



Memorandum

U.S. Department
of Transportation

**Federal Railroad
Administration**

Date: January 10, 2005

Reply to Attn of: G-05-16

Subject: Roadway Worker Protection Technical Bulletin
Annual training and periodic qualification

From: 
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To: Regional Administrators
Deputy Regional Administrators
Track Supervisory Specialists
Signal and Train Control Supervisory Specialists
Operating Practices Supervisory Specialists

In accordance with 49 C.F.R. §214.343, all roadway workers are required to receive annual training. This basic training must contain at a minimum the five fundamental training requirements established in §214.345.

For the roadway worker who provides on-track safety for others [also referenced as the roadway worker in charge (RWIC)], §214.353 requires a periodic recorded examination, in addition to annual training.

Employees who are lone workers, watchmen/lookouts, flagmen, and roadway maintenance machine operators are required to demonstrate proficiency on a periodic basis, in addition to annual training.* Inquiries about training indicate there is confusion regarding annual training and periodic qualification.

The term “periodic qualification” as used in this regulation refers to employees who perform specific duties such as loneworkers, watchman/lookouts, flagmen, RWICs, and roadway maintenance machine operators. FRA requires that employees receive “initial and periodic qualification” for each of the duties listed above.* The required time frame for the qualification differs from the required annual training.

Although the term “periodic qualification” is not defined in the rule, each railroad should specify in its program the interval at which their periodic qualification will take place. Section 214.343(a) states

“no employer shall assign an employee to perform the duties of a roadway worker, and no employee shall accept such assignment, unless that employee has received training in the

on-track safety procedures associated with the assignment to be performed, and that employee has demonstrated the ability to fulfill the responsibilities for on-track safety that are required of an individual roadway worker performing that assignment.” *

When an employee (with only basic training) is promoted to perform duties such as lone workers, watchman/lookout, flagman, RWIC, and roadway maintenance machine operator, that employee must receive additional training and be qualified as required. The qualification of the loneworker, watchman/lookout, flagman and roadway maintenance machine operator is based on their demonstrated proficiency, but the qualification of the RWIC is based on a recorded examination.

Note * - any employee who is promoted from a “basic worker” to a higher form of roadway worker qualification must demonstrate proficiency or take the recorded examination before assuming such duties.

This bulletin is based on consultation with FRA’s Office of Chief Counsel. Anyone desiring a formal legal interpretation on any issues discussed in this bulletin should contact that office.

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