

Appendix F3



POLICY/INSTRUCTION:
10.7/1

**HOURS OF SERVICE LIMITATIONS
FOR PREVENTION OF FATIGUE**

SUPERSEDES: 10.7/0

APPLICABLE TO: All Metro Employees

1.00 PURPOSE

The purpose of this policy/instruction (P/I) is to mitigate the risk of fatigue impacting employees who perform safety-critical functions by restricting the hours of service of such employees, and thereby reducing the potential for accidents and injuries that may be caused by fatigue. Implementation of limitations on the hours of service of employees who perform safety-critical work will reduce the risk that fatigue could result in accidents and injuries affecting co-workers and the public. This action constitutes an essential element of the Washington Metropolitan Area Transit Authority (Metro) Fatigue Risk Management System, as described in [P/I 10.6 – Fatigue Risk Management Policy](#).

2.00 SCOPE

2.01 This P/I applies to all Metro employees who perform safety-critical functions as a part of the essential functions of their job based on the job description. The Deputy General Manager Operations and Assistant General Manager (Bus Services), with concurrence from the Chief Safety Officer, will be responsible for reviewing, designating and maintaining the jobs listed in Appendix A. Appendix A sets forth the positions so identified during the initial hazard assessment. Managers are encouraged to apply similar limitations to the hours of employees who perform other safety-sensitive work, where appropriate and feasible, in the interest of personal safety, health and productivity.

2.02 As of the date of this P/I, designated safety-critical employees perform job functions in the following organizational elements:

- (a) Rail Transportation (RTRA)
- (b) Bus Transportation (BTRA)
- (c) Bus Maintenance (BMNT)
- (d) Transportation Infrastructure and Engineering Services (TIES), designated immediate staff and designated positions in the following:
 - (1) Rail Car Maintenance (CMNT)
 - (2) Elevator and Escalator Maintenance (ELES)
 - (3) Systems Maintenance (SMNT)
 - (i) Automatic Train Control (ATC)
 - (ii) Communications (COMM)
 - (iii) Power (PWR)

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(4) Track and Structures (TRST)

(e) Metro Transit Police Department (MTPD)

3.00 DEFINITIONS

- 3.01 **Covered Employee** – An employee who performs any safety-critical work during a duty tour or period of consecutive days limited by this P/I, whether or not commingled with work that is not safety-critical.
- 3.02 **Employee** – (i) An employee of Metro; or (ii) an employee of a Metro contractor or subcontractor whose position has been identified as falling within this P/I by the CFO or AGM under whose area of responsibility the contract work is performed.
- 3.03 **Duty Tour** – The elapsed period from the time the employee initially reports for work to the time the employee is finally released from duty. The duty tour may include one or more interim periods of release.
- 3.04 **Excess Service** – The period of service by a covered employee that exceeds any Hours of Service Limitation set forth in this P/I.
- 3.05 **Interim Period of Release** – A work break, i.e., off-duty time, of one hour or greater that falls between the time the employee initially reports for duty after the required daily period off duty and the time the employee is finally released.
- 3.06 **Night Work** – Any period of on-duty time occurring during the hours 00:01 to, and including, 03:59 hours (military or astronomical time).
- 3.07 **Off-Duty Time** – Time during which an employee is free to leave the workplace, engage in personal activities, and obtain rest. Off-duty time includes interim periods of release, mandatory off-duty periods, days off, vacation days and other periods not defined as “on-duty time.”
- 3.08 **On-Duty Time** – Time actually spent in the service of Metro, whether or not compensated, including time performing safety-critical tasks and other tasks, time “standing by” to perform duties when instructed, and work breaks of less than one hour.
 - (a) On-duty time does not include any interim period of release of one hour or greater.
 - (b) On-duty time includes time spent in transportation to and from a work location, but does not include travel time to/from home to work or work to home.
 - (c) On-duty time includes time devoted to Metro training.

