Safety Culture
Alaska Railroad Corporation

An Interview with Mark Mitchell, Director of Safety for Alaska Railroad Corporation (ARRC)

Railroad companies must find ways to develop and maintain safety programs in a challenging environment. Primary concerns include mobile workforces, hours-of-service employees, emerging regulations, seasonal employees, intense weather and often-changing shifts. These organizations also must address well-known concerns related to an aging workforce, physically demanding jobs, collective bargaining agreements, remote workers and emergency response.

Read on to learn about Alaska Railroad Corp.’s approach. TIPS: Please provide a brief description of your professional background and of your position as the Director of Safety for ARRC. MM: I have been practicing in the safety, health and environmental continued on page 24

For a complete Table of Contents, see page 3
SH&E field for 22 years and have been associated with the rail industry for 18 of those years. I was a high school science teacher in Wisconsin for 6 years prior to entering the SH&E field.

As the Director of Safety for ARRC, I am responsible for the oversight and implementation of all corporate safety programs within our organization. This position requires me to keep abreast of regulatory changes and to ensure that our company adequately addresses those mandates. The job requires interfacing with everyone from the latest new hires up through all management levels, including my boss, the president and chief executive officer and the Alaska Railroad board of directors.

Primary regulators for our operations include the Federal Railroad Administration (FRA), the U.S. Coast Guard, OSHA, the Transportation Safety Administration and the State of Alaska.

**TPS:** What are the greatest safety and health challenges you face in your position with AARC, and how do you address them?

**MM:** Performing railroad safety in Alaska is a bit like participating in the old television game show “Beat the Clock.” Our task is to construct and maintain safety programs. There are several catches: mobile workforces, hours-of-service employees, new and emerging regulations from multiple jurisdictions, seasonal employees, avalanches, earthquakes, tsunamis, -60°F temperatures, long nights and short days swapped out with short nights and long days and Internet services that are not always reliable up and down the rail belt.

Other than extremes from Mother Nature affecting our operations, Alaska safety concerns are surprisingly similar to lower 48 safety and health challenges. We have all of the issues associated with an aging workforce in physically demanding jobs given that our primary demographic is middle-aged Caucasian males. A mobile workforce governed by hours-of-service laws (e.g., train and engine employees) makes training a challenge. Complex collective bargaining agreements also make getting an audience of railroaders an expensive proposition. Remote territory is another compounding factor that we address both in the course of normal operations as well as in emergency situations. In typical Alaska fashion, we rely on air transport more frequently than what one would expect elsewhere.

**TPS:** How do workers’ compensation programs in the railroad industry differ from those in other industries, and what makes AARC’s safety and workers’ compensation programs unique?

**MM:** To my knowledge, all of the lower-48 railroads fall under the Federal Employer Liability Act (FELA), which was enacted in 1908 at a time when being employed by railroads meant that the chance of an injury or fatality occurring was high. FELA allows employees to sue their employer over their injury claims and allows for payouts due to pain and suffering. Unlike state workers’ compensation laws, FELA requires that the employee prove that the railroad was legally negligent at least in part, causing the injury.

Needless to say, employee injuries under FELA are a high-stakes game, as the arena is litigious. The fate of each and every injury is in front of a judge and jury unless both parties agree to settle out of court. The claims settlements for railroad employee injuries are orders of magnitude higher than what you typically find in state workers’ compensation programs. This is particularly true in states that have no cap on litigation settlements, such as in Mississippi.

Over the years, attempts to abandon FELA and to move the railroads under state workers’ compensation laws have failed. The rail industry does not resemble the treacherous industry it once was and is now one of the safest industries in our nation and worldwide.

The Alaska Railroad transferred ownership from the federal government to state ownership in 1985. Part of the Transfer Act of Congress specifically excluded ARRC from participating in FELA and mandates that the railroad operate under the requirements of the state workers’ compensation laws of Alaska.

