



September 15, 2021



## Vancer Wins ASLRRRA Veterans Award

ASLRRRA supplier member Vancer is the [winner](#) of the 2021 ASLRRRA Veterans Engagement Award, recognizing the company's efforts to recruit, hire and retain U.S. service members and veterans. Vancer will be honored at the 2021 ASLRRRA Annual Conference and Exhibition in Phoenix, Arizona.

"Veterans bring a commitment to safety and mission, and valuable experience to the railroad industry," said ASLRRRA President Chuck Baker. "Our members have long recognized these attributes, and this award illustrates the many ways our members go above and beyond to recruit and retain this talent. Vancer's commitment to identifying veterans in the community and creating a program that provides support as they transition to civilian roles has led to a workforce where one in ten employees is a veteran."

Some examples of Vancer's efforts to support veteran and active-duty employees include its Military Liaisons program. A group of select employees with previous and recent military experience act as a contact and guide for potential and new employees who are transitioning from active-duty military positions into Vancer roles. Vancer also supports its military employees through the Transition Assistance Program, which offers a strong suite of employee benefits, and its Troops2Techs tooling program.

Overall, 10.5 percent of Vancer's workforce comprises veterans and members of the U.S. National Guard or Reserves. Vancer's specific support of its National Guard members and reservists has earned it the Seven Seals Award from the Employer Support of the Guard and Reserve organization.

Beyond its own employees, Vancer also supports veterans in the community. Vancer's foundation supports employee recommendations for corporate donations, and contributions were recently made to support the building of the Central Nebraska Veterans' Memorial and the Nebraska Vietnam Veterans' Memorial.

ASLRRRA congratulates Vancer, and all those who submitted nomination packages for consideration for this award. The Association is proud of the efforts of its members to support their veteran and active-duty employees. To read more about what ASLRRRA members do, view our [Members Supporting Veterans website](#).

### ASLRRRA Seeking Nominations for Its Board of Directors

ASLRRRA is seeking nominations for several open regional board seats. Any full railroad member company (any Class II or III freight railroad as determined by the Surface Transportation Board) in good standing may nominate a candidate by submitting their name and a brief biography to the correct regional representative below.


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The nomination period ends at close of business on Sept. 30. After the nomination period, a ballot will be sent to the main contact or voting contact at each member railroad to cast member company votes. New board members will be announced at the ASLRRRA Annual Conference and Exhibition in Phoenix, Arizona in November.

Please submit nominations via email with a subject line of "ASLRRRA Board Nomination" to the appropriate regional representative.

- Central Region: Three open seats. Email nominations to Joe Arbona - [joe.arbona@gwrr.com](mailto:joe.arbona@gwrr.com)
- Eastern Region: Two open seats. Email nominations to Cathrin Banks - [cbanks@mdde.com](mailto:cbanks@mdde.com)
- Pacific Region: One open seat. Email nominations to Alan Matheson - [alan.matheson@ci.tacoma.wa.us](mailto:alan.matheson@ci.tacoma.wa.us)
- Southern Region: Two open seats. Email nominations to Jason Bradt - [Jason.bradt@gwrr.com](mailto:Jason.bradt@gwrr.com)

Questions? Please contact ASLRRRA Chief Administrative Officer Camille Campbell, at [ccampbell@aslrra.org](mailto:ccampbell@aslrra.org).



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### Executive Order Expected to Mandate COVID-19 Vaccine Requirement

On Sept. 9, President Joe Biden issued [Executive Order 14042](#), "Ensuring Adequate COVID Safety Protocols for Federal Contractors" that requires executive departments and agencies to "include a clause" in certain federal contracts and subcontracts mandating compliance "with all guidance for contractor or subcontractor workplace locations published by the Safer Federal Workforce Task Force." Based upon the president's [remarks](#), it is anticipated that the guidance will include a COVID-19 vaccine mandate.

EO 14042 applies to any new contract; new contract-like instrument; new solicitation for a contract or contract-like instrument; extension or renewal of an existing contract or contract-like instrument; and exercise of an option on an existing contract or contract-like instrument, if:

- (i) it is a procurement contract or contract-like instrument for services, construction, or a leasehold interest in real property;
- (ii) it is a contract or contract-like instrument for services covered by the Service Contract Act, 41 U.S.C. 6701 et seq.;

(iii) it is a contract or contract-like instrument for concessions, including any concessions contract excluded by Department of Labor regulations at 29 C.F.R. 4.133(b); or

(iv) it is a contract or contract-like instrument entered into with the Federal Government in connection with Federal property or lands and related to offering services for Federal employees, their dependents, or the general public[.]

