



Transportation Trades Department, AFL-CIO

September 2, 2025

Kyle D. Fields  
Chief Counsel  
Federal Railroad Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**RE: Revisions to the Qualification and Certification of Locomotive Engineers  
Docket No. FRA-2025-0132**

Mr. Fields:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice of proposed rulemaking (NPRM) regarding amendments to certification requirements for locomotive engineers. TTD consists of 39 affiliate unions representing workers in all modes of transportation, including locomotive engineers who will be directly affected by these proposed changes.<sup>1</sup> We respectfully request that the FRA modify its proposed rule. In addition, we endorse the comments filed in this docket by our affiliates, the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART-TD).

**Background**

The FRA is proposing to update and revise its locomotive engineer certification requirements by reducing the information that is required on a locomotive engineers' certificate and allowing certificates to be electronic. The FRA is also proposing changes to the certification revocation process and the Administrative Hearing Officer (AHO) process. TTD acknowledges the FRA's effort to modernize locomotive engineer certification requirements. However, we have concerns with regard to several proposed provisions that could be harmful to workers by undermining accountability and worker protections.

**Authorization of Electronic Certificates**

We support the FRA's proposal to allow railroads to issue electronic certificates provided that workers will continue to have the option of retaining a physical copy of their certificate. Electronic

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<sup>1</sup> Attached is a complete list of the unions affiliated with TTD.

certificates may reduce administrative delays and prevent lost or damaged documents for locomotive engineers with access to a digital device. However, the FRA must take into account that all locomotive engineers may not have equal access to digital devices or reliable connectivity. As SMART-TD notes in its comments on this docket, railroads must not be permitted to disadvantage workers by insisting on digital-only credentials.

### **Mandatory Findings of Fact in Revocation Decisions**

We strongly support the FRA's proposal to require railroads to provide detailed findings of fact when revoking certification. As SMART-TD notes in its comments on this proposed rule, locomotive engineers deserve transparency with regard to these proceedings in order to ensure basic due process. The FRA must also anticipate and guard against bad-faith or retaliatory revocation attempts given the proposed shift in the burden of proof.

### **Administrative Hearing Officer Proceedings**

We concur with SMART-TD's strong support of the FRA's clarification that railroads, not locomotive engineers, bear the burden of proof at Administrative Hearing Officer (AHO) hearings. We are concerned, however, about the FRA's proposal to remove itself as a mandatory respondent in AHO hearings. If the FRA steps back from its oversight role, hearings risk becoming railroad-dominated proceedings. We urge the FRA to remain fully engaged in certification disputes to preserve fairness and legitimacy.

### **Administrative Complexity and Worker Burden**

We support SMART-TD's request for a specific timeline for findings of fact under 49 CFR Part 240.307. Furthermore, we encourage the FRA to adopt enforceable penalties for railroads that fail to fulfill obligations under this part. Delays at this point in the process can effectively deprive locomotive engineers of due process and deprive them of income while awaiting a resolution.

### **Conclusion**

We appreciate the opportunity to comment on this rulemaking and look forward to working with the FRA in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Regan", with a stylized flourish at the end.

Greg Regan  
President