The Alaska Railroad is fortunate to be exempt from FELA laws. That said, our employee injury claims are a significant cost of doing business, and we medically case-manage our claims as best we can. The Alaska workers’ compensation laws have a presumption of compensability clause, which sets a low threshold for claiming an occupationally related injury.

**TPS:** How would you describe AARC’s overall safety culture?

**MM:** Improving. When I arrived...
here nearly 5 years ago, the trust factor between labor and management was not optimal. Things have changed and are improving in this arena. Our emphasis is on process improvement both prior to and after the course of an incident. Our safety committees were inefficient. Therefore, we disbanded them in favor of safety field teams. Members of this group head out quarterly into the field in a cross-craft capacity with the sole mission of listening to and reporting back their coworkers’ safety concerns. Each and every issue is addressed through a procedure called the safety issues resolution process (SIRP). Several of our train service employees brought this concept back from a lower 48 business trip to the Powder River Coal basin railroad operation.

We use a computer program named BugTrack that allows us to post any type of electronic documentation to a specific issue. This record is kept permanently for each SIRP so that we have a repository of safety issues that have been addressed. All of our employees have access to this computer program and are encouraged to follow the progress made toward resolving any SIRP. A collection of managers and the safety field team meet monthly to review the status of all SIRPs being worked and must come to unanimous agreement that a SIRP can be closed. These are working sessions—you can see, feel and hear that progress is being made toward making our operations safer. I am proud of all of our team participants in their commitment to making positive changes for our company.

**TPS:** What do you believe are the most urgent safety and health issues within the railroad industry at this time?

**MM:** The approach to safety needs to be changed not just in the railroad industry, but nation-wide and worldwide. The functional elements of safety are stuck in a rut, and the profession is responsible for digging out of that rut.

First, the safety arena is caught in the worn-out mantra and mindset that “all accidents are preventable.” As a group collective, the only thing that the safety profession seems to agree on is something that is demonstratively false. The notion that all accidents are preventable gains instant credibility with the workforce that the blame for the incident is coming their way. So much for culture. The concept fronted by the nuclear industry, as low as reasonably achievable (ALARA), is balanced and realistic. Employers and employees alike can relate to this philosophy. Personal and corporate accountability are not compromised with this type of thinking. To the contrary, individuals and corporations need to be held accountable if an organization is to breed a “just” safety culture. This platform allows for accountability, discussion and problem-solving.

Secondly, in the railroad industry (as in most industries), the frequency ratio statistic reigns supreme to most all other metrics and safety emphasis. Treating safety through a nearly one-dimensional perspective, such as the frequency ratio, trumps creative thinking, drives emphasis in the wrong directions and elevates all incidents to the same level. Does it not make sense that 100 reportable one-stitch injuries would be favorable as opposed to fewer injuries involving months away from work, intense and expensive rehabilitation plans, or worse, amputations and fatalities? However, the frequency ratio that most management schemes have bought into and compete against fellow industry rivals over will not allow this type of thinking. When we continue to count a fatality on equal par with a one-stitch laceration, the safety community clearly has a problem. Emphasis on frequency ratio puts undue pressure on all levels of management for all the wrong reasons.

Third, old habits need to go. I recently toured a turn-of-the-century grain-processing museum in Minneapolis whereby each floor of the remnant structure was viewable via an elevator. On one of the floors where the milling occurred, there was an original safety placard stating, “Number of Days Injury-Free.” I thought to myself that if the safety profession is to grow, it needs to out-think its ways of the past—certainly those from circa 1890s. From my experience, safety streaks (as well as other vintage safety patterns and habits) are easily and often compromised, and when they are, there goes your culture.

Fourth, abandon all compensation-based safety bonuses.