EO 14042 does not apply to:

(i) grants;

(ii) contracts, contract-like instruments, or agreements with Indian Tribes under the Indian Self-Determination and Education Assistance Act (Public Law 93-638), as amended;

(iii) contracts or subcontracts whose value is equal to or less than the simplified acquisition threshold, as that term is defined in section 2.101 of the Federal Acquisition Regulation;

(iv) employees who perform work outside the United States or its outlying areas, as those terms are defined in section 2.101 of the Federal Acquisition Regulation; or

(v) subcontracts solely for the provision of products.

On Sept. 24, the Safer Federal Workforce Task Force will issue its guidance, including providing "definitions of relevant terms for contractors and subcontractors, explanations of protocols required of contractors and subcontractors to comply with workplace safety guidance, and any exceptions to Task Force Guidance that apply to contractor and subcontractor workplace locations and individuals in those locations working on or in connection with a Federal Government contract or contract-like instrument."

Then the Federal Acquisition Regulatory Council has until Oct. 8 to "take initial steps to implement appropriate policy direction to acquisition offices for use of the clause by recommending that agencies exercise their authority under subpart 1.4 of the Federal Acquisition Regulation [FAR]." Additionally, agencies have until Oct. 8 "to exercise any applicable authority to ensure that contracts and contract-like instruments ... that are not subject to the Federal Acquisition Regulation and that are entered into on or after October 15, 2021, consistent with the effective date of such agency action, include the clause."

For additional insight into EO 14042, this [article](#) from Venable LLP can help. ASLRRRA will provide additional guidance for private employers with 100 or more employees as soon as more information is available.

### **ASLRRRA Posts Corrected Version of Part 215 OJT Checklist**

ASLRRRA has posted an updated version of its Part 215 on-the-job training (OJT) checklist on its [website](#). This new version fixes a mistake in the listed rule numbers.

The correct numbers are 215.121-215.129. They were originally listed as 215.221-215.229. The Federal Railroad Administration (FRA) has approved this change, which is the only one that was made to the document and program. Please contact ASLRRRA's [JR Gelnar](#) with any questions.

### **Update Available for Post-Accident Toxicology Testing App for iPhones**

Users can now update the Federal Railroad Administration's (FRA) [post-accident toxicology testing \(PATT\) mobile application](#) for iPhones, which has changed to reflect an accident damage threshold of \$11,200.

Update the app through the App Store by accessing the "Available Updates" section in the user profile. The Android version of the app was previously updated earlier this year.

The PATT app helps regulated employers, both railroads and contractors, determine whether a post-accident testing event has taken place and who should be tested. Employees can also use the app to better understand the FRA's post-accident requirements.



### **Congressman Johnson Visits Kanawha River Railroad**

U.S. Representative Bill Johnson (R-Ohio) visited ASLRRA member Kanawha River Railroad's (KNWA) Middleport, Ohio facilities on Sept. 8.

During his visit, Johnson toured the rail yard and rode a hi-rail vehicle. He also learned about the role KNWA plays in the state and national economy and discussed issues important to KNWA and the larger freight rail industry.

KNWA parent company Watco organized the visit, which originated from connections made through the Railroad Day on Capitol Hill virtual event in April. ASLRRA thanks Watco for planning the meeting, and encourages its members to reach out to their congressional representatives and invite them to visit their properties.

ASLRRA enjoys receiving and sharing photographs of these visits, and keeping the Association informed of such meetings enables ASLRRA staff members to follow up with congressional offices in D.C. For more information or for help making connections with representatives, please contact ASLRRA's [Crystal Gitchell](#).



