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**Work Rest Rules
Fatigue Management**

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Work Rest Rules

Bombardier Transportation have embedded the Work Rest Rules for Rail Operating Employees, as approved by Transport Canada order TC-O-0-33 and which was effective April 1st 2003 into their crew calling system which has been developed by JADE. The system will flag an operating employee who would be in violation of the rules if a call were given, or an employee who is going to be in violation on the next trip.

As per section 5.1 of the Work rest Rules, maximum duty times, for commuter service is 12 hours. All assigned runs at Bombardier for the GO Train Operations are scheduled for under 10 hours and 30 minutes. The average runs are approximately 8 hours.

Commuter Train Operators (CTO's) will be replaced when it is known that the hours of a trip will be in excess of 12 hours, due to a train delay or for any other reason, whenever possible. There may be times that it would be impossible to relieve a crew i.e. in a major snow storm when relief cannot be physically provided because of road conditions, therefore the crew will remain on duty to ensure that the passengers are either brought to another station where relief can be provided or to a station to have them transfer to another mode of transportation, if so available.

All hours worked by CTO's are tracked to ensure that the work rest rules are not violated and all CTO's will be required to reset their clock by taking 24 hours off duty, after having attained 64 hours in 7 day

The responsibility to track hours of service falls under the Senior/Manager, Train Operations, who will be advised in any case that a crew will exceed the 12 hours maximum. A decision will be made between the CTO, the ROCC and the Manager on the correct course of action.

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Fatigue Management

Although a Fatigue Management Plan for Bombardier Operating Employees in GO Train service is not applicable under the regulations listed below, except in the case of emergencies, Bombardier will review any potential situation with respect to work rest rules and fatigue management with the Union and Management for a clear policy in this regard, particularly in cases of emergency. It should also be noted that all positions are scheduled to work on a five day work week with two consecutive days off. Spare board personnel will also be assigned 2 consecutive days off and therefore are not required to be available on a 24 hr/7 day per week basis.

The requirements of item 6.2.3 of the rules only require a Fatigue Management plan to be in place in the following circumstances:

- a) where continuous on duty hours exceed 12 hours;
- b) where there are more than 64 hours on-duty in a 7 day period and;
- c) emergency situations.

We have through good railway practice's, provided training to all Commuter Train Operators on Lifestyle Management and Crew Resource Management to deal with fatigue management. The training is a standard railway course delivered to most freight railways where there are no fixed schedules and hours of work. This training addressed work rest issues such as cab awareness, proper rest, sleep management, diet, social and family strategies.

In order to ensure that fatigue will not be a problem, we will be providing rooms at the crew facility for those positions on split shifts that are required to be on duty very early in the morning at remote outpost locations.

These rules are pursuant to Section 20 (1) of the Railway safety Act and RAC Circular 14, which will be applied in whole.

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Introduction

This General Fatigue Management Plan is developed for Bombardier operating employees in GO Transit service in accordance with the requirements of the Work/Rest Rules for Rail Operating Employees, Section 6, and incorporates the guidance provided in the RAC Work/Rest Rules Interpretation Document dated June 29, 2005.

Authority for the application of this Plan resides with the office of the General Manager, Operations, Bombardier.

Further development, implementation and modification to this Plan will be accomplished in consultation with the Teamsters Canada Rail Conference Union or their delegates, in recognition of labour and management's joint responsibilities for establishing and maintaining working conditions that foster employee alertness.

The plan sets out the general framework within which Bombardier will address issues relating to employee fatigue in the workplace in the following areas:

- Roles and Responsibilities
- Application
- Employee Work Scheduling Practices
- Education and Training
- Alertness Strategies
- Rest Environment
- Work Environment
- Unusual Operating Conditions
- Specific Fatigue Management Plans
- Emergency Response
- Evaluation of Policies and Procedures

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Roles and Responsibilities

The following parties have important roles and responsibilities in ensuring the success of the Fatigue Management Plan at Bombardier:

Role of Management Leadership:

To lead the development and implementation of the Fatigue Management Plan. To ensure the ongoing focus and support of their organizations and resolve any problem areas in the implementation and sustainability of the process.

