



RAILROAD COMPLIANCE SPECIALIST

5832

GENERAL DESCRIPTION OF CLASS

The RAILROAD COMPLIANCE SPECIALIST develops, administers, or enforces railroad safety or public rail-highway crossing safety standards and regulations; or investigates and prevents railroad accidents. Employees are engaged in conducting safety inspections of railroad equipment, track and facilities; conducting diagnostic studies or inspections of public highway-rail crossings; investigating accidents and reports of unsafe conditions on railroad property; performing other administrative program development, or advisory functions requiring a knowledge of railroad safety practices.

Employees bring about compliance of individuals and organizations through enforcement of and technical consultation on freight and passenger rail programs that address the safety of railroads. Employees develop rail related compliance standards and procedures and design training courses that deal with complex regulatory situations in which compliance is not clearly defined. Employees select and implement non-prescribed courses of action and have authority to impose sanctions for noncompliance.

DISTINGUISHING FEATURES

This is the second and journey level of a two-level professional series. The Railroad Compliance Specialist is distinguished from entry level by the assignment to complete the full scope of work independently.

DISTINGUISHING FEATURES FROM SIMILAR SERIES

The Railroad Compliance Specialist differs from the Compliance Specialist series because of the occupational specificity to the railroad industry and the specialized experience requirements needed to do this work.

The Investigator class series differs from the Railroad Compliance Specialist because of the emphasis on investigating fraudulent or other illicit activities using investigative techniques.

DUTIES AND RESPONSIBILITIES

The duties listed are characteristic of the type and level of work associated with this class. Individual positions may do all or some combination of the duties listed as well as other related duties.

Work in this classification typically includes four main areas: (1) inspection of railroad equipment, facilities and operating practices for compliance with Federal or State safety standards and regulations; (2) regulation of public highway-railroad crossings to ensure compliance with federal and state laws; (3) staff work related to policy and procedural development or program administration; and (4) investigating major railroad accidents to determine probable cause and taking steps to prevent future occurrences.

1. Technical Consultation

Provide a high level of expertise and technical consultation to ensure Oregon rail-highway crossings, as well as railroad freight and passenger equipment and operations moving in Oregon, are safe and in compliance with State and Federal safety laws, rules, and regulations. Analyze, interpret and apply laws, rules or agency policies to help others with railroad and highway-rail crossing compliance issues. Lead and participate on diagnostic teams and studies analyzing physical characteristics of highway-rail grade crossings and adjacent highway-highway

intersections. Analyze traffic flow and accident data for design of railroad warning devices, interconnected traffic signal systems, consult with other departmental, city, county and consultant engineers to define and identify traffic problems and implement complex interconnected traffic signal operations. Lead and participate on interdisciplinary project teams with other state agencies and governmental jurisdictions, and railroads to manage projects involving construction and alteration of public highway-rail crossings, railroad safety and security. Instruct others on handling of regulatory complaints. Organize, lead, and participate in joint investigations and interdisciplinary task force operations to assess and analyze compliance or serious railroad accidents and incidents to determine the cause(s). Give technical advice to managers, staff or outside organizations on program regulations or guidelines. Make presentations orally and in writing to explain policy and procedure. Collaborate with railroads, rail-served industries and local officials to solve potential conflicts or misinterpretation of regulations. Consult with regulated entities to identify problem areas and improve conditions. Review, coordinate, and monitor work of regulatory staff in the delivery of compliance services. Identify training-related compliance problems and develop training goals to improve compliance with regulations. Formulate and update training policies or procedures. Design and provide training for staff members and regulated or client groups or individuals. Identify training resources for customers. Evaluate training courses to ensure content conforms to regulations and policies. Develop goals for training programs provided to staff members and regulated entities and agencies.

2. Enforcement

Identify and interpret laws, rules or policies violated to decide course of action. Decide type and levels of imposed sanctions to compel compliance, including verbal warnings, written defect reports, violation reports with civil monetary penalties, immediate removal of equipment or railroad employees from service, compliance orders (restricted use), and emergency orders (facility or employee out-of-service). Initiate sanctions. Conduct investigations in response to complaints about railroad services, equipment and operations or public highway-rail crossings. Investigate regulatory situations to decide compliance with program regulations. Audit and analyze railroad company records to determine compliance with State and Federal regulations and prepare reports of audit results for the agency and the Federal Railroad Administration. Develop corrective action plans based on finding of audits or site visits. Develop procedural changes to facilitate compliance or improve conditions. Work with regulated entities to solve problems and mediate disputes in issues of compliance. Administer, regulate, and adjudicate Crossing Order and/or Variance Order Applications according to state and federal laws and rules to construct, alter, or close railroad-highway crossings or railroad infrastructure including walkways and tunnels.