*Photo Courtesy of Ailsa von Dobeneck*

*Congressman Bill Johnson (second from left) toured ASLRRA member Kanawha River Railroad on Sept. 8. He was joined by (L to R) Kyle Cunningham, Watco Assistant Vice President Ailsa von Dobeneck, Matt Ettman and KNWA General Manager John Thurman.*





ASLRRRA

Advanced DSLE & Labor Relations: September 28-30

Regulatory Module of Leadership Development: October 5-7

General Code of Operating Rules: October 26-28

## Fall 2021 Training Seminars

Visit [aslrra.org/training](http://aslrra.org/training) to learn more

## ASLRRRA New Members

Know a company that would benefit from joining and participating in ASLRRRA? Please contact ASLRRRA's Vice President of Membership and Business Development [Kathy Keeney](mailto:kathy.keeney@aslrra.org) via email or on (202) 585-3439.

## ASLRRRA Welcomes Two New and One Returning Supplier Member



[Drawbar, LLC](http://drawbar.com), based in Elkhorn, Nebraska, provides software solutions for the railroad industry with programs designed utilizing over 45 years of combined experience from industry veterans. The creators of Drawbar have implemented the exact tools necessary for railroads and contractors to maintain

compliance, with four software modules: Electronic hours of service, Electronic grade crossing signal testing, Grade crossing alerts and Learning Management System. Our primary contact is Co-Manager [Josh Dietrich](mailto:josh.dietrich@drawbar.com) who also can be reached on 402-694-1979. Learn more about the company by visiting their booth at our annual conference in Phoenix.



[Klein Palmer Inc.](http://kleinpalmer.com), based in Springfield, Ohio, provides engineered products and solutions for chemical, mineral, foundry and rail sanding applications. It is a leader in both stationary and mobile Light Rail Vehicle (LRV) and heavy locomotive rail vehicle traction sand filling systems. Our primary contact is Chief Sales Engineer [Jim Gauldin](mailto:jim.gauldin@kleinpalmer.com), who can be reached on 614-633-5301. Learn more by visiting their booth at our annual conference in Phoenix.



[National Maintenance & Repair Inc.](#), based in Hartford, Illinois, has decades of experience in the quality repair of EMD Prime Movers and EMD component parts. The AARM1003 company can meet engine needs whether for a few parts or a major conversion program. General Manager-Operations [Jeff Poston](#) is our primary contact and can be reached on 618-255-5725. Stop by their booth at our annual conference in Phoenix to learn more about them and welcome them back as members.



### Hear Baker's Take on Why the 2021 Conference is a Must-Attend Event

Why attend the ASLRRA Annual Conference and Exhibition? Hear what Association President Chuck [has to say](#) about the highlights of this year's event.

Beyond the many dynamic speakers, this year's conference features [education sessions](#) relevant to a wide variety of railroad industry fields, from finance and administration to human resources and engineering and maintenance-of-way to marketing.

[Register](#) today to attend his year's [ASLRRA Annual Conference and Exhibition](#) in Phoenix, Arizona. Participants can also interact with industry suppliers in the [Exhibit Hall](#), and compete in the [golf tournament](#) at the JW Marriott Camelback Golf Club.

A [conference hotel block](#) is open with special rates at both the Sheraton Phoenix Downtown and the Hyatt Regency Phoenix. The discounted room rate is only available until Oct. 11. As a reminder, ASLRRA does not work with or endorse any third-party companies to make room reservations. Reservations should be made directly with the hotel using information provided in the link above.

## ASLRRA Members of Note

*ASLRRA is pleased to highlight the accomplishments of its members and the strides being made in freight [rail sustainability](#), [business development](#), [veterans engagement](#) and more. This week, the Association is happy to feature members Wabtec and Genesee & Wyoming Inc. and their efforts to make freight rail even more environmentally friendly.*

## Wabtec Partners with Genesee & Wyoming and Carnegie Mellon University to Pursue Cleaner Freight Rail

The freight rail industry recognizes the vital importance of making operations more sustainable and environmentally friendly. ASLRRRA members are doing their part, and a [recent plan](#) developed by Wabtec and Genesee & Wyoming Inc. (G&W), along with Carnegie Mellon University, demonstrates the extent of these efforts.

Wabtec has signed memorandums of understanding with Carnegie Mellon and G&W to develop and implement technologies that will decarbonize freight rail transport, improve safety and more. The companies' two-part plan includes developing alternative-energy locomotive fleets to move goods without any carbon emissions, and pursuing advancements in rail signaling systems to increase capacity on the nation's rail network.

