

**Norfolk Southern Corporation
eRailSafe Program
CONTRACTOR - FREQUENTLY ASKED QUESTIONS**

Q. Can the Transportation Worker's Identification Credential (TWIC) substitute for the eRailSafe badge?

A. No, NS does not accept any other background screening services for vendor employees. TWIC is specifically excluded due to the fact that these background screenings are only graded on a pass or fail basis and TWIC does not capture all of the crimes of interest such as theft. In addition, eRailSafe allows NS to review the associated criminal history and provides the railroad with an opportunity to facilitate an appeals process for those applicants that are denied / under review based on railroad denial criteria.

Q. I have already been approved through the process E-verify.gov. Is this the same process as eRailSafe through eVerifyfile?

A. No. E-verify.gov is an entirely different entity and the criteria used to complete the background checks does not satisfy Norfolk Southern requirements.

Q. Are subcontractors required to be eRailSafe certified?

A. Yes, all contractors and subcontractors must be eRailSafe compliant to work on Norfolk Southern properties.

Q. How much time do contractors and subcontractors have to become compliant? What if they hire a new employee, how long do they have before they need to be compliant?

A. New contractors, new subcontractors and their employees have 30 days to become compliant. If an international background check is needed, the contractor/employee has 45 days for background check approval.

Q. What is the process when an approved contractor/subcontractor is hiring a foreign national who is relocating to the United States, but never lived in the United States?

A. Applicant will undergo eRailSafe International screening only.

Q. What do I do if I have a contractor/subcontractor who needs to become eRailSafe compliant?

A. They should visit the website www.erailsafe.com for details on how to enroll. If they have questions or need assistance the vendor may directly contact eRailSafe at 1-800-560-6435. During the sign up process it is very important that the contractor knows their VENDOR NUMBER. This number demonstrates to eVerifyfile that Norfolk Southern acknowledges the vendor and grants them access to the property. For Subcontractors enrolling in eRailSafe, you may need the contractor's vendor number in order to begin the process.

Q. Who pays for the eRailSafe process?

A. The Contractor or Subcontractor is responsible for all costs associated with the eRailSafe process.

Q. How much can the Contractor or Subcontractor expect to pay?

A. There is a one-time set up fee of \$99.00 for each Contractor or Subcontractor who enrolls in the eRailSafe program. In addition, there is a fee charged for each contractor employee and/or subcontractor employee who applies for the eRailSafe certification. If the applicant is approved through the eRailSafe program, the charge is \$70.00. For applicants who require international screening, there is an additional charge of \$18.00 (price varies per country). Also, effective January 1, 2019 a 3 tiered annual subscription fee began. The annual subscription fee is based on the previous year's activity – the number of applicants run through the eRailSafe program. The greater number of applicants, the less the contractor will have to pay. See www.erailsafe.com for additional information. Lost badges will need to be replaced; contractor or subcontractor will pay \$13.00 for each lost badge.

Q. What circumstances would cause a contractor or subcontractor employee to be denied access to Norfolk Southern property?

A. Contractor or subcontractor employees may be denied access to NS property for the following:

- Background check indicates a plea or conviction of a felony within the last seven years
- Release from incarceration, or probation on a conviction within the last five years
- Active misdemeanor or felony warrants, active bench or capias warrants
- A history of felony and/or misdemeanor crimes of concern
- Any pending felony or misdemeanor court case (deferred adjudication included)
- Drug related crimes
- Violent crimes, crimes with a weapon
- Certain crimes are considered permanent disqualifiers
- SSN discrepancy
- The employee is located out of the NS service area
- Background check cancelled by contractor

Q. Can a contractor have access to more than one railroad?

A. Yes, the contractor may request approval to access more than one Class I railroad. Each Class 1 will approve access separately for their respective railroad. The Class 1 logos will be displayed on the contractor's eRailSafe badge.

Q. Contractor (or subcontractor) states they already have conducted background checks on their employees, is this acceptable?

A. No, all contractors and subcontractors that fit the criteria for eRailSafe must utilize this process for background checks. The eRailSafe programs allows the railroad(s) to review the associated criminal history and provides the railroad with an opportunity to facilitate an appeals process for those contractor applicants that are denied/under review based on railroad denial criteria.

Q. How long does it take to establish a Contractor or Subcontractor in the eRailSafe system?

A. The Contractor or Subcontractor can usually be set up within 72 hours provided they supply e-VERIFILE with all necessary paperwork and their Vendor ID can be confirmed.

Q. How long does it take for a Contractor or subcontractor employee to get their badge?

A. From the time the vendor provides a suitable digital photograph for use on the badge and the employee completes the on-line training and testing, it should take approximately five business days to receive their badge. This will occur after the railroad has conducted the background review and approved the employee.

Q. How long is the eRailsafe badge valid for accessing railroad property?

A. The eRailsafe badge expires after two years. If there is an ongoing business need, the contractor or subcontractor may apply for a new badge by contacting e-Verifile and requesting a new background check.

Q. Why is there an extra \$95.00 surcharge associated with New York addresses?

A. In July of 2003, the state of New York changed their policy on reporting felony and/or misdemeanor record information. For certain counties, there is no longer a county seat available that reports felony or misdemeanor records. As a result, all information is forwarded to the state level. A stand-alone New York statewide search is \$75.00 but the New York auto-upgrade is \$95.00. Each eRailSafe client is notified of the New York surcharge during the account setup process. For further information, visit the following link <http://ww2.nycourts.gov/apps/chrs/index.shtml>.

Q. What is the process for an approved Contractor or Subcontractor employee with a valid badge who changes their employment to another approved Contractor or Subcontractor? Are there costs associated with this transfer?

A. A badge cannot be transferred because the badge holder's information on the badge will be linked to the previous contractor or subcontractor. The badge holder may be required to take the awareness test and a new complete background check, in order to receive a new badge. The additional costs will be the responsibility of the new contractor or subcontractor.

Q. What is the appeals process for the Contractor or subcontractor's employee when a denial is issued?

A. The appeals process is as follows:

- Who can appeal the denied or under review decision?
The contractor/subcontractor company, and/or the contractor or subcontractor applicant may appeal (or dispute) directly to eRailSafe.

- How long do applicants or company have to file an appeal or dispute?
An applicant will have 15 working days from the postmark date on the letter received from eRailSafe to appeal the decision. If the applicant or company requires additional time to gather documentation, the applicant or company must notify eRailSafe of his or her intention to appeal. At that time, the applicant or company may be afforded an additional 15 working days to submit their appeal and supporting documentation.

- What information should be included in the appeal?
 - Individual's name
 - Contractor's or Subcontractor's company name
 - Mailing address
 - E-Mail address
 - Daytime telephone number
 - A justification for Appeal (brief explanation)
 - Supporting documentation if applicable

Once eRailSafe has received the appeal and supporting documentation (if applicable), eRailSafe will forward the applicant's appeal to the appropriate railroad within 24 hours for review.

The railroad will render a decision on the appeal no later than 15 working days from the date of receipt from eRailSafe of the applicant's appeal. The appeals board within each railroad will include a diverse work group from various departments. The decision on the appeal will be communicated back to eRailSafe by the railroad. The applicant and its employer will be promptly notified by eRailSafe of the decision on the appeal.