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(d) On-duty time does not include constructive time, i.e., time not actually worked but used as a basis for computing wages under a collective bargaining agreement (e.g., “guarantee” or “arbitrary payment”).

3.09 **Safety-Critical Work** – Job duties/tasks performed on a regular basis that directly impacts the safety of the public, other employees or both.

3.10 **Safety-Sensitive Work** – Refers to a job where performance can affect at least the safety of the employee performing the function. Safety-critical work is a subset of safety-sensitive work. Positions are designated as safety-sensitive under Metro’s alcohol and drug policy.

3.11 **24-Hour Period** – A period commencing when the employee initially reports for duty after receiving the required off-duty time, or more, and consisting of 24 hours by the clock (adjusted to account for transitions to/from daylight savings time).

4.00 RESPONSIBILITY

4.01 The Department of Safety and Environmental Management (SAFE) is responsible for oversight and interpretation of this P/I.

4.02 The DGMO, CFO, AGM (Bus Services), AGM (TIES), AGM (for Access Services), Managing Director Rail Operations and Chief of the Metro Transit Police will manage implementation of this P/I in their respective organizations. Managers of individual departments with safety-sensitive and safety-critical positions are responsible for compliance with the components of this P/I, as applicable.

4.03 The Chief Financial Officer (CFO) is responsible for including in the process of budget development consideration of staffing requirements related to avoidance of excess hours of service.

4.04 Employees will record their time accurately and consistently for purposes of complying with this P/I.

4.05 The Office of Labor Relations will work collaboratively with the respective labor organizations representing safety-critical employees to ensure compatibility of labor practices and agreements with this P/I.

4.06 SAFE will conduct an annual audit to verify compliance with hours of service limits and accurate reporting of related metrics. Audit results will be shared with the department head and any remedial plans will be jointly developed and monitored.

4.07 The MTPD Office of Emergency Management and SAFE will review and make adjustments to subsequent issuances of the Emergency Operations Plan, the Severe Weather Operations Plan and related documents to address mitigation of fatigue in all departments employing covered employees during incidents within their purview.

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4.08 Supervisors will ensure the accurate recording of a covered employee’s hours of work for Metro in compliance with this P/I.

5.00 POLICIES AND PROCEDURES

5.01 Transportation and Bus Maintenance, general

- (a) Covered employees: This section addresses rail and bus operators and their immediate supervisors, station managers and incumbents of other specific covered positions noted in Appendix A. This section also addresses bus maintenance personnel who are incumbents of specific covered positions noted in Appendix A.
- (b) Maximum daily hours of service:
 - (1) A duty tour will not exceed 14 hours, including any period(s) of interim release.
 - (2) No employee may be on duty more than 12 hours, consecutively or aggregately, in any given duty tour.
- (c) Minimum daily scheduled off-duty period: All safety-critical employees will have normal work schedules that provide a minimum of 10 consecutive hours off duty before returning to the next day’s assignment.
- (d) Minimum days off after consecutive days worked:
 - (1) No employee may perform work on more than six consecutive days. If an employee performs work on six consecutive days, that employee must receive at least 24 hours off duty before reporting for the next duty tour.
 - (2) The normal construction of these limitations will refer to calendar days. However, for an employee whose regular assignment commences before midnight and ends thereafter, “day” shall refer to the 24-hour period commencing at the beginning of the first duty tour in the sequence.
- (e) Scheduling targets for assignments including night work:
 - (1) Night work presents special safety challenges, because it interferes with the normal phases of the body clock (circadian phases), requiring the employee to maintain performance at a time the body normally wishes to sleep and forcing opportunities for sleep into periods less favorable for quality sleep.
 - (2) Management will staff night work in such a way that, to the maximum extent practicable, the duration of duty tours including night work will be limited (including avoidance of unscheduled overtime whenever possible).

