Rule-Compliance Program Requirements

Abstract: This standard outlines the basic elements of a rule-compliance program needed to verify adherence to operating rules.

Keywords: compliance checks, efficiency checks, rule audits, rule compliance

Summary: This standard provides minimum rule-compliance requirements for rail transit systems to ensure that their approved operating rules are implemented and followed according to the standard stated within the rule.

Scope and purpose: This standard applies to rail transit systems that operate streetcars and light and heavy rail systems. It does not apply to commuter railroads that operate on the general railroad system regulated by the Federal Railroad Administration (FRA). Operating rules are created to promote safe, efficient, timely and customer-oriented transit operations. Adherence to these operating rules is necessary to achieve these objectives. In order to ensure that the objectives of the rules and procedures are met, rail transit systems must develop and implement formal programs to measure employee compliance and respond appropriately to the results.

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Introduction

This introduction is not part of APTA RT-OP-S-011-10, Rev. 2, "*Rule-Compliance Program Requirements.*"

This standard represents a common viewpoint of those parties concerned with its provisions, namely transit operating/planning agencies, rail transit systems, manufacturers, consultants, engineers and general interest groups. The application of any standards or recommended practices contained herein is voluntary. In some cases, federal and/or state regulations govern portions of a rail transit system's operations. In those cases, the government regulations take precedence over this standard. APTA recognizes that for certain applications, the standards or recommended practices, as implemented by individual rail transit systems, may be either more or less restrictive than those given in this document.

APTA recommends the use of this document by:

- individuals or organizations that operate rail transit systems;
- individuals or organizations that contract with others for the operation of rail transit systems; and
- individuals or organizations that influence how rail transit systems are operated (including but not limited to consultants, designers and contractors).

Note on alternate practices

Individual rail transit systems may modify the practices in this standard to accommodate their specific equipment and mode of operation. APTA recognizes that some rail transit systems may have unique operating environments that make strict compliance with every provision of this standard impossible. As a result, certain rail transit systems may need to implement the standards and practices herein in ways that are more or less restrictive than this document prescribes. A rail transit system may develop alternates to APTA standards so long as the alternates are based on a safe operating history and are described and documented in the system's safety program plan (or another document that is referenced in the system safety program plan).

Documentation of alternate practices shall:

- identify the specific APTA rail transit safety standard requirements that cannot be met;
- state why each of these requirements cannot be met;
- describe the alternate methods used; and
- describe and substantiate how the alternate methods do not compromise safety and provide a level of safety equivalent to the practices in the APTA safety standard (operating histories or hazard analysis findings may be used to substantiate this claim).

It must be noted that rail transit is not directly comparable with railroads. Rail transit systems differ greatly in the types of service, vehicles and technology employed, with some systems operating fully automated trains on exclusive rights-of-way and others operating on streets mixed with traffic. Rail transit demands a unique approach to solving its problems, and the APTA Rail Transit Standards Program was enacted to accomplish this complex task.

Rule-Compliance Program Requirements

1. General requirements

The RTS shall develop a formal program that promotes the comprehension of RTS rules, as well as to measure and enforce employee adherence to established RTS rules, also including but not limited to procedures, operating bulletins, special orders and similar documents. For the purposes of this standard, the term "rules" shall encompass the elements listed above.

The implementation and use of rules are benefitted by periodic review and follow-up. Each RTS shall develop a formal process of observations to evaluate and verify that rules are followed.

The RTS shall enact a rule-compliance program in order to meet, as a minimum, the following objectives:

- Reduce accidents/incidents caused by human error.
- Improve and maintain the employees' attention to their duties.
- Determine the degree of proficiency in rules comprehension.
- Identify areas of improvement for employee rule adherence.
- Increase communication and instruction with employees for proper rule compliance.
- Perform rule-compliance testing in a manner that is unobtrusive and not a distraction to employees while performing their duties and responsibilities.

In the formal policy and program, the RTS shall define the rule-compliance requirements to verify and evaluate that its rules are followed. The rule-compliance program shall include the following elements:

- Program content (2.1)
- Organizational responsibility (2.2)
- Frequency of compliance checks conducted (2.3)
- Method of verification (2.4)
- Evaluation of data and trend analysis (2.5)
- Corrective action (2.6)
- Recordkeeping (2.7)
- Validation/analysis of rule-compliance program effectiveness (2.8)

2. Compliance program framework

2.1 Program content

The RTS shall define which job classifications and job functions will be evaluated.

At a minimum, the RTS shall develop a rule-compliance program that evaluates the performance of operations personnel, including train operators, controllers, supervisors and others in the chain of command as determined by the RTS. Jobs and functions to be considered shall include but not be limited to other workers engaged in safety-sensitive tasks, as deemed by the RTS.

The RTS shall require supervisors, managers and other designated personnel to perform evaluations for the rule-compliance check process per the RTS program requirements.

The RTS shall define a method to identify the rules evaluated as part of its rule-compliance program. At a minimum, the program shall include rules that the RTS has identified as being safety-critical or associated with accidents and incidents on the property and in the industry.

The RTS shall establish a process to evaluate the effectiveness of RTS administration of rule-compliance program requirements.

The RTS shall determine whether compliance check results will be included with any other employee performance evaluation documentation.

