



## Section 23. CONTROLLED ACCESS POLICY.

Railroad and Contractor have a mutual interest in providing a safe workplace for the existing employees of both Parties and in maintaining the integrity and security of Railroad's facilities. To help ensure this goal, Railroad has instituted a Controlled Access Policy. All persons seeking admission to Railroad property will apply (the "Applicants") for admission to the property. Contractor and subcontractor, including its personnel and employees, must be in full compliance with the Controlled Access Policy within thirty (30) days of performing work on Railroad property. Contractor **and** subcontractor shall, at their sole cost and expense, conduct background investigations of Applicants prior to their admission to the property.

Prior to any new or existing employee or subcontractor of Contractor working at or regularly visiting any Railroad facility, Contractor or subcontractor shall register with an approved risk assessment company. Union Pacific's current approved risk assessment company is **eRailsafe**.

- A. Contractor or subcontractor must register with Railroad's approved risk assessment company.
- B. Contractor or subcontractor must then present and secure Background Check Consent Forms from each of their employees who are, in the course of their duties, providing services to Railroad.
- C. Any of Contractor's or subcontractor's employees who refuse to provide consent to a background check will not be allowed to provide services to Railroad.
- D. Contractor or subcontractor will then submit SSNs of the individuals it employs who will require a photo identification badge (the "Identification Badge") to Railroad's approved risk assessment company via the Website.
- E. Contract employees / subcontract employees ("Contractees") will then submit a photo of themselves and complete the program testing online via Railroad's approved risk assessment company's Website.
- F. The program testing requires "Security Awareness", "Contractor Orientation" and, when applicable to the type of service being provided, an "Engineering Safety Training Orientation and Test", a "Mechanical Safety Training Orientation and Test", and an "Automobile Load/Unload Contractor Safety Orientation Course."
- G. A background investigation is automatically triggered when a Contractee is entered into Railroad's approved risk assessment company's website.
- H. Railroad's approved risk assessment company program will then score the investigation to validate whether an individual meets all the criteria for Railroad.
- I. When a satisfactory score is rendered, Railroad's approved risk assessment company will automatically print an Identification Badge authorizing access to Railroad property and mail the Identification Badge to Contractor's business address for distribution to Contractee.
- J. Contractee is responsible for wearing that badge and carrying another form of government-issued ID at all times when on Railroad property.
- K. All Contractor and / or subcontractor Controlled Access Policy questions should be addressed to:  
Union Pacific Railroad Company - Background Investigations at  
402-544-8722 or [erailsafe@up.com](mailto:erailsafe@up.com)

- L. Contractor or subcontractor shall be responsible for managing and recovering the Identification Badge from their employees who resign, retire or are terminated. Badges shall be returned to Railroad's risk assessment company for disposal.
- M. Railroad shall have the right to reject any candidate to the extent permitted by all applicable law.
- N. To the extent that any portion of these requirements violate a law, ordinance, statute, or regulation that portion shall be ignored and Applicant shall comply with all remaining portions of the application process.
- O. It is expected that Contractor or subcontractor will be primarily responsible for enforcement of this program; however, both Railroad and the Federal Railroad Administration will be auditing for compliance. Should any Contractor or subcontractor be found out of compliance, any and all fines or penalties incurred will be the sole obligation of Contractor or subcontractor

11/11/14