

Emergency Order No. 26 — BLET Frequently Asked Questions (as of 10/22/08)

1. What is the best way to avoid violating the Emergency Order?

Regardless of the circumstances in which the Emergency Order permits the use of cell phones and other personal electronic devices, the surest way to avoid violating the Emergency Order or associated railroad rules is to turn off all such devices when you register for duty, stow them in your grip, and do not retrieve and activate them until you have been relieved from duty.

2. Can we use our cell phones (business or personal) while stopped and not operating the controls of the train?

The Emergency Order does not prohibit the use of cell phones for voice communication, provided that (1) the train is stopped, and (2) an operating employee is not required to ride rolling equipment during switching operations, and (3) no railroad employees are required to be on the ground, including any situation where other are assisting in preparation of the train (e.g., during an air brake test). Such use in this circumstance would be governed by railroad operating rules.

3. Can we use our cell phones (business or personal) while being deadheaded in any type of mode of transportation?

Personal electronic devices must be turned off, with earpiece removed, while on a moving train, or when a duty requires any member of the crew to be on the ground or to ride rolling equipment during a switching operation, or during any period when another employee of the railroad is assisting in preparation of the train (e.g., during an air brake test). A railroad-supplied mobile telephone or remote computing device may be used by a crew deadheading in the cab of a moving locomotive for an authorized business purpose, but only after a safety briefing is conducted and all assigned personnel agree that it is safe to do so. A deadheading crew also may use a railroad-supplied mobile telephone or remote computing device for an authorized business purpose within the body of a passenger train or a railroad business car. When the use of a cell phone is permitted, it may be used for voice communications only. The Emergency Order is silent with respect to the use of electronic devices by crews deadheading in trailing locomotives, and we are preparing a Petition for Review in order to obtain a clarification from FRA concerning this issue. The scope of the Emergency Order does not extend to modes of deadhead transportation other than trains.

4. While moving on a train, if there is someone else in the cab of the locomotive with you, can they use their cell phone?

A railroad operating employee other than a locomotive engineer operating the controls of a moving train may use a railroad-supplied mobile telephone or remote computing device in the cab of a moving locomotive for an authorized business purpose, after a safety briefing, provided that all assigned personnel on the crew agree that it is safe to do so. Any other use — including the use of a personal cell phone — is prohibited in the cab of a moving train.