To that end, all three organizations plan to create the Freight Rail Innovation Institute in an effort to build zero-emission locomotives, increase freight rail utilization and safety and create 250,000 jobs by 2030.

Carnegie Mellon will take the lead in developing these new technologies, while G&W's Buffalo & Pittsburgh Railroad will test them. A zero-emissions battery and hydrogen-powered train should be running in revenue operation between Pittsburgh, Pennsylvania and Buffalo, New York within three years.

Wabtec has already developed a heavy-haul battery-electric locomotive, the FLXdrive, that has been tested in revenue operations in California. The FLXdrive operates at 2.4 megawatt hours and reduces fuel consumption by over 11 percent across the entire train. A second generation FLXdrive, which Wabtec is currently developing, is expected to more than double those numbers, operating at over 7 megawatt hours and reducing fuel consumption by up to 30 percent.

To see additional examples of how ASLRRRA member short lines are contributing to sustainable operations – click [here](#).

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## ASLRRRA Announcements

### Coalition Health Plan Offers Insurance Options to ASLRRRA Members

ASLRRRA has partnered with HUB International to offer an employee health plan designed to suit small to mid-sized railroads. The Coalition Health Plan is specifically designed for ASLRRRA members looking for a solution to reduce their medical premiums and simplify the healthcare experience for their employees.

As the fifth-largest broker in the world with over 500 locations in North America, HUB International is well equipped to provide ASLRRRA members with a vast network of benefits experts and best-in-class resources anywhere in the US. Partnering with HUB puts companies at the center of a vast network of experts who will help them reach their goals through risk services, claims management, and compliance support. Visit [www.aslrra.org/discounts](http://www.aslrra.org/discounts) and select Employee Health Insurance to start saving today!

### Take the Regulatory Module of the Leadership Development Course with JR Gelnar in October

After being put on hold due to COVID-19 restrictions, ASLRRRA's in-person [fall training seminars](#) are back. ASLRRRA's Vice President of Safety and Compliance JR Gelnar and Rio Grande Pacific Corporation's Director of Safety, Training and Regulatory Compliance Mitch Harris will present the [Regulatory Module of the Leadership Development Training Course](#) on Oct. 5-6 in Cedar Falls, Iowa.

This course, developed in conjunction with the Short Line Safety Institute (SLSI), covers critical regulatory information for short line and regional railroads to help them strengthen the understanding and application of certain regulations to enhance the railroads' overall safety practices.

Developed for railroad supervisors and managers from multiple crafts, the curriculum is relevant to a diverse group of short line railroad industry professionals. The training program provides an overview of the federal agencies that regulate railroads and includes a comprehensive review of 49 CFR Parts 217, 218, 219, 225, 228. The training combines traditional presentation methods with interactive discussion using real world examples to round out the attendees' understanding of complicated regulations and how they impact front line operations.

ASLRRRA has partnered with Iowa Northern Railway to offer two additional training seminars this fall, including the Advanced DSLE and Labor Relations training, Sept. 28-30, and the General Code of Operating Rules (GCOR), eighth edition, Oct. 26-28. Limited space is still available; click the link above for more information.

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## ASLRRRA Out and About



*ASLRRRA's Amy Krouse (first row, fourth from right) participated in the Buckingham Branch "Ticket to Ride" event with Congressman Ben Cline of Virginia (first row, center) and other local representatives.*

### **Krouse Joins Virginia Congressman in Visit to Buckingham Branch Railroad**

On Sept. 9, ASLRRRA Vice President of Communications Amy Krouse participated in a "Ticket to Ride" event at member Buckingham Branch Railroad's Staunton, Virginia location. Congressman Ben Cline (R-Va.) was in attendance, along with representatives from the Virginia Department of Transportation, Buckingham Branch customers and local elected officials.

Event participants rode in Buckingham Branch's private railcar from Staunton to Afton, Virginia and engaged in discussions about the impact rail has on Virginia's economy.



## Strang Discusses Sustainability and Short Lines During FRA Workshop Presentation

ASLRRA's Senior Vice President of Safety and Regulatory Policy Jo Strang gave the short line perspective on environmentally friendly freight rail practices during a two-day Federal Railroad Administration (FRA) online workshop Sept. 13-14.