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5.02 **Bus Operations Control Center (BOCC)**

- (a) Covered employees: This section addresses BOCC specialists and incumbents of other specific covered positions noted in Appendix A.
- (b) Maximum daily hours of service:
 - (1) The elapsed length of any duty tour may not exceed 12 hours, including any period(s) of interim release.
 - (2) Within any duty tour, no employee may be on duty more than 12 hours.
- (c) Minimum daily scheduled off-duty period: All safety-critical employees will have work schedules that provide a minimum of 12 consecutive hours off duty before returning to the next day's assignment.
- (d) Minimum days off after consecutive days worked:
 - (1) No employee may perform work on more than six consecutive days. If an employee performs work on six consecutive days, that employee must receive at least 24 hours off duty before reporting for the next duty tour.
 - (2) The normal construction of these limitations will refer to calendar days. However, for an employee whose regular assignment commences before midnight and ends thereafter, "day" will refer to the 24-hour period commencing at the beginning of the first duty tour in the sequence.

5.03 **Rail Operations Control Center (ROCC)**

- (a) Covered employees: This section addresses ROCC controllers and incumbents of other specific covered positions noted in Appendix A.
- (b) Maximum daily hours of service:
 - (1) The elapsed length of any duty tour may not exceed 12 hours, including any period(s) of interim release.
 - (2) Within any duty tour, no employee may be on duty more than 12 hours.
- (c) Minimum daily scheduled off-duty period: All safety-critical employees will have work schedules that provide a minimum of 12 consecutive hours off duty before returning to the next day's assignment.

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- (d) Minimum days off after consecutive days worked:
 - (1) No employee may perform work on more than six consecutive days. If an employee performs work on six consecutive days, that employee must receive at least 24 hours off duty before reporting for the next duty tour.
 - (2) The normal construction of these limitations will refer to calendar days. However, for an employee whose regular assignment commences before midnight and ends thereafter, "day" will refer to the 24-hour period commencing at the beginning of the first duty tour in the sequence.

5.04 Transit Infrastructure and Engineering Services (TIES)

- (a) Covered employees: This section addresses TIES employees and incumbents of other specific covered positions noted in Appendix A.
- (b) Maximum daily hours of service:
 - (1) The elapsed length of any duty tour may not exceed 14 hours, including any period(s) of interim release.
 - (2) Within any duty tour, no employee may be on duty more than 14 hours.
- (c) Minimum daily scheduled off-duty period: All safety-critical employees will have work schedules that provide a minimum of 10 consecutive hours off duty before returning to the next day's assignment.
 - (1) No employee may perform work on more than six consecutive days. If an employee performs work on six consecutive days, that employee must receive at least 24 hours off duty before reporting for the next duty tour.
 - (2) The normal construction of these limitations shall refer to calendar days. However, for an employee whose regular assignment commences before midnight and ends thereafter, "day" shall refer to the 24-hour period commencing at the beginning of the first duty tour in the sequence.

5.05 Metro Transit Police Department (MTPD)

- (a) Covered employees: This section addresses MTPD-sworn police officers and officials, as noted in Appendix A.
- (b) Maximum daily hours of service:
 - (1) A duty tour will not exceed 14 hours, including any period(s) of interim release.

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- (2) No employee may be on duty more than 12 hours, consecutively or aggregately, in any given duty tour.
- (c) Minimum daily scheduled off-duty period: All MTPD safety-critical employees will have work schedules that provide a minimum of 10 consecutive hours off duty before returning to the next day's assignment.
- (d) Minimum days off after consecutive days worked:
 - (1) No employee may perform work on more than six consecutive days. If an employee performs work on six consecutive days, that employee must receive at least 24 hours off duty before reporting for the next duty tour.
 - (2) The normal construction of these limitations will refer to calendar days. However, for an employee whose regular assignment commences before midnight and ends thereafter, "day" will refer to the 24-hour period commencing at the beginning of the first duty tour in the sequence.
- (e) MTPD exceptions:
 - (1) An exception to 5.05 (b), (c) and (d) was given until the vacancy rate is brought down.
 - (2) An exception to 5.05 (b), (c) and (d) is permitted when necessary for an MTPD-sworn officer who is required to attend court on behalf of Metro on the officer's workday or what would be the officer's seventh consecutive day of work.

