

EMPLOYEE HUMAN FACTOR ATTACHMENT

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB No. 2130-0500

Name of Reporting Railroad	Railroad Accident/Incident No. (Block 1b, FRA F 6180.54)	Date of Accident/Incident (mo/day/year)
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The railroad has determined that (check only one)

- a. One or more railroad employees was the primary or a contributing cause of the accident.
- b. One or more railroad employees was not the primary or a contributing cause of the accident.
- c. It is uncertain whether one or more railroad employees was a primary or a contributing cause of the accident.

If item "b" or "c" was checked, go to the last line of the form. If item "a" was checked, complete the following:

The railroad has identified (check only one)

- 1. All the railroad employees who were the primary cause or a contributing cause of the accident/incident.
- 2. Some, but not all of the railroad employees who were the primary cause or contributing cause of the accident/incident.
- 3. None of the railroad employees who were the primary cause or a contributing cause of the accident/incident.

If item "3" above was checked, go to the last line of this form.

If item "1" or "2" was checked, complete the following for each employee identified as the primary cause or a contributing cause of the accident/incident. Attach additional pages if needed.

Name of Railroad Employee (last, first, middle)	Job Title	Railroad Code of Employing Railroad	Cause Code(s) Applicable to this Employee
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Describe why the employee was the primary cause or contributing cause of the accident/incident.

Did the employee die as a result of the accident/incident? Yes No

Typed Name and Title	Signature	Date
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Note: This form under 49 C.F.R. 225.12 is part of the railroad's accident report to FRA pursuant to the accident reports statute and as such shall not "be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report. . . ." 49 U.S.C. 20903. See 49 C.F.R. 225.7 (b).

Note: Under 49 C.F.R. 225.29, any person who violates any requirement of 49 C.F.R. Part 225 or causes the violation of any such requirement is subject to a civil penalty. Penalties may be assessed against individuals only for willful violations. A person may also be subject to criminal penalties provided for in 49 U.S.C. 21311.

This collection of information is mandatory under 49 CFR 225, and is used by FRA to monitor national rail safety. Public reporting burden is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing databases, gathering and maintaining the data needed, and completing and reviewing the collection of information. The information collected is a matter of public record, and no confidentiality is promised to any respondent. Please note that an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection is 2130-0500.

INSTRUCTIONS FOR COMPLETING FORM FRA F 6180.81 "EMPLOYEE HUMAN FACTOR ATTACHMENT"

Requirements

If, in reporting a rail equipment accident/incident on Form FRA F 6180.54, a railroad cites an employee human factor as the primary cause or a contributing cause of the accident, the railroad that cited such employee human factor must complete Form FRA F 6180.81, entitled "Employee Human Factor Attachment."

The Form FRA F 6180.81 must be attached to its related Rail Equipment Accident/Incident report.

This Form is only used in connection with a reportable rail equipment accident/incident where Form FRA F 6180.54 submitted to FRA identifies an employee human factor as either the primary cause or contributing cause of the accident.

General Instruction

Each employee identified on Form FRA F 6180.81 must be notified that he or she has been identified as a possible primary or a contributing cause of an accident. That notification is to be given on Form FRA F 6180.78. Instructions for completing Form FRA F 6180.78 are noted on the attachment to that form. You also may wish to refer to the [FRA Guide for Preparing Accident/Incident Reports](#), or FRA's website at www.FRA.DOT.GOV for completion of that form.

FREQUENTLY ASKED QUESTIONS

Q. Under what circumstances must the reporting railroad complete a Form FRA F 6180.81?

A. This form should be completed only when a railroad, in reporting a rail equipment accident/incident to FRA assigns any of the cause codes listed under "Train Operation"-Human Factors as listed in Appendix C to the [FRA Guide for Preparing Accident/Incident Reports](#) as the primary cause or a contributing cause of the rail equipment accident/incident.

Q. What is the **definition of a "railroad employee"** for purposes of completing this form?

A. "Railroad Employee" means Worker on Duty-Railroad Employee (Class A), Railroad Employee not on Duty (Class B), Worker on Duty-Contractor (Class F), and Worker on Duty-Volunteer (Class H). See 49 C.F.R. 225.5, 225.12.

Q. What is the definition of "the primary cause or a contributing cause"?

A. The "primary cause or a contributing cause" is an act, omission, or physical condition such as alcohol intoxication, fatigue, or legal or illegal drug use that was the main cause or a contributing cause of the accident/incident. If an employee was intoxicated or fatigued, but the accident would have happened anyway and with the same degree of severity, then the intoxication, fatigue is not the primary or a contributing cause. If the employee's act, omission, or physical condition only remotely contributed to the accident/incident, this is still a contributing cause of the accident.

Q. Should I send a Form FRA F 6180.78 to an employee's home **if the employee died** as a result of the accident?

A. No. A Notice for an employee must not be sent if that employee has died as a result of that accident. A Notice is not required and is not recommended for an employee who has died due to any cause by the time that Notice is ready to be sent.

Q. What should I do if the railroad alleges **an employee from another railroad is the primary cause or a contributing cause of the accident**?

A. You should notify the employee's railroad that the reporting railroad alleges that the primary or a contributing cause of the accident was that employee. The employee's railroad should then promptly provide to the reporting railroad the name, title, address, and medical status of that employee.

Q. What if the reporting railroad **cannot initially identify an employee** as the primary cause or a contributing cause of an accident but subsequently does identify such employee?

A. The reporting railroad should prepare a revised Form FRA F 6180.81 and forward it to FRA. In addition, the reporting railroad, will have **15 days** from the date of the revised form to send an FRA F 6180.78 to that employee.

Q. May a reporting railroad ever **defer notice** to an employee?

A. Yes. Particularly if the employee was seriously injured, a railroad may defer notice to the employee.

Q. Must the reporting railroad attach a Form FRA F 6180.81 to the Form FRA F 6180.54 if the reporting railroad has scheduled or is **conducting a formal investigation** of the accident to determine if it was caused by human factor, but the investigation is not concluded before the filing of the regular monthly report?

A. Yes. The reporting railroad must nevertheless attach the FRA F 6180.81 to the Form FRA F 6180.54. Moreover, when completing the 6180.81 in this situation, the reporting railroad should in the "Brief Description" block, explain that the employees have not been named because the railroad is still conducting a formal investigation. Indicate whether the formal investigation is currently in progress or the date that it is scheduled to begin. Once the investigation is completed, the reporting railroad must file a "corrected copy" of the Form FRA F 6180.81 for each implicated employee.

Q. When must the reporting railroad notify the implicated employee?

A. A Notice for an employee must be sent within **45 days** from the end of the month in which the accident occurred, unless the employee has died, or in the reporting railroad's discretion, the reporting railroad should defer notice.