Strang gave an overview of the short line freight rail industry, underscoring the ability of trains to carry goods over land much more safely and efficiently than other modes. She also talked about ASLRRA's participation in the Environmental Protection Agency's (EPA) SmartWay program, and gave examples of efforts ASLRRA railroad members are making to further improve their fuel efficiency and reduce carbon emissions. This includes using battery-electric locomotives, like Pacific Harbor Line, and a zero-emission switching locomotive, like Sierra Northern Railway. These technologies themselves are often developed by ASLRRA supplier members like Progress Rail and Wabtec.

Learn more about how ASLRRA and its members are working toward greener freight rail at the Association's [environmental impact web page](#). Included are links to the EPA's SmartWay program and relevant ASLRRA recorded webinars, as well as more stories about members' environmentally friendly initiatives.



## Employee Health Insurance

The Coalition Health Plan is available exclusively to ASLRRA members, designed to reduce medical premiums and simplify the healthcare experience for employees. [Click to learn more...](#)



## ASLRRA Webinars – Live or On-Demand

### Upcoming Webinars Offer CLE Credits

The next three ASLRRA webinars are part of the Association's new series based on hot topics from the General Counsel Symposium held in June. A partnership with the Association of Transportation Law Professionals (ATLP) allows those who attend the live webinar session to register to receive continuing legal education (CLE) credits

for an extra fee.

### [National Transportation Safety Board \(NTSB\) Investigations](#) – Sept. 21, 2021

The NTSB investigates only approximately 20 rail incidents each year. Tom Tobin and Dan Braude of the Wilson Elser Law Firm have represented railroads and other transportation providers in dozens of NTSB investigations and will take some of the mystery out of the process. **CLE credits are available for this webinar.**

### [Utility Crossings and Broadband Deployment](#) – Sept. 23, 2021

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Subject-matter experts David Drach of Railroad Real Estate Consulting and Matthew Hammer of Daley Mohan Groble, PC will examine the FCC's Broadband Deployment Advisory Committee's State Model Code for Accelerating Broadband Deployment and existing state statutes governing utility crossings. **CLE credits are available for this webinar.**

[Encroachments and Trespass: On the Railroad, It's All About Property](#) – Oct. 5, 2021

In this webinar John Fiorilla and Greg Peterson, partners at Dyer & Peterson, will discuss what railroads can do to ensure their property rights are secure. They will discuss actions railroads can take and offer recommendations regarding how to deal with encroachers and trespassers on railroad property, using both court and non-court remedies. **CLE credits are available for this webinar.**

[Click here](#) for more ASLRRA events.

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## Industry Events and Announcements

### Sept. 17: RailTEC Hay Seminar Discusses Ballast Thickness

The next William Hay Railroad Engineering Seminar, sponsored by the University of Illinois Rail Transportation and Engineering Center (RailTEC), will be held online Sept. 17. The free seminar is titled "Ballast Thickness Design for Changing Environment(s)" and will be presented by Ted Sussman of the University of Hartford.

Sussman will discuss a methodology for developing railway track design that balances considerations between ballast thickness, subgrade properties and rail traffic. He will also "provide insight to the application of such design methods as guidance for assessing change related to environment, operations, and maintenance."

Follow this [link](#) for more information or to register.

### New Short Line Safety Institute Safety Tip Helps Railroad Employees Avoid Bites and Stings

The Short Line Safety Institute (SLSI) has posted its [newest safety tip](#), urging railroad employees working outdoors to be wary of the hazards posed by animals.

Insects, snakes, rodents and other animals can be dangerous, and railroad right of ways, switches, derails, equipment and rolling stock often offer an ideal place for these creatures to hide. The SLSI's Safety Tip offers suggestions to help employees avoid bites and stings, including wearing the appropriate clothes, using insect repellent and carrying lighting to illuminate dark areas where animals might hide.

This tip is one of many shared by the SLSI, which offers numerous resources to short line railroads at no cost. Click [here](#) to view more Safety Tips, or [here](#) to view the SLSI home page and learn about the safety culture assessments, hazmat training and leadership development courses available.

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[Click here](#) for more industry events.

Views & News is published by American Short Line and Regional Railroad Association. Please contact [Amy Krouse](#), editor, with questions or comments.