6.00 ENFORCEMENT

- 6.01 Management responsibility: Compliance with this P/I is the responsibility of managers and supervisors of covered employees.
- 6.02 Timekeeping: Timekeeping systems will be used to facilitate and verify compliance with hours of service limitations. Each covered employee must accurately record that employee's time in the designated timekeeping system.
- 6.03 Employee role: Except as provided in section 4.05 and this section, and except where a covered employee is also a manager or supervisor, responsibility for compliance with this P/I may not be delegated to covered employees. However, covered employees are encouraged to report any perceived deviations from this P/I to their supervisor or through the Safety Hotline (202-249-SAFE). Harassment, intimidation or retaliation is strictly prohibited against any employee who, in good faith, reports a violation.

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7.00 EXCEPTIONS

- 7.01 Exceptions warranting excess service: The following circumstances are recognized as exceptions to the limitations set forth in section 5.00 of this P/I:
 - (a) Protection of persons and property:
 - (1) An employee may perform excess service if, due to unexpected delays, it becomes necessary to complete an assignment involving persons in transportation or awaiting transportation, including customers, other employees and business guests.
 - (2) An employee may perform excess service to the extent necessary for the protection of Metro property.
 - (3) As used in section 7.01(a), excess service is "necessary" only if, and to the extent that relief by another qualified person (including a qualified supervisor) is not reasonably and timely available, given the totality of the circumstances involved.
 - (b) Unexpected unavailability of qualified personnel: In the event essential Metro functions necessitate assigning excess service to a covered employee as a result of the unexpected unavailability of qualified personnel, management must exercise due diligence to limit the amount of such excess service.
 - (c) Emergency situations, not otherwise provided for: In the event of a declared Major Disaster under the Metro Emergency Operations Plan as currently in effect, including an incident subject to the Severe Weather Operations Plan, operation of this P/I will be suspended to the extent necessary to address immediate requirements and maintain/restore transportation service (i.e., recovery).
- 7.02 Recuperative rest following excess service: Following any excess service justified under these exceptions, management of each respective department will make every reasonable effort to provide personnel time off for recuperative rest.
- 7.03 Monitoring/reporting excess service: In normal operations and with satisfactory staffing, excess service should only rarely occur. It is the responsibility of management to report instances of excess service as defined by SAFE, identify emerging excess service patterns (if any) and to promptly propose staffing remedies.
- 7.04 Procedures for retrospective review: Scheduling practices will be reviewed regularly (at least monthly) relative to compliance with the HOS policy and in terms of fatigue. Management will take reasonable efforts to modify scheduling practices to minimize exceptions and actual duty time with unacceptable estimated effectiveness.

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- 7.05 Consideration of staffing levels during annual budget cycle: Managers in departments with covered employees will review and report staffing needs related to compliance with this P/I at the beginning of each annual budget cycle. The CFO will consider such needs in preparing the annual budget request.
- 7.06 Exceptions approved by the General Manager: The General Manager may authorize and approve additional specific exceptions to the limitations set forth in Section 5.0 of this P/I.

8.00 RELATED POLICIES, REGULATIONS & RESOLUTIONS

- 8.01 WMATA Board of Directors System Safety Policy Statement
- 8.02 Metro System Safety Program Plan
- 8.03 [Policy/Instruction 10.6, Fatigue Risk Management System](#)

9.00 IMPLEMENTATION OF THIS POLICY/INSTRUCTION

- 9.01 Requirements of this Policy/Instruction pertaining to safety-critical work in RTRA, BTRA, BMNT and TIES:
 - (a) Initial implementation date of June 28, 2014.
 - (b) Revised September 30, 2015. This revision supersedes all previous versions upon signing.
 - (c) Compliance date, as revised, not later than of October 1, 2015.

