

Death of Durham CN worker prompts safety changes for 3,000 railway workers

Two-year anniversary of Rick McColl's death approaches

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By Reka Szekely

DURHAM -- The death of a Clarington CN worker while on the job has led to safety improvements for thousands of other railway workers.

Hampton resident Rick McColl, a senior track foreman for CN, was killed on July 14, 2011 just east of Whites Road in Pickering after he was struck by a VIA train travelling west to Toronto from Montreal.

A lengthy investigation of the accident by the Transportation Safety Board (TSB) of Canada was completed last year and released to the public last fall. It creates a picture of what happened that fateful day.

At the time of the accident, Mr. McColl and another man were working under a safety watch procedure, which allows workers to conduct repairs without train traffic being halted.

Days after the accident, CN suspended the use of safety watch for trains travelling along the Montreal-Toronto corridor. By the end of 2011, in response to direction from Human Resources and Skills Development Canada (HRSDC), CN suspended the use of safety watch in all Class 5 double-track territory, where two tracks run parallel with roughly eight feet separating them. In double track corridors, trains can travel in both directions on both tracks.

"Rick McColl's death was a devastating tragedy that continues to leave a personal void for our members and Rick's co-workers," said Todd Cotie, chief steward Great Lakes Region for the United Steelworkers Local 2004, which represents CN track workers in Ontario.

"Our thoughts and prayers remain with Rick's friends and family as the anniversary of his death approaches. This tragedy is a reminder that there is still much work to do in making our workplace safer, especially on double main line tracks where trains pass workers at high speed in close proximity. Since Rick's death, safety watch is no longer an acceptable means to protect workers on this type of track. To honour Rick's memory, we will continue to be proactive in our efforts to improve railway safety."

On the day of the accident, Mr. McColl, 53, and two other workers started the day working on near-urgent track repairs along CN tracks running through Durham Region which serve CN, VIA and GO trains.

While two employees conducted the work, a third employee watched for oncoming trains. Safety watch is considered a lesser form of protection for workers than a track occupancy permit, which would give the workers a right to occupy the track while trains are halted.

According to the TSB, railways across North America began using safety watch in the 1990s as a way of increasing efficiency and productivity.

After completing repairs at six locations, one of the employees was assigned by a supervisor to do administrative work and Mr. McColl and another employee moved on to the Pickering site.

There was no briefing before the afternoon work, where the method of on-track protection would have been discussed.

Shortly before 1 p.m., Mr. McColl requested a track occupancy permit, but was told to call back after a GO train passed.

After the train passed, the two men set to work under the safety watch procedure. Because there were only two of them, both engaged in the work with neither of them solely engaged in watching for trains.

According to the TSB report the “competing pressures of time and productivity were likely the primary consideration for proceeding with the work under a safety watch.”

To make matters worse, the sightline at the site was just under 800 feet, significantly less than the 3,523 feet that would have been required in an area where trains travel as fast as 100 miles per hour. Had the appropriate sightline existed, the workers would have had 24 seconds to clear the way. As it was they had roughly six seconds when a VIA train travelling 96 miles per hour came into view.

The train crew noticed the workers and rang the bell.

The other worker ran north while Mr. McColl, who was wearing a knee brace at the time, ran south directly in front of the westbound train.

Although the train crew, which was found not to be at fault for the accident, applied the emergency brakes shortly before reaching the work site, the train came to a full stop 3,440 feet west of the accident location.

The TSB report indicates there were problems with the safety watch program before Mr. McColl's death.

A union health and safety survey of 200 employees in 2010 found that 70 per cent of participants said they had never received formal training as to how to work and clear safely in multi-track territory.

Further, the report found risks inherent to using safety watch, especially when it comes to calculating a safe sightline distance.

“Due to the number and complexity of calculations that must be undertaken, safety watch presents numerous opportunities for human error, and therefore cannot be relied upon to protect track workers on busy mainline track,” the report states.

Between 2007 and 2011, there were nine near-miss events between railway workers operating under safety watch or the lone worker protection procedure, which applies to workers conducting minor work. Six of the incidents involved VIA trains and three involved GO trains.

CN spokesperson Lindsay Fedchyshyn said the company cooperated fully with both the TSB and HRSDC investigations and met all of HRSDC's requirements.

Following Mr. McColl's death, 3,000 CN workers were retrained on the safety watch procedure and CN took multiple steps to improve the procedure.

“Safety is of the utmost importance to CN and we will continue to work with our regulators to measure and strengthen our safety culture,” said Ms. Fedchyshyn.

CN worker Chris Claydon, who worked with Mr. McColl, said there have been improvements with respect to safe work practices and he's hoping things will keep moving in this direction.

“Things have changed in a major way due to this accident in a very positive way,” he said via e-mail.

Mr. Cotie said that Mr. McColl's death will mean better safety for thousands of other railway workers.

"It's unfortunate that it usually takes a tragedy before we see improvements, that's usually what happens."

Citing grief for her husband's loss, Mr. McColl's widow declined comment.