pile driving, telescoping lift trucks or similar equipment where the boom swing or the tipping of equipment could result in fouling the track.
- 31.1.3** Moving heavy equipment or materials across the ROW.
- 31.1.4** Cutting of large trees.
- 31.1.5** Running utility lines, pipelines, ditching on or near the ROW.
- 31.1.6** Blasting where there is a possibility that debris may come into the track or ROW.
- 31.1.7** Roadway paving or roadway repairs in the vicinity of a railway crossing.
- 31.1.8** Surveying on or near the track, and within 25 feet(8 meters).
- 31.1.9** And any work that can be reasonably expected to create a risk to VIA operations.

## **32.0 Cranes, Derricks and Hoists**

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### **32.1 GENERAL**

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- 32.1.1** Operate cranes, derricks, and hoists only if qualified and authorized.
- 32.1.2** Inspect chains, cables, slings, and hooks before each use.
- 32.1.3** Occupy crane only if:
  - You are operating, training, or performing maintenance;
  - Crane is equipped with extra non-operator seat(s).

## ***Cranes, Derricks and Hoists (...)***

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**32.1.4** Do not ride on hook or load of crane, derrick, hoist, or hoisting equipment.

**32.1.5** Ride on idler cars only after operator is informed.

### **32.2 DESIGNATED PERSON AND OPERATOR**

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The designated person and operator must:

**32.2.1** Use chains, slings, and hardware that are certified and tagged;

**32.2.2** Confirm employees are clear of equipment, including load, before beginning operation.

### **32.3 OPERATOR RESPONSIBILITIES**

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**The operator must:**

**32.3.1** Inspect and test components and controls prior to start of every shift and as required during the shift.

**32.3.2** Refer to load chart under all conditions before making any lift. Do not exceed rated capacity for lift devices.

**32.3.3** Move crane only after sounding warning.

**32.3.4** Never move any load until receiving proper signal from one designated person. **EXCEPTION:** Obey the emergency stop signal given by any employee.

**32.3.5** Stop all movement if visual contact is lost with person giving signals.

**32.3.6** Maintain distance from power lines as defined in requirements.

**32.3.7** Never fasten sling or hoist chains with a bolt.

**32.3.8** Confirm the load is resting securely before removing the sling or lifting mechanism.

**32.3.9** Apply brake and secure hook, cable, and boom before leaving equipment unattended.

**32.3.10** Stay at controls when load is suspended.

## ***Cranes, Derricks and Hoists (...)***

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- 32.3.11 Place block or hook directly over load to ensure a vertical lift.
- 32.3.12 Spool cable smoothly on the drum when loads are handled.
- 32.3.13 Never grasp sheave, chain, or cable while hoisting equipment is being operated.
- 32.3.14 When crane is stopped to clear trains, operator must confirm that swing parts are locked and load is lowered to ground.

## ***33.0 Flagging Vehicular Traffic at Roadway Crossings***

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Method as described in RAC Circular 13 must be adhered to when performing work at crossings. See attached document.

## **34.0 Control Measures**

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Non-compliance with these guidelines and the applicable regulations will not be tolerated by VIA.

### **34.1 FAILURE TO COMPLY**

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**IN ADDITION TO ANY RIGHTS, RECOURSES AND REMEDIES WHETHER ARISING FROM CONTRACTS OR FROM ANY APPLICABLE LAW, THE CONSEQUENCES FOR NON COMPLIANCE TO VIA RAIL CANADA CONTRACTORS SAFETY GUIDELINES ARE NOTABLY:**

**- EJECTION FROM VIA PROPERTY; AND/OR**

**- TEMPORARY STOPPAGE OF THE WORK, SUSPENSION OF THE EMPLOYEE AT FAULT, CLOSURE OF THE SITE UNTIL THE SITUATION IS CORRECTED, REMOVAL OF CONTRACTORS FROM THE WORK SITE, OR EVEN TERMINATION OF ANY CONTRACT ENTERED INTO BETWEEN VIA AND CONTRACTORS; AND/OR**

**- VIA MAY, WITHOUT RESTRICTION, WITHHOLD PAYMENTS TO ENSURE CORRECTION OF SAFETY VIOLATIONS; AND/OR**

**- CONTRACTORS SHALL FULLY INDEMNIFY AND SAVE HARMLESS VIA AND ITS REPRESENTATIVES, AND SHALL FURTHERMORE ACT AS WARRANTORS AND TAKE UP VIA AND ITS REPRESENTATIVES DEFENSE TO ANSWER FOR ALL FINANCIAL CONSEQUENCES FOR ALL CLAIMS, INCLUDING THOSE OF THIRD PARTIES, FROM WHATEVER SOURCE, NATURE AND KIND IN ANY MANNER, HOWSOEVER ARISING, INCLUDING INJURY AND DEATH, WITH RESPECT TO THE NON COMPLIANCE TO THESE GUIDELINES.**

**CONTRACTORS SHALL HAVE NO RECOURSE AGAINST VIA WITH REGARDS TO THOSE CONSEQUENCES.**

**NO EXTENSION TO THE CONTRACTUAL WORK COMPLETION DATE WILL BE GRANTED AS A RESULT OF ANY WORK STOPPAGE OR REMOVAL FROM WORK SITE RESULTING FROM A SAFETY VIOLATION.**

## ***Control measures (...)***

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### **34.2 EXECUTION OF SAFETY COMPLIANCE**

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- 34.2.1** Contractors are responsible for ensuring compliance with all safety rules, standards and regulations in effect.
- 34.2.2** “Ensure compliance” or any derivative thereof shall mean: investigating and putting into effect the necessary procedures and mechanisms required to comply with the applicable safety rules, standards and regulations including broadcasting the necessary information to all those having access to the work site, controlling and supervising all activities to ensure compliance and executing corrective measures resulting from non-compliant activities.
- 34.2.3** Governing bodies, such as the Workplace and Safety Insurance Board (WSIB) and Commission de la santé et de la sécurité au travail (CSST), Labour Canada (CLC), Occupational Health Safety (COHS), Transport Canada, etc., may intervene with Contractors work site. A party may intervene on its own or in association with other governing bodies and/or VIA. VIA may also ask governing bodies to intervene as required to ensure compliance under their respective jurisdiction. The intervention by the governing body may be in the form of a request for corrective action(s) or stoppage of the work site.

### **35.0 Acknowledgement of Receipt**

The purpose of this document is to outline minimum VIA safety standards for Contractors and their employees while working on a VIA work site.

The safety guidelines may not address all potential health and safety problems associated with the use of materials, equipment and/or operations detailed or referred to within these guidelines. The Contractor shall be responsible for determining the appropriate measures to ensure the health, safety and physical well-being of workers, in consultation with the appropriate regulatory authorities if necessary, to achieve compliance with applicable laws and regulations prior to the implementation of these safety guidelines.

Contractors are required to familiarize themselves and their employees with this safety program, and ensure the day-to-day application of it. Therefore, every contractor and all their employees must sign this acknowledgement of receipt and submit it to VIA or pass the VIA test on <http://www.contractororientation.com>.

**CONTRACTOR MUST KEEP A COPY OF THIS RECEIPT ON FILE FOR VIA REFERENCE.**

#### **CONTRACTOR'S AND EMPLOYEES ACKNOWLEDGEMENT SHEET**

My signature below indicates that:

I have received the Contractor Safety Guidelines document, which has been reviewed by me, and I understand and will comply with the company policies, procedures and industry standards relating to the health and safety.

Contractor Company name: \_\_\_\_\_

Employees Name	Title	Date	Signature
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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