Supplanting emphasis on severity over frequency would be a great step forward in trying to bring both labor and management to the table and to figure out ways to keep people from being injured. I maintain that accountability on both sides of the table is paramount in that all company employees are equally vested in creating a safe working culture and environment. At the Alaska Railroad, our safety mantra is “Working Together Safely,” which includes not only Alaska Railroad employees, but extends the concern we have for safe operations to our customers and to the communities in which we operate and support.

**TPS:** Besides Federal Railroad Administration regulations, to what other standards must the railroad industry adhere? Does the industry follow any national voluntary consensus standards?

**MM:** Railroads are held to the same OSHA standards as any other industry. The jurisdictional lines between FRA and OSHA blur when employees who work on the rail fall under OSHA safety programs. Fall protection for signal masts is a good example of this, as the regulations between OSHA and FRA are distinctly different.

Railroads tend to underestimate OSHA’s jurisdiction and influence on safety programs. I think this is because railroads are consumed with FRA compliance. Operating safety involving FRA regulations on how to move trains and other pieces of equipment on-track, proper mechanical specifications for rolling stock, crew calling for hours-of-service...
various programs we are obligated to manage. However, we want to create a strong connect between cause and effect because we do not want repeat incidents to occur. By constructing our plan using a safety management system, we envision an RRP that is auditable by a third party. We will not get hung up on the paper trail beyond what is reasonable, as we are not attempting to be ISO-certified.

We intend to take the best of each safety management system element and to make it work for us and to work for those who require us to have such a plan. If we keep our focus on delivering a safe work environment for our employees, customers and communities, we will have the right intent in mind.

OSHA comes on property much less frequently to inspect railroad programs more in terms of what I will call “traditional safety.” OSHA focuses on respiratory protection, hazard communication, hearing conservation, etc. and does not regulate on-rail operations. Even though railroads are consumed with railroading, employee concerns for safety hazards ranging from indoor air quality, ergonomics, lighting, slips, trips and falls, etc. are the same as any other heavy industry. To this end, consensus standards are an important part of managing a complete approach to safety, and we take them into account in many programs that we manage.

**TPS:** What are Alaska Railroad Corporation’s safety goals and objectives?

**MM:** 2011 was year one of a 5-year plan to construct a risk reduction program (RRP), mandated by FRA. Our approach to this requirement will be to construct our RRP using a template from one of the safety management system templates, such as ISO, ANSI or VPP. We will fold all of our safety programs under a single umbrella addressing all of the personnel, signal equipment specifications, etc. reign supreme in the culture of railroading. This is understandable given that operations are required to conduct testing/monitoring on a regular basis; the results of which are scrutinized by FRA. FRA regularly conducts property auditing and inspects the condition of the track, bridges, locomotives, railcars, signal systems, etc. all in the name of safety.

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ASSE’s foundation (ASSEF) will release its 2013 Scholarship Program information on Sept. 1, 2012. In preparation, the Transportation Practice Specialty would like to provide members with information on the application process and where to find more information to properly position yourself for a scholarship or grant.

Below are some tips. **Click here** for full details.

- Review the list of “Frequently Asked Questions” before you complete the application.
- When applying for more than one scholarship, only complete one application.
- The same application should be used for both undergraduate and graduate programs. Please complete the information that is relevant to your status.
- Incomplete or late applications will be disqualified.
- Applicants must graduate in May 2013 or later to be eligible for any of the awards.
- Previous recipients of ASSEF scholarship awards are eligible to receive subsequent awards.
- ASSEF student membership is preferred and costs $15 per year. To obtain an application for student membership, contact ASSEF’s Customer Service department at (847) 699-2929 or download the application.

**ASSE Scholarships & Grants**

**ASSE Foundation**

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**Des Plaines, IL 60018**

Transcripts may be mailed separately. It is the student’s responsibility to make sure it is received on time.

The ASSEF Scholarship Award and Selection Committee will review all applications. Award recipients’ names will be posted on ASSEF’s website on or around April 1, 2013. If you have any questions, please e-mail Adele Gabanski.