Role of the General Chairpersons:

Assist the Fatigue Management Planning process by working closely with Management and Human Resources to facilitate agreements or processes as required, and to provide insight into labour related issues.

Role of Regulatory Affairs:

Coordinate education and training programs, monitor and measure workplace safety, evaluate impact of policies and procedures on the working environment, coordinate risk assessments for operating changes pursuant to Safety Management System Regulations and work with Transport Canada and Union Leaders to provide further input and insight into the Circular's recommended practices and procedures.

Role of Supervisors Train Operations/ Union Representatives:

Support the implementation and sustainability of the Fatigue Management Plan and make recommendations for continuous improvement.

Role of Employees:

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

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Application

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

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

- Commuter Train Operator (Locomotive Engineer, Conductor)

In addition to the foregoing, any person whose preponderance of time is spent in such classification is deemed to be an Operating Employee.

Any other person who performs the duties of an operating employee is deemed to be an operating employee while they are performing such duties. This includes Company Officers.

Where a Company Officer, is deemed to be an operating employee, the on-duty times of the Company Officer, in the immediate preceding 24 hour period shall be taken into account in calculating maximum available on-duty times and mandatory off-duty times under the Work/Rest Rules.

Senior/Manager, Train Operations or Supervisors, will be required to govern their working hours accordingly and will, upon request of a Transport Canada Railway Inspector or Company Officer, provide a written record detailing all on-duty time performed in the 24 hour period immediately prior to the performance of such operating duties.

Employee Work Scheduling Practices

The Company and Union recognize the positive benefits that can be achieved through the introduction of various work/rest scheduling methods, such as work/rest schedules for regular employees, and assigned rest days for spareboards.

Bombardier has also invested in a crew calling scheduling system to support these initiatives and track hours of service.

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The Company and Union will continue to explore such initiatives and implement agreed upon scheduling and calling practices that have a scientific basis for reducing fatigue and allow the Company to viably meet its service objectives.

Education and Training

The Company and Union must strive to be active participants in fatigue management forums covering the transportation sector, through involvement in such groups as the North American Rail Alertness Partnership (NARAP), AAR Work/Rest Committee and the RAC. Through these associations, railway companies, train service suppliers and their unions are able to keep current on scientific findings, research results and best practices in the area of fatigue management.

The Company and Union must recognize that workplace fatigue can be minimized and one's quality of life can be positively impacted by promoting awareness of the physiological and psychological effects of fatigue and the personal counter-measures each individual can take in their daily lives.

Bombardier will make such information available to employees and their spouses through means such as educational workshops, informational aids and links to current information in the scientific community, such as the National Sleep Foundation.

The Employee Assistance Program (EAP) will continue to provide employees access to relevant counseling services, such as sleep and stress related issues.

A review of the Work/Rest Rules will be incorporated into the rules mentoring process.

Alertness Strategies

Bombardier will promote the development and use of fatigue counter-measures that can be utilized to promote alertness, such as:

- the development of increased physical activities to promote continued alertness,
- information on diet and the strategic use of caffeine,
- promoting the awareness that management of off-duty time affects

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alertness during on-duty time,

In accordance with Subsections 6.2.3 (a) & (b) of the Work/Rest Rules of the Work/Rest Rules, employees who work more than one tour of duty in any 24-hour period will be afforded the opportunity to be involved in the decision to accept a subsequent tour of duty through the exercise of the relevant collective agreement rest provisions.

In addition, in accordance with Subsection 6.2.3(c) of the Work/Rest Rules, Operating Employees in commuter service, not taking rest as above, who chose to accept a subsequent tour of duty, will be provided the option to take a break of up to 45 minutes off-duty between consecutive working tours of duty when the combined on-duty time will likely exceed 12 hours.

