



# The Belt Railway Company of Chicago

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## Internal Control Plan

Maintained in compliance with 49 CFR Part 225.33

Accident/Incident Reporting

Effective August 15, 2016  
**Updated April 10, 2024**

Table of Updates:

Last Update:	Pages Changed:	Source:	Notes:
August 15, 2016	Full Revision	BRC-DIR RULE/COMP	New Revised Document
December 1, 2017	Appendix A, A2	BRC-DIR RULE/COMP	Update Titles
December 1, 2017	A2, Appendix C	BRC-DIR RULE/COMP	Update Chart
December 10, 2018	Full update and revision	BRC-DIR STRAT PLNG/COMP	New Revised Edition
November 22, 2019	Revise organizational contacts	BRC-DIR STRAT PLNG/COMP	Updated Names/Titles, Remove Appendix B
January 15, 2021	Revise organizational contacts	BRC-Chief Engineer BRC-Director of Police & Risk Management	Updated Names/Titles
March 21, 2021	Revise organizational contacts	BRC-Superintendent Mechanical	Updated Names/Titles
January 10, 2023	Revise organizational contacts	BRC-Sr. Dir. Safety & Compliance BRC-Asst. Safety Dir.	Updated Names/Titles
January 31, 2023	Revise organizational contacts	BRC-Sr. Dir. Safety Compliance	Updated Names/Titles
July 15, 2023	Revise organizational contacts	BRC-Superintendent Safety BRC Superintendent Transportation	Updated Names/Titles
April 10, 2024	Revise organizational contacts	BRC-Chief Mechanical & Engineering Officer	Updated Names/Titles

## **Purpose**

The Federal Railroad Administration (FRA) requires that railroads maintain an Internal Control Plan (ICP) to support the proper reporting of all railroad train accidents, incidents, injuries, and occupational illnesses arising from the operation of the railroad (49 CFR, Part 225.33). The Belt Railway Company of Chicago (BRC) has developed this ICP to help ensure compliance with the provisions of this regulation. This ICP is available for inspection by the FRA, employees, and state inspectors at the office of the BRC Reporting Officer and will be posted at all reporting locations and at the BRC General Office Building. The plan is maintained by Gerald Conoboy, Director of Police and Risk Management. The BRC will amend this plan, as necessary, to reflect changes to its internal reporting procedures.

## **Policy Prohibiting Harassment or Intimidation**

The BRC is committed to provide complete, timely and accurate reporting of all accidents, incidents, injuries, and occupational illnesses arising from the operation of the railroad. We strive to fully comply with both the letter and spirit of the FRA's accident reporting regulation. The BRC does not tolerate harassment or intimidation that is intended to discourage or prevent employees from receiving proper medical treatment or reporting accidents, injuries, or occupational illnesses. Any employee who violates this policy is subject to disciplinary action up to and including termination.

## **Medical Transportation and Treatment**

If transportation to a hospital is requested by an employee who is injured during employment, the railroad shall promptly arrange to have the injured employee transported to the nearest hospital where the employee can receive safe and appropriate medical care.

## **Complaint Procedures:**

If an employee has a complaint about the way in which an injury was handled, they have multiple means to report the issue. Primary is the utilization of the BRC Ethics Hotline, which allows for receipt of the complaint by an independent contractor, which is then forwarded to the BRC for investigation and resolution.

Alternatively, the employee can contact the General Counsel, Secretary, and Director of Human Resources or General Attorney directly on the issue. All complaints will be thoroughly investigated.

The BRC will investigate all complaints covered by this policy and take appropriate disciplinary action where warranted.

Employees may submit written or verbal complaints with the General Counsel, Secretary and Director of Human Resources or the President. It is requested that all verbal complaints also be submitted in writing to help facilitate the investigation process.

If the General Counsel, Secretary and Director of Human Resources is the subject of the complaint, the report will be made to the President.

If the President is the subject of the complaint, the report will be made to the General Counsel, Secretary and Director of Human Resources; and

If a report is made to the Superintendent and then the President and the employee believes the response does not adequately address the concern the employee may report the concern to the General Counsel, Secretary and Director of Human Resources.

- Any Employee, Supervisor, Manager or Officer who feels he/she has been harassed or intimidated so as not to report an accident, incident, injury, or illness should contact the President or the General Counsel, Secretary and Director of Human Resources. The complaint will be handled in as confidential manner as is possible.
- In addition, the BRC has a Whistleblower Policy in place (Appendix A).
- A prompt investigation will be undertaken of the alleged violation.
- The President or General Counsel, Secretary and Director of Human Resources undertaking the investigation will meet with the employee making the allegation to obtain further information pertaining to the nature of claim being made.
- Employees who make complaints, or who participate in a company investigation of such report, will be expected to fully cooperate with the Company by providing complete and accurate information as requested. An employee who makes a complaint under this policy should be prepared to provide the person investigating the complaint with as much detailed information as possible of the alleged behavior or conduct in question, including names of any witnesses to facilitate the investigation.

