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August 14, 2023
(via online at regulations.gov)

Docket Operations Facility
U.S. Department of Transportation
1200 New Jersey Ave. SE, W12-140
Washington, D.C. 20590

RE: Docket Number FRA-2022-0020, Notice 1 RIN 2130–AC92 Certification of Signal Employees Notice of Proposed Rulemaking

Comments of the International Transportation Learning Center

The International Transportation Learning Center (ITLC) is filing comments concerning the above-referenced docket that was printed in the May 31, 2023, Federal Register (Page No. 35632-35691). The ITLC is a national nonprofit organization that is dedicated to improving public transportation at the national level and within communities by building labor-management training partnerships that strengthen organizational performance, expand workforce knowledge, skills and abilities, and promote career advancement. ITLC also operates the [Transit Workforce Center](#) (TWC), FTA's first ever transit workforce development technical assistance center.

ITLC's role that is most relevant to the proposed rule is as convener of the National Signals Maintenance Training Consortium. In 2013, ITLC organized public transportation agencies and unions from across the country to form the National Signals Maintenance Training Consortium in order to create a full set of standardized national courseware to support training and apprenticeship programs for signal maintainers. This group has included a mix of both transit and commuter rail agencies. Since then, over 65 signals maintenance subject matter experts (SMEs) from 26 member agencies and unions have worked with instructional systems designers from ITLC to create over 500 hours of training materials. In 2022, this comprehensive training program was recognized as an FRA 243 Model Training Program.

In its proposed rulemaking, FRA presents regulations for certifying signal employees in accordance with Section 402 of the Rail Safety Improvement Act of 2008. ITLC respectfully requests some edits and clarifications, outlined below. Generally speaking, we are seeking guidance on how ITLC can help assist agencies and their unions with implementation of this rule. With a history of convening a wide variety of signal locations and facilitating collaboration and consensus making discussions around signal maintenance training content, ITLC is uniquely positioned to help streamline the creation of the other parameters involved in signal employee certification.

246.103 FRA review of certification programs.

ITLC recognizes the amount of work ahead for FRA to review individual certification programs from each railroad should the Certification of Signal Employees Notice of Proposed Rulemaking be adopted. To help alleviate this pressure and also move towards consistency in the industry, ITLC strongly suggests a process similar to CFR 243 TRAINING, QUALIFICATION, AND

OVERSIGHT FOR SAFETY-RELATED RAILROAD EMPLOYEES' review and approval of "model programs" be implemented for submittal review and approval of other certification parameters (tests, refresher training, training schedule, etc.) which then can be applied to at any agency which chooses to adopt it. This would reduce the amount of review work by FRA, take significant burden off agencies and move towards consistency across agencies.

246.119 Training requirements.

ITLC strongly suggests the following:

- Training programs that have previously been reviewed and approved by FRA through CFR 243 be accepted to fulfill the training requirement for the new rule.
- In instances where a written test is administered, individuals have the option to request that the questions be read aloud to them.
- Clarification on the role of third-party training and learning organizations, specifically in how utilizing these organizations will help streamline this process.

246.124 Mentoring.

ITLC strongly supports structured mentorship programs broadly. ITLC strongly suggests that:

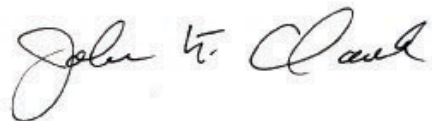
- Mentors be engaged in a formal mentor training program. Just because someone knows how to do a job does not mean they have the skillset necessary to supportively reinforce lessons and learning objectives for another employee.
- Ongoing certification be tied into a structure of registered joint apprenticeship
- Joint Labor-Management Committees be responsible for developing recertification standards
- Such apprenticeships be based off of a model training program like the one developed by the National Signals Maintenance Training Consortium which satisfies the DOL approved apprenticeship framework

Section 246.207 Certificate Requirements

The proposed rule currently reads that "a certified signal employee who works for more than one railroad would be required to have a separate certificate for each railroad." ITLC strongly suggests that if FRA does indeed adopt a similar "model program" structure as suggested above for section 246.103, that certification through these programs be transferable between railroads. Note that the training program developed through the National Signals Maintenance Training Consortium offers a comprehensive baseline which intentionally allows for portability between agencies.

ITLC greatly appreciates the opportunity to provide comments on the proposed rulemaking regarding Signal Employee Certification. If you have any need for further conversation, please contact me at 301.565.4716 or jclark@transportcenter.org.

Sincerely,



John K. Clark
Executive Director