Such breaks are recommended in order to avoid "off and on" situations which for all practical purposes would have operating employees in road service working 18 hours continuous on-duty time. The break should be such that operating employees are completely relieved of their operating responsibilities, are off the equipment and are at a location which allows for a meal or coffee. In commuter service, this could include taking a break on the train in a quiet area.

Commuter Service

Given the scheduled nature of commuter operations and the reliance of the traveling public on such commuter operations running to their published schedules, it is recognized that the conditions of commuter operations must be differentiated from a freight operation.

Commuter schedules have break times incorporated within their operating schedules in order to maintain overall schedule reliability. Affected operating employees will be apprised of such, when commuter schedules are published at regularly designated intervals. When making the determination as to their fitness to accept a second or subsequent tour of duty for such service, under the provisions of subsection 6.2.3, without taking rest, operating employees will do so with the knowledge that they are accepting the call under the conditions of the assigned schedule.

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Rest Environment

The Company and Union must recognize that a quality rest environment is an important aspect in ensuring proper restorative sleep is obtained and as such, is an effective fatigue counter-measure.

The Company will provide and maintain rest facilities for operating crews through the use of a GO Transit owned facility at 123 Judson, or third-party commercial hostel/motel establishment.

The Company has implemented many improvements in the quality of employee rest facilities, resulting in the following crew hostel standards that pertain directly to fatigue management:

New Construction

Noise Attenuation Requirements:

Sitting and orientation of hostels must be such that railway and other exterior noise have minimum effect on sleeping areas. In particular, sitting next to the following is to be avoided:

- crossings where whistling is required
- businesses and other facilities where ambient noise is significant and constant

Where possible, earth berms or noise attenuation walls, are to be constructed between hostels and sources of major noise.

Location of offices within hostels may be used as a sound buffer. Where offices are provided within hostel facilities, such must not be above or below sleeping areas.

Plumbing and mechanical noise in sleeping areas is to be dampened in accordance with recommendations by NRC Institute for Research in Construction.

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Situation of Hostels:

Hostels should be, where possible, near amenities such as 24-hour restaurants and grocery stores.

Situation of hostels should also, where possible, be located such that transportation and time requirements between the hostel facility and the work locations are kept to a minimum.

Canalert Bedroom Standards:

- solid core wood doors with metal frame
- wall construction to provide sound class transmission (STC) rating of 54 between bedrooms and between bedrooms and corridors
- floor/ceiling sound resistance to STC rating of 55 between floors
- all light switches "noiseless" type
- one operable window with insect screen
- blackout drapes (valence and drape design to prevent light seepage)
- thermally insulated glass
- window assembly not less than requirements of CAN/CSA-A440-M
Windows and air leakage characteristics not greater than 0.02 L/(s ■ m²) at 75 Pa air pressure difference
- carpeting in sleeping area
- closet with no door
- individual heating/cooling control
- all bedrooms non-smoking
- single beds with non-allergenic pillows and acrylic blankets
- telephone equipped with dampened bell if so equipped
- noise masking device

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Crew Facility Staff:

Staff working at crew facility will be educated in the importance of restorative sleep for operating employees to ensure minimum noise levels in and about sleeping quarters.

Existing & Third Party Facilities:

Recognizing the practicalities involved with established and third party facilities, consideration will be given to implementing the foregoing fatigue management strategies to the extent practicable.

The Company will continue to review and address the quality of its rest facilities, with input from employees and its union, to ensure they provide a proper rest environment in accordance with the foregoing standards.

Work Environment

The Company and the Union recognize that work environment factors can have an adverse impact on employee fatigue. The impact of environmental factors on workplace fatigue, such as noise, lighting, temperature, vibration, ergonomic design, etc, will continue to be examined for potential improvements.

Bombardier will continue to look for opportunities to further improve the work environment and explore new technologies that can promote alertness levels in operating employees.