- If the investigation determines that a violation has occurred, appropriate disciplinary action, up to and including dismissal, will be taken and a record of this action will be entered into the employee's personnel file.
- The employee making the complaint will be advised of the results to the extent appropriate and reasonable.

The Policy Statement and Complaint Procedures will be disseminated to all employees, supervisory personnel, and management by posting this Internal Control Plan at all reporting locations, and at the railroad's General Office Building, Bedford Park, IL. The BRC shall provide "Whistleblower" protection to any person subject to this policy.

### **No Retaliation**

Retaliation against an individual for making a complaint under this policy is strictly prohibited. If an employee believes he/she is being retaliated against he/she should immediately report the matter to any of the persons responsible for receiving harassment or intimidation concerns under this policy.

### **Dissemination Policy**

The BRC Reporting Officer will update and post the "Monthly Report of Injury and Illness" at employee on duty points in Bedford Park, IL. Additionally, a copy of the Company's Anti-Harassment and Anti-Intimidation Policy and Complaint Procedures will also be maintained on this bulletin board and on the corporate website. Paper or electronic copies of the policy are available by contacting the Belt Railway Company of Chicago Reporting Officer, currently Gerald Conoboy, Director of Police and Risk Management.

### **Internal Reporting System and Forms:**

The BRC uses the FRA's Accident/Incident Report Generator (AIRG) software for the collection and internal recording of accident and incident information. AIRG is an MS Windows-based computer program which facilitates the processing and allows for the electronic submission of all FRA-required monthly reports and logs required under 49 CFR Part 225.

The following internal forms are used to collect and record accident and incident information in the field by employees and supervisors:

**Incident Report: Incidents, Injuries, Derailments, Collisions, Trespassers BRC**

- AIRG
  - Highway - Rail Crossing Incident
  - Railroad Employee Injury and/or Illness Record
- Supervisor Form (*Completed by Supervisor Reporting of Injury*)
- Employee Form (*Completed by Employee Reporting Injury and Witness*)
- Belt Apps, Accident File "AF" (*Reportable/Incident*)
- Belt Apps, Safety Incident "SI" (*Incident*)
- Mechanical Inspection Form (*Completed by Locomotive or Car Inspector*)

**Procedures for Processing Internal Forms**

The following is a summary of the procedures used for processing internal accidents, incident, injury, and occupational illness forms.

1. The FRA Reporting Officer is responsible for updating as needed and making available copies of the internal forms to employees throughout the Company.
2. Employees must notify a supervisor/manager of an accident, incident, injury, or occupational illness as soon as possible, but not later than the end of the tour of duty. The employee is required to complete and submit applicable forms and statements as set forth in the applicable GCOR or other applicable operating rules.
3. Employees who are incapacitated need to complete the applicable forms as soon as they are able.
4. Supervisors/managers are required to complete applicable BRC accident/incident internal forms.
5. Supervisors/managers are required to submit all accident and injury reports to the BRC Reporting Officer after an accident or incident.
6. Supervisors/managers are required to hand-deliver original forms or electronically submit documents to Gerald Conoboy, Director of Police and Risk Management, Bedford Park, IL.
7. The BRC Reporting Officer reviews the forms for completeness and accuracy.

The BRC Reporting Officer files copies of all forms.

The BRC General Office Building, 6900 S. Central Avenue, Bedford Park, IL 60638 is the primary file location for all incidents.

### **Internal Review Procedures**

The General Counsel, Secretary and Director of Human Resources will review the Belt Railway Company of Chicago accident, incident, injury, and occupational illness records once during each calendar year.

This review will include the overall performance of the railroad in adhering to the provisions of this plan and analysis of individual records for accuracy and completeness. The reviewer will perform additional investigation as deemed necessary to evaluate any files that seem inconsistent with expected reporting practice.

Adjustments to the reporting process and corrective action will be taken if the review identifies exceptions.

A copy of the audit results will be maintained at the BRC General Office Building, 6900 S. Central Avenue, Bedford Park, IL 60638.

### **Internal Procedures for Collecting Cost Data and Compiling Costs**

1. In the event of a train accident, supervisors/managers are required to complete the applicable BRC Accident/Incident Reports. This includes sections requiring estimated equipment, lading, track and signal damages and environmental clean-up costs.
2. The BRC Reporting Officer reviews the forms for completeness and accuracy and records the final cost estimates in the Incident Report.