10.00 LIST OF APPENDICES, ATTACHMENTS OR FORMS

- 10.01 Appendix A: Schedule of Safety-Critical Occupations

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APPENDIX A: Schedule of Safety-Critical Occupations

Major Element	Sub-Element	Job Title	Code
Transportation, Bus and Rail			
BUS	BTRA	Bus Operator	6500, 6509
		Service Operations Manager	6428
		Assistant Superintendent, Bus Service Operations	6438
		Superintendent, Service Operations	1711
	BOCC	Bus Operations Manager	6430
		Assistant Superintendent, Street Operations/BOCC	3775
		BOCC Specialist	6450
RTRA	RTTO	Station Manager, Startup Station Manager	6765, 6762
		Interlocking Operator	6761
		Rail Operations Supervisor	6749
		Train Operator	6759
		Assistant Superintendent Field/Train Operations	6754
	ROCC	ROCC Director	0164
		Supervisor	6750
		Assistant Superintendent	6752
		Superintendent	6723
		Maintenance Operations Controller	4640
		PLNT Services Dispatcher	5325
		MOC Assistant Superintendent	4639

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Major Element	Sub-Element	Job Title	Code
		GOTRS System Administrator	5084
		Elevator Escalator Dispatcher	1780
		Customer Service Liaison	0693, 1845
Bus Maintenance			
BMNT		Auto/Lt Truck Mechanic (AAL-D)	2011-2016
		General Garage Mechanic D thru AA and Fleet Servicer D thru AA	1904-1914
		Heavy Truck Equipment Repair	2018-2023
		Machinist Heavy Overhaul	1935-1940
		Small Unit Component Overhauler D-AAL	1949-1954
		Welder	1942-1947
Transit Infrastructure and Engineering Services			
TIES	Immediate staff	Construction Engineer	2641, 2642, 2643, 2644, 2645, 2647
		Construction Inspector	8784, 2723, 2724, 2725, 2667, 2720, 2722
		Inspector	4629
TIES	CMNT	Road Mechanical Electrical Lead Shop	3861
		Mechanic Electrical Lead MRO	3861
		Mechanic Electrical Lead S&I	3861
		Mechanic Electrical S&I	4725-4729
		Mechanic Mechanical S&I	4657, 4674-4677

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Major Element	Sub-Element	Job Title	Code
		Mechanic Mechanical Shop	4657, 4674-4677
TIES	ELES	Inspector	5342
		Journeymen	5810E, 5811E
TIES / SMNT	ATC	Mechanics and Helpers	5107-5110, 4661
		Shift Supervisors	5105
	COMM	Mechanics	5191, 5195, 5188, 5189, 5199, 4661
		Shift Supervisors	5186
TIES/SMNT	PWR	HV Technician	5051-5055
		LV Technician	5027-5031
		Shift Supervisors	5015
		Supervisors TEST and Calibration	5019
		TEST Technician and Helper	5056-5060
TIES	TRST	Assistant Superintendent, Track and Way	5321
		Division Superintendent, Track and Way	5142
		Inspection Track Walker	5501, 5502, 5525
		Maintenance Manager, Track and Way	5456
		Mobile Command Manager	5617
		Mobile Command Supervisor	5615
		Operators (on-track equipment)	5460-5464
		Structural Evaluation Technicians	5504
		Structure Repairmen	5493-5497

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Major Element	Sub-Element	Job Title	Code
		Supervisor, Inspection Structures Track and Way	5456
		Supervisor, Track and Way	5457
		Surveyor	1164
		Track Laborer	5413
		Track Repairman	5466-5470
		Track Welder	5690-5695
		Track and Structures Training Instructor	3724
Metro Transit Police Department			
MTPD	MTPD	Sworn Police Officers and Detectives	8722, 8723, 8724, 8730
		Police Officials	0038, 0241, 0261, 1724, 1725, 1727
		Police Communications Specialists	1759
		Police Communications Supervisors and Managers	8929, 8932

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