

**Policy Statement of the Indiana Harbor Belt Railroad Company
Concerning Complete and Accurate Reporting
of Accidents, Incidents, Injuries, and Occupational Illnesses
Without Harassment or Intimidation**

POLICY STATEMENT:¹

The Indiana Harbor Belt Railroad is committed to the complete, timely, and accurate reporting of all accidents, incidents, injuries, and occupational illnesses arising from the operation of the railroad, to full compliance with the letter and spirit of the Federal Railroad Administration's accident reporting regulations. The IHB is committed to the principle, in absolute terms, that harassment or intimidation of any person that is calculated to discourage or prevent such person from receiving proper medical treatment or from reporting such accident, incident, injury, or illness will not be permitted or tolerated and will result in the following disciplinary action against any employee, supervisor, manager, or officer of the railroad committing such harassment or intimidation.

Disciplinary Action, as applicable under IHB's 1985 System Discipline Policy or collective bargaining agreements will be taken, up to and including dismissal against any Officer, Manager, Supervisor or employee of the railroad committing such harassment or intimidation. Please refer to the Policy and Complaint procedure section for information on how to file a complaint.

REPORTING GUIDELINES AND REQUIREMENTS:

Employee Responsibility

On the day of the injury or incident, the Employee is required to immediately, verbally advise their direct supervisor of the occurrence. Employees are then required to complete and file a written Report of Personal Injury, form CT226, with their direct supervisor before the end of the shift or as soon as possible thereafter. If medical care prevents the Employee from immediately completing an Injury Report, the required report must be completed and filed the next business day. These requirements are contained in:

- 1) Rule R of the current *NORAC Book of Operating Rules*
 - a. Special Instructions R-1, R-2, and R-3 of the current *IHB Timetable*.

- 2) The "Employee Responsibilities" section of the applicable departmental Safety Rules and Procedures
 - a. Rules 1000 – 1004 of the current *Conrail Safety Rules and Procedures Transportation* for Yardmasters, Train Dispatchers, Train and Engine Employees, and Switchtender/Operators;
 - b. Rules 4000 – 4004 of the current *IHB Safety Rules Maintenance of Equipment Employees*;
 - c. Rules 2000 – 2004 of the current *IHB Safety Rules Stations and Other Clerical Employees*; and

¹ 49CFR Section 225.33(a)(1)

- d. Rule 60.5 of the current *IHB Safety Rules and Procedures Engineering* for Maintenance of Way, Signal and Communications employees.

If emergency medical treatment or transportation to a medical facility is required, such care or treatment is to take precedence over written report completion. Timely reporting of accidents, injuries and unsafe conditions by the injured employee is important and necessary for the safety of coworkers and fellow employees.

Employees who observe any unsafe conditions are to report those conditions immediately to their supervisor. Each employee is empowered to take immediate action to correct an un-safe condition, if they have the means to safely do so. They may follow-up the initial report by making a telephonic report to the “Safety Hotline” at Gibson extension 4965, (219-989-4965.)

Any request by an employee to “withdraw” or “rescind” a personal injury/incident report must be made in writing, dated and signed by the injured employee. Such requests will be handled at a level higher than the immediate supervisor. The original of such requests along with the original incident report must be forwarded to the Chief Reporting Officer at 2721 161st Street, Hammond, IN 46323, with a copy kept by the receiving supervisor.

Supervisor Responsibility

If a Supervisor receives a verbal report of injury, the reporting party should be directed to complete the necessary reporting forms (form CT226.)

Upon receipt of an employee’s injury report, the supervisor must determine whether or not emergency medical treatment is required, then the supervisor or his designee is expected to promptly file the information in the reporting system for notification of company personnel. The processing of the initial injury report should occur on the day of receipt or the next possible business day. Completion of Supervisor reports is expected promptly, i.e., within the next business day, but no later than three business days after the reporting of the incident.

Posting Requirement

As required by the Federal Railroad Administration’s Railroad Accident Reporting Final Rule, effective January 1, 1997, all reportable injuries and occupational illnesses are posted within 30 days after expiration of the month during which the injuries and illnesses occurred on bulletin boards throughout the company.

This posting will remain continuously displayed for the next 12 months. This listing will contain, at a minimum the following information:

- Name and address of the establishment
- Calendar year of the cases being displayed
- Incident number used to report the case
- Date of the injury or illness
- Regular job title of employee injured or ill

- Description of the injury or condition
- Number of days employee was absent from work at the time of posting
- Number of days of work restriction at the time of posting
- Date of death
- Annual average number of railroad employees reporting to establishment
- Name, title, telephone number with area code of preparer
- Date report was completed
- When there are no reportable injuries or occupational illnesses associated with an establishment for that month, the listing will make reference to this fact.

An injured employee may obtain any record or report filed with the Federal Railroad Administration pertaining to the employee's injury or illness upon his/her written request to the Chief Reporting Officer at 2721 161st Street, Hammond, IN 46323.

An employee, upon written request to the Chief Reporting Officer, 2721 161st Street, Hammond, IN 46323, may have his/her reportable record of injury or illness removed from the posting.

Supervisor(s) should ensure the postings are available on appropriate employee bulletin boards. Please contact him/her if they are not.

COMPLAINT PROCEDURES:²

The Federal Railroad Administration requires disclosure to all railroad employees, supervisors, and management of the railroad's procedures for dealing with complaints of violations of the preceding "Safety Policy:"

Railroad procedures to process a complaint of violation of the Policy:

1. Any alleged violation of the Accident, Incident, Injury, and Occupational Illness Reporting Policy, or related complaints arising from violations of the above procedures should be reported in writing, if possible, and by phone (219) 989-4713 if necessary, to the Chief Reporting Officer, 2721 161st Street, Hammond, IN 46323. IHB will provide "whistle blower" protection to any person making use of this policy.
2. Any complaint will be forwarded to the Safety and Security Department and to the appropriate level within the department (generally this will be the next level manager) where the alleged violation occurred for investigation.
3. Railroad procedures to impose the appropriate prescribed disciplinary actions on each employee, supervisor, manager, or officer of the railroad found to have violated the Policy:
 - a. If the investigation confirms that a violation has occurred, disciplinary action that is deemed appropriate by management, up to and including

² 49CFR Section 225.33(a)(2)

dismissal, may be taken and a record of this action will be entered into the employee's personal record file.

b. Any investigation information or results will be forwarded to the appropriate department head for disciplinary action and corrective action.

4. The complainant will be notified of the results of the investigation within 30 days of the complaint being filed.

DISSEMINATION OF POLICY³

IHB disseminates and communicates this policy, complaint procedures, and posting requirements to all employees, managers and craft employees alike, in the following manner:

- 1) A copy of the Accident, Incident, Injury, and Occupational Illness Reporting Policy and Commitment Without Harassment or Intimidation is filed electronically on the IHB's website and made accessible to all employees. This notice clearly outlines the policy on reporting and harassment/intimidation, complaint procedures, and posting requirements.
- 2) The "Safety Policy" is posted at all major facilities and outlines the railroad's commitment to the health and safety of employees and encourages the reporting of hazards and incidents.

• The preceding Policy Statement and Complaint Procedures have been disseminated to all employees, supervisory personnel, and management.

³ 49CFR Section 225.33(a)(2)