3. Program Coordination

Develop standards and procedures that guide railroad and public highway-rail crossing enforcement activities. Develop program goals, objectives and action plans. Develop program compliance criteria. Identify regulatory or legislative changes needed for program success. Evaluate program operations to identify areas of weakness or non-compliance. Review program records for compliance to policy, rules, or other requirements. Recommend adjustments needed to achieve program effectiveness. Research laws, case precedents, and legislative intent to recommend policy direction and guide others to compliance. Research and develop new highway-rail grade crossing design concepts. Evaluate innovative methods for application of alternate technology to highway-rail grade crossing projects and highway-rail grade crossing safety issues. Develop and manage working agreements, coordination agreements or implementation agreements to carry out projects performed in joint efforts with other government entities, i.e. local, state and federal and railroad companies. Manage contracts and evaluate the work of consultants. Ensure all contracts and agreements comply with all requirements, standards and procedures.

4. Case Preparation

Formulate Agency position regarding the crossing application, and coordinate and expedite movement of all proceedings toward final disposition. Plan case presentations. Develop case materials for contested case hearings. Represent agency position in contested cases. Provide documentation and testimony as a technical expert witness for the Department or as requested by other agencies. Develop and submit case materials of violation(s) of the Code of Federal Regulations for prosecution by office of Chief Counsel, Federal Railroad Administration in Washington, D.C. and Oregon Attorney General. Appear in court as an expert witness for the prosecution to substantiate the government's case. Prepare reports with recommendations based on program regulation.

RELATIONSHIPS WITH OTHERS

The Railroad Compliance Specialist has regular contact by telephone, in person, letters and electronic mail with staff members, state personnel, rail industry representatives and employees, railroad union representatives, and consultant engineers and all levels of government agencies to plan projects, clarify policy, present cases at hearings, enforce regulations, bring about agreements, collect data, and solve compliance problems. The Railroad Compliance Specialist has regular contact with the public through written communications or by phone to respond to inquiries regarding railroad related issues.

SUPERVISION RECEIVED

The Railroad Compliance Specialist works independently, conferring with a supervisor on unusual matters. Completed work is accepted as technically authoritative. In some instances work is reviewed to ensure organizational guidelines are met. Independent judgment is exercised that is consistent with the missions, goals and objectives of the program or agency. Employees apply broad guidelines to their work and develop new techniques or solutions to problems of compliance.

GENERAL INFORMATION

The Railroad Compliance Specialist positions are found in central and field locations serving a regulatory function. These positions may deal with angry, hostile and difficult individuals to bring about compliance with regulations. These positions travel to various locations throughout the state, work outdoors in inclement weather and temperature extremes.

KNOWLEDGE AND SKILLS (KS)**Extensive knowledge of:**

Investigative and fact-finding principles and practices.
Principles and methods of automated data collection, analysis and evaluation.
Inspection and measurement techniques.
Enforcement methods typical to complex regulatory organizations.
Common business record keeping methods.

General knowledge of:

A specific area of the railroad industry such as railroad operations, engineering, finance, or marketing.
State and Federal railroad rules, regulations, laws, policies, and procedures.
Railroad safety regulations.
Hazardous material and hazardous waste transportation requirements.
Engineering and safety standards applicable to construction and maintenance of highway-rail crossing and warning devices.
The interaction of the railroad industry, its various segments, regulatory authorities, and the public.
Arithmetic including calculating percentages.
Administrative law and government regulation processes.
Communication techniques to persuade individuals to a course of action.
Training techniques and principles.

Skill to:

Understand and apply information from engineering drawings, specifications, estimates, and reports.
Identify and analyze problems and make independent decisions based on analyses of information and relevant laws.
Interpret and apply established transportation regulations.
Write clear and concise reports, letters, orders, and recommendations.
Plan, organize, and implement a study, investigation, or analysis within a prescribed timeframe.
Apply engineering and safety standards to railroad equipment and facilities construction and maintenance.
Apply engineering standards applicable to railroad crossings and crossing warning device installation, operation, and maintenance.
Apply cost analysis techniques.
Explain in writing and verbally, complex technical and legal material in understandable language to people of diverse education, language and cultural backgrounds.
Analyze complex issues and competing interests and negotiate resolution or develop a plan of action based on the analysis.
Establish and maintain effective working relationships with people from varying backgrounds.
Manage varying deadlines and multiple projects.
Analyze conflicting allegations or data and reach logical conclusions.
Research, analyze and review projects individually and in teams.
Communicate effectively with difficult or angry people.
Easily establish rapport with others to interview them and obtain information and facts.
Use computer software to compile, analyze and report information.
Evaluate information to determine cause of error.
Identify the nature of problems.
Find and identify essential information from written material.
Make judgments about or assess the value, importance or quality of situations.
Evaluate information against a set of standards and verify that it is correct.
Interpret laws, rules and regulations and apply them to varying and complex compliance situations.

Analyze conflicting allegations or data and reach logical conclusions.

NOTE: The KNOWLEDGE and SKILLS are required for initial consideration. Some duties performed by positions in this class may require different KS's. No attempt is made to describe every KS required for **all** positions in this class. Additional KS requirements will be explained on the recruiting announcement.

Adopted 12/2006

Revised

STATE OF OREGON
Dept. of Administrative Services
Human Resource Services Division