



April 23, 2020

Occupational Safety & Health Standards Board
Dave Thomas, Chairman
1017 L Street, PMB #254
Sacramento, CA 95814-3805

To: Members of the Board,

The employees we represent are essential to the health, safety, and security of this State. Therefore, it is necessary that the carriers take immediate and appropriate precautions to mitigate against the spread of the COVID-19 virus amongst their workforces, to minimize the exposure of their employees to the virus during the performance of their duties.

Please see the enclosed petition for emergency standards, hereby submitted to the Occupational Safety & Health Standards Board on behalf of the undersigned. If you should have any questions, please do not hesitate to contact either of our offices.

We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to be "L. Costa".

Louie Costa / Director
Director California State Legislative Board
SMART - Transportation Division

A handwritten signature in black ink, appearing to be "R. Snow".

Ryan K. Snow / Chairman
Director California State Legislative Board
Brotherhood of Locomotive Engineers and
Trainmen

cc: J. R. Ferguson, President SMART-Transportation Division
D. R. Pierce, President, Brotherhood of Locomotive Engineers and Trainmen
G.W. Hynes, National Legislative Director - SMART-TD
J.P. Tolman, Vice President, National Legislative Representative, BLET

PETITION FOR EMERGENCY STANDARDS

The Transportation Division¹ of SMART² California State Legislative Board and the Brotherhood of Locomotive Engineers and Trainmen (BLET)³ California State legislative Board hereby petition the California Occupational Safety and Health Standards Board, for Emergency Standards to address safety conditions arising from the novel coronavirus (COVID-19) emergency. As you know, President Trump has declared a national emergency due to the virus. The employees we represent are essential to the health, safety, and security of the nation, and have been designated as critical to its infrastructure by the Center for Disease Control (CDC). Therefore, it is necessary for all rail and transit carriers under jurisdiction of the Federal Railroad Administration (FRA), Federal Transit Administration (FTA), the Federal Motor Carriers Safety Administration (FMCSA), the California Public Utilities Commission (CPUC) and the California State Transportation Agency (CalSTA) to take immediate and appropriate precautions to mitigate against the spread of the virus amongst their workforces and to minimize the exposure of their employees to the virus during the performance of their duties.

As such, there exists a need a need for protocols to define and standardize the sanitation of facilities across the rail industry in this State, including the following:

¹ SMART TD – SMART TD represents employees on every Class I railroad, Amtrak, and on many regional and shortline railroads. Membership is drawn primarily from the operating crafts conductors, brakemen, switchmen, ground service personnel, locomotive engineers, hostlers and workers in associated crafts.

² SMART – The International Association of Sheet Metal, Air, Rail, and Transportation workers.

³ BLET represents locomotive engineers on every Class I railroad, Amtrak, and on nearly all commuter railroads; it also represents operating and other employees on many regional and shortline railroads.

1. COMMON ROOM SANITATION

- a. Common rooms (e.g. crew rooms, locker rooms, etc.) occupied by employees shall be cleaned and disinfected at least once every shift, or every eight (8) hours, whichever is sooner.
 - i. Per the Center for Disease Control (CDC), *Cleaning* - shall remove dirt and impurities, including germs, from surfaces.
 - ii. Per CDC, *Disinfecting* - Chemicals per the EPA List N: "Disinfectants for use Against SARS-CoV-2" shall be used to kill germs on surfaces, including the wipe down of all controls, desks, chairs, keyboards, computer accessories, windows, lavatories, door handles, switches, and any surface that the employee is likely to touch during his/her time occupying the facility. Additionally, a disinfectant spray shall be used at the end of cleaning in order to broadly disinfect the rooms being occupied.
- b. Removal of trash shall only be performed by the specified craft designated to clean and disinfect facilities.
 - i. Unprotected employees shall not handle discarded items until provided the proper protection per CDC guidelines.
- c. The craft designated to perform the cleaning and disinfecting of rooms, as well as remove the trash from them shall be equipped with CDC recommended personal protective equipment (PPE) (such as gowns, gloves, and protective masks) and

be trained on how to properly apply and remove the PPE to best prevent contamination.

- d. Require that all crew rooms have hand sanitizer (of at least 60% alcohol) stations readily available and marked.
- e. The practice of having crews sit idle in common rooms, while on-duty, to protect service that may arise shall be limited to the greatest extent possible.

2. EMPLOYEE TEMPERATURE OBSERVATION

- a. Crews coming on-duty shall be scanned for fever at the beginning of each tour of duty.
- b. Employees identified as having an elevated temperature shall be immediately isolated, provided CD approved protection to prevent contamination, and sent home or to a medical facility, at the employee's discretion, for treatment and self-quarantine per CDC guidelines.

3. EMPLOYEES AT THE AWAY FROM HOME TERMINAL

- a. Carriers shall require that contracted lodging facilities clean and sanitize their rooms, per the CDC recommendations listed under "Common Room Sanitation" of this request, prior to its being occupied by a T&E employee.