Unusual Operating Conditions

Bombardier will work with its union to identify train operations where unusual operating conditions require the development of specific fatigue management plans, at present Bombardier will address the following scenarios with the measures listed:

- **when continuous on-duty hours exceed 12 hours.** In the event this was to occur, Bombardier will follow the Mandatory Time Off Duty requirements under the Work Rest Rules.
- **when there are more than 64 hours on-duty in a 7 day period.** Operating employees will not be called when they have reached their 64

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hours in a 7 day period. The employee's clock will be required to have 24 hours to reset prior to the employee being available for work.

- **emergency situations.** In the event this was to occur, Bombardier will attempt to relieve the crew as quickly as possible and follow the Mandatory Time Off Duty requirements under the Work Rest Rules.

Specific Fatigue Management Plans

Subsequent to the implementation of the Work/Rest Rules for Rail Operating Employees on April 1, 2003 and its revision implemented on June 29, 2005, conditions requiring the filing of a specific fatigue management plan, or changes thereto, in accordance with Section 6, subsection 6.2.4, of said Rules, will be filed with Transport Canada by the office of the General Manager, Operations, Bombardier, or his designate, after due consultation with the Teamsters Canada Rail Conference Union.

Until such time as Bombardier is able to consult with the TCRC, the following measures will be used to address the following:

- **on the job alertness strategies:** Bombardier will continue to promote and develop fatigue counter-measures that can be utilized to promote alertness, such as:
 - the development of increased physical activities to promote continued alertness
 - information on diet and the strategic use of caffeine,
 - promoting the awareness that management of off-duty time affects alertness during on-duty time

Bombardier will continue researching and developing alertness strategies that will assist our employees in ensuring they are able to perform at their peak.

- **rest environments:** currently a quiet room has been designated at the GO Transit facility, for employees to rest, prior to and between tours of duty. For employees that operate trains from remote locations that are located away

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from the home terminal between tours of duty, hostel rooms are provided for rest purposes.

- **unique deadhead circumstances:** All planned deadheads are done for short distances only; in the event of unforeseen deadheading, employees will be deadheaded in a taxi or train to the appropriate location.

Emergency Response

The Work/Rest rules recognize that there will be times when emergency conditions require employees to be on-duty beyond the maximum duty times. Bombardier recognizes the importance of managing fatigue during emergencies, service disruptions and other unusual operating conditions.

In the event of emergency situations that require employees to remain on-duty in excess of the maximum duty times of 12 hours for a single tour of duty or 18 hours for more than one tour of duty between resets on-duty, Bombardier will ensure that on-duty time is kept to the absolute minimum. When possible and it is evident that a tour of duty will exceed 12 hours then a relief crew will be dispatched to relieve that crew.

In accordance with the Work/Rest Rules for Rail Operating Employees, Section 7, subsection 7.3, and RAC Work/Rest Rules Interpretation Document dated June 29, 2005., Bombardier shall file a report with the office of the Director General - Rail Safety, Transport Canada, as soon as possible, but not later than 48 hours following, any time an operating employee is on-duty in excess of either the 12 hours single tour maximum or 18 hour combined tour maximum under an emergency situation. Such report will note the reason(s) that excess emergency service was required, in accordance with the definition of Emergencies, as provided at Subsection 4, Definitions, of the Work/Rest Rules.

Responsibility for filing such report will be by the Manager, Regulatory Affairs for the General Manager, Operations.

A further process will be established for the review of emergency situations at the local Health & Safety Committee level when deemed warranted, with opportunities for improved handling identified and communicated through the Health & Safety network as a best practice. Procedures will be developed to elevate issues to the General Manager, Operations for review and resolution where appropriate.

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Evaluation of Policies and Procedures

Bombardier believes that it is imperative that its Company policies and procedures do not have a negative impact on employee alertness.

Pursuant to the regulations governing Safety Management Systems, Bombardier will institute a process for evaluating and classifying risks by means of a risk assessment. This process provides for thorough analysis of both new operations and significant changes to existing operations. Bombardier will revise the risk assessment process to include an alertness / fatigue component to evaluate the impact of such changes in the context of workplace fatigue.