2.2 Organizational responsibility

The RTS shall define which part(s) of the organization shall administer the rule-compliance process.

The RTS shall coordinate rail operations rule-compliance check activities conducted among departments.

The RTS shall define the minimum level of qualification required to perform the function of an evaluator.

2.3 Frequency of compliance checks conducted

The RTS shall establish a method to set goals for the number and type of compliance checks performed.

The RTS shall establish minimum requirements for the number of rule-compliance checks that shall be performed on or by different employee types.

The RTS shall establish a method to evaluate the conduct of compliance checks to determine if these goals are being accomplished.

2.4 Method of verification

In determining the method of rule-compliance verification, the RTS shall consider characteristics such as different shifts, various times of the day, days of the week, geographic locations, system features and/or other appropriate practices/conditions. Compliance checks shall be observations of personnel performing their duties. These observations may be performed announced or unannounced.

Compliance checks shall be performed in a methodical, objective manner. The means of collecting data (e.g., paper or electronic forms) shall be standardized, along with specific instructions for conducting the compliance checks.

Observers shall be trained in the rule-compliance program and its methods of collection and proper documentation of the observations.

The RTS shall determine the minimum training and qualifications requirements for individuals performing rule-compliance observations.

The RTS shall establish a process for evaluating discrepancies between compliance-check findings and operational and safety incident data, including both internal and external reviews and audits.

The RTS shall establish a procedure of periodic review of rule-compliance check activities. The review should include, at a minimum:

- number of checks performed;
- type of checks conducted;

- time of checks;
- locations of checks;
- employees checked;
- people conducting the checks; and
- results of the checks.

The RTS shall have a methodology for analyzing the results.

In addition to the verification noted above, the RTS shall establish and implement a process for an internal or external independent (other than the entity designated to conduct compliance checks) review of the compliance-check program.

2.5 Evaluation of data and trend analysis

The RTS shall compile and evaluate the results of the rule-compliance program using trend analysis, hazard analysis, industry practices, and any other evaluation methods and tools as determined by the RTS.

2.6 Corrective action

The RTS shall develop a process for addressing and tracking noncompliance with rules and the associated corrective action(s).

The RTS shall establish quantifiable metrics for assessing compliance and the associated corrective actions to address instances of noncompliance. Corrective actions shall be administered in a timely manner, commensurate with the severity of the noncompliance.

2.7 Recordkeeping

The RTS shall maintain records of compliance observations, data and trend analysis, and corrective actions.

2.8 Validation/analysis of rule-compliance program effectiveness

The RTS shall develop and administer a process for periodically evaluating the effectiveness of the rule-compliance program, to include but not be limited to assessment of trend analysis data and the implementation of corrective actions and their effectiveness.

The RTS shall establish a frequency at which it conducts reviews of the rule-compliance program effectiveness.

3. Rule-compliance checklists

The RTS shall develop position-specific checklists of activities as part of a rule-compliance program for operators, controllers and supervisors.

Position-specific checklists shall include but are not limited to the following categories and as appropriate for each position:

- rules
- train operations
- signals
- communications
- documentation
- customer relations
- roadway worker protection

- pass down/turnover
- compliance checks
- incident management

The RTS shall develop rule-compliance checklists for other personnel as deemed appropriate.

Definitions

compliance check: Observations of an individual's performance by a trained observer.

rail transit system (RTS): The organization that operates rail transit service and related activities. Also known as the transit system, transit agency, operating agency, operating authority, transit authority and other similar terms.

Abbreviations and acronyms

FRA   Federal Railroad Administration
NATSA   North American Transit Services Association
RTS   Rail Transit System

Summary of document changes

- Title of the standard changed from "Rule Compliance" to "Rule-Compliance Program Requirements."
- Document formatted to a new APTA standard.
- Sections have been renumbered and moved.
- Scope and summary moved to the front page.
- Updated working group membership list.
- Made minor changes to spelling, capitalization and grammar.
- Scope and purpose: Added the language, "In order to ensure that the objectives of the rules and procedures are met, rail transit systems must develop and implement formal programs to measure employee compliance and respond appropriately to the results."
- Global changes made to replace the words "should" and "may" to "shall."
- Section 2: The word "definition" in the title changed to "framework."
- Section 2.1: Added the language, "At a minimum, the RTS shall develop a rule-compliance program that evaluates the performance of operations personnel, including train operators, controllers, supervisors and others in the chain of command as determined by the RTS. Jobs and functions to be considered shall include but not be limited to other workers engaged in safety-sensitive tasks, as deemed by the RTS. The RTS shall require supervisors, managers and other designated personnel to perform evaluations for the rule-compliance check process per the RTS program requirements. The RTS shall define a method to identify the rules evaluated as a part of its rule-compliance program. At a minimum, the program shall include rules that the RTS has identified as being safety-critical or associated with accidents and incidents on the property and in the industry."
- Section 2.3: Section title changed from "Evaluation cycle" to "Frequency of compliance checks conducted."
- Section 2.5, "Recordkeeping," renumbered and moved to Section 2.7.
- New Section 2.5, "Evaluation of data and trend analysis."
- Sections 3.0 and 3.1 replace with a new Section 2.8, "Validation/analysis of rule-compliance program effectiveness."
- Section 3.2 changed to Section 3, "Rule-compliance checklists."

Document history

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