### **Internal Procedures Ensuring Adequate Communication**

To ensure adequate communication between the BRC Reporting Officer and other departments responsible for collecting, receiving, processing, and reporting accidents and incidents, The BRC's internal procedures include the following:

1. An open communication policy
2. A written Accident and Incident Reporting Guide for use by BRC Managers and Supervisors
3. Ready access by all employees to the BRC Reporting Officer
4. A corporate policy that requires prompt verbal notification of incidents to BRC senior leadership.
5. A weekly safety conference call where FRA reportable, and non-reportable incidents are discussed and evaluated.
6. Recording of data on the Corporate File server for tracking of accident and incident performance.
7. Publishing of Safety Bulletins and Alerts on selected incidents to communicate incident and lessons-learned to supervisors and the workforce.

### **Internal Procedures for Updating and Amending Accident and Incident Information**

1. At the end of each calendar month, the BRC Reporting Officer will perform a closeout to update accident and incident information prior to reporting to the FRA. This closeout includes the following:
2. The BRC Reporting Officer solicits final cost estimates related to rail equipment, highway rail crossing accidents and incidents from all applicable departments.
3. The BRC Reporting Officer reviews all occupational injury and illness data in the "Occupational Injury or Illness Report" log required in 49 CFR part 225.25 and rail equipment and highway rail grade crossing incident data in the AS/400 Derailment Reporting Database.
4. The BRC Officer will then complete and submit the final report to the FRA electronically.
5. In the event an accident or incident was omitted in the final report, the railroad will submit an amended report along with a letter that explains the reason for the changes and late filing. Amended reports and explanations will also be submitted if final cost estimates are received from the mechanical, track and/or car departments with a 10% variance from the initial cost estimate and the variance exceeds the current FRA dollar threshold by 10%.
6. When the medical status of an employee with an occupational injury or illness changes from non-reportable to reportable within 180 days of the event or a reporting error is discovered, the same process is followed to amend the report.



## **Organizational Description**

The BRC is a Class III switching carrier. The Organizational Chart is attached as Appendix C.

## **Organizational Components:**

The following are The BRC components that regularly come into possession of information pertinent to the preparation of reports under 49 CFR 225.33, the managers of the components, and the officers to whom they are responsible:

- Gerald Conoboy, Director of Police & Risk Management, Police Dept.
- Adam Brock, Chief Mechanical & Engineering Officer, Mechanical/Engineering Dept.
  - Robert Perham, Assistant Superintendent, Mechanical Dept.
  - Patrick McCarron, Assistant Superintendent, Mechanical Dept.
- Jordon Busson, Superintendent Transportation, Transportation Dept.
- Terry Hartwig, Superintendent Safety, Safety Dept.
  - Mark Labbe, Assistant Director of Safety, Safety Dept.
  - Jason Charbonneau, Sr. Director of Safety & Compliance, Safety Dept.

## **Custodian and Location of FRA F6180.107 Forms and Supporting Documentation:**

The F6180.107 forms and supporting documentation are held by the BRC Reporting Officer at the General Office Building, 6900 S. Central Avenue, Bedford Park, IL 60638.

Appendix A - BRC Whistleblower Policy Statement:



# Belt Railway Company of Chicago

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## WHISTLEBLOWER POLICY

The Belt Railway Company of Chicago (BRC) is committed to fostering a workplace conducive to open communication regarding the Company's business and operating practices and to protecting employees from unlawful retaliation and discrimination for reporting unlawful conduct. The BRC is committed to operating in compliance with all applicable laws, rules, and regulations.

If an employee has a reasonable belief that an employee or the Company has engaged in any action that violates any applicable law or regulation, including, but not limited to, conduct which the employee reasonably believes constitutes a violation of federal law, rule or regulation relating to railroad safety or security, or a hazardous railroad safety or security condition, the employee may submit a written or verbal complaint to General Counsel, Secretary, and Director of Human Resources of the Company.

The employee also has the option of using the BRC Ethics Hotline to report business conduct issues. Access to the hotline is provided for employees allowing submission of concerns by both telephonic and electronic means.

It is requested that all verbal complaints also be submitted in writing, to help facilitate the investigation process.

If the General Counsel, Secretary, and Director of Human Resources is the subject of the complaint, the report will be made to the President.

If the President is the subject of the complaint, the report will be made to the General Counsel, Secretary and Director of Human Resources.

Reports made under this policy will be investigated promptly. In conducting its investigation, the Company will strive to handle the report in as confidential manner as is possible, consistent with the need to conduct an adequate investigation. Further information on reporting

and investigating reports can be found in the company's Internal Control Plan (ICP), a copy of which is posted at the BRC General Office Building.

### **No Retaliation**

Retaliation against an individual for making a complaint under this policy is strictly prohibited by BRC policy.

If an employee believes he or she is being retaliated against he/she should immediately report the matter to any of the persons responsible for receiving harassment or intimidation concerns under this policy.

Reports determined to be made in bad faith, or maliciously and/or knowingly to be false, may be subject to discipline up to and including termination.

Appendix B - Organizational Chart:

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