



The Highball

Official Publication of
Railroad Workers United

INVEST in America Act Would Greatly Benefit Rail Workers and Their Unions



Engineer and Conductor swap out crews on a BNSF train. In addition to securing Amtrak and transit funding at greatly increased levels, the proposed INVEST in America Act would aid railroad workers in numerous ways. Train lengths would be capped; the Yard Master craft would finally fall under hours-of-service regulations; blocked crossings would no longer be tolerated; an investigation into Precision Scheduled Railroad-ing (PSR) would be undertaken; Amtrak’s contracting out of union work would be stopped, and freight trains would be subject to a minimum crew size of two workers.

A major piece of legislation was forwarded to the U.S. House of Representatives from the House Committee on Transportation & Infrastructure in late June, 2020. The INVEST in America Act is a spending bill of nearly \$500 billion, designed to adequately fund rail projects and infrastructure across the U.S. for the next five years. The full House voted to approve the bill on July 1st as we go to press.

A subsection of the bill - the TRAIN Act - spells out the rail portion of the infrastructure package. This has broad support from railroad workers and our unions; passengers and rail advocacy groups; and community and environmental organizations. Even rail shippers and suppliers have signed on.

What better time for all of us to come to together to form a lasting organic coalition of forces to promote rail safety, passenger train development, rail employment and all things railroad! We urge all of our readers to investigate this landmark legislation and to lend your support!

See Page 3 for a Full Report
See Page 7 for the RWU Editorial

FRA Grants Rail Industry Waiver Extension Upon Carriers’ Request

The Federal Railroad Administration (FRA) recently extended by 60 days the safety waivers the agency originally granted to the rail carriers in the early stages of the coronavirus pandemic. These waivers exempt the carriers from complying with decades of safety rules and regulations, thus putting the safety and well-being of the workforce and public at an even higher level of jeopardy. The carriers had originally appealed to the FRA, claiming that inevitable manpower shortages due to the pandemic would impede their ability to move the nation’s freight, warning of a pending national emergency - pretty disingenuous considering the carriers had furloughed 40,000 workers over the previous few years. The initial waiver was due to expire towards the end of May.

The leaders of two of America’s largest rail unions, the SMART Transportation Division (SMART-TD) and the Brotherhood of Locomotive Engineers and Trainmen (BLET), objected to the extending of the waiver, that they had described as “alarming” when first initiated. For a thorough analysis on this please refer to the Special Supplement in the Spring 2020 issue of *The Highball*.



The Federal Railroad Administration (FRA) will not lift a finger to assist in rail safety issues like crew size, train length, oil train safety or LNG by rail. But when the Class One rail carriers approached FRA Chief Ron Batory for a waiver from multiple safety rules and regulations, he immediately granted a waiver this spring. In May, he renewed it at the request of the rail carriers.



Crew Consist News

RWU Members and Rail Activists Take Part in OSHA Whistleblower Session

Longtime readers of *The Highball* will remember the promise the OSHA Whistleblowers program showed, especially after the introduction of an advisory panel in 2012. By 2015 it was clearly apparent that railroads were among the worst violators of whistleblower protections with rail carriers constituting 70 percent whistleblower cases. Railroad Workers United (RWU), along with BNSF engineer Mike Elliot, were able to testify to their experiences in Washington DC in 2016. Elliot finally prevailed in court, winning his whistleblower judgment against BNSF last year.

Despite these victories, or maybe because of them, the Whistleblower Advisory Committee no longer meets as it has been disbanded. This year OSHA put out a notice of public rules-making to field comments for reforming the whistleblower program. Due to overwhelming response to the call for an April teleconference call asking for public comment on the potential for delivering better service, OSHA limited respondents to five minutes to testify.

Advocating for railroad workers, Mike Elliot was able to share his experiences of delays, hardships and outright harassment as his case moved forward. Joining the former engineer were RWU General Secretary Ron Kaminkow, and RWU co-chair, Ross Grooters. Both testified to the problems of the program and shared how it can be improved by allowing for more time for workers to file cases, expediting worker claims, and issuing judgments with penalties that have the teeth to deter violators, that can also be used in legal cases. Currently OSHA rulings are inadmissible as evidence in a court case. Backing up the three railroad workers was testimony from Nancy Lessin, former USW Health and Safety educator, and RWU Lifetime Solidarity member. Nancy, a former Whistleblower Advisory Committee Member, was able to hammer home how current changes to the Whistleblower program ignore the needs of workers and have led to issues in other industries, such as meatpacking, where

the COVID-19 pandemic, and corporate Ag's failure to protect workers, have led to huge outbreaks in communities in the Midwest and all across the country. The response by these companies, much like the response of railroads, has led to unsafe working conditions which, absent a strong whistleblower program, will go unchecked.



Without a strong whistleblower enforcement program, companies will continue to defy the law, much less our basic human rights. It is incumbent upon us to push for these protections as railroads continue workforce reduction, ramp up production over safety, and micromanage discipline through new technology. RWU will continue to advocate for strong whistleblower protections, and a regulating agency which can advocate for workers in the rail industry and beyond.

Railroad Workers United

Railroad Workers United was organized in April 2008 at a Founding Convention in Dearborn, MI. RWU grew out of decades of struggle within the craft unions for unity, solidarity, and democracy. We are carrying on a tradition of rank & file activity which dates back to the 1890s and the time of Eugene V. Debs.

RWU is a cross-craft inter-union caucus of rail labor activists across North America. All rail workers of all crafts from all carriers who support our Statement of Principles are welcome to join in our efforts. Please write, call, or email. See the contact information below.

Statement of Principles

- Unity of All Rail Crafts***
- An End to Inter-Union Conflict***
- Rank-and-File Democracy***
- Membership Participation & Action***
- Solidarity Among All Railroaders***
- No to Concessionary Bargaining***

International Steering Committee

- Chuck Corsini**, SMART #587, UP, Chicago, IL
- Jason Doering**, SMART #1117, UP, Las Vegas, NV
- Ross Grooters**, BLET #778, UP, Des Moines, IA
- Ron Kaminkow**, BLET #51, Amtrak, Reno, NV
- Joe Mulligan**, BLET #57, Keolis, Boston, MA
- Hugh Sawyer**, BLET #316, NS, Atlanta, GA
- Phil Stevenson**, SMART #376, CSX, Ashland, KY
- James Wallace**, BLET #621, BNSF, Lincoln, NE
- Andrew Weir**, TCRC-LE #240, CN, Sarnia, ON

Trustees

- Jon Flanders**, IAM #1145, CSX, Selkirk, NY
- Ed Michael**, BLET #724/UTU #979, UP, Salem, IL
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Legislative Report

INVEST in America Act Would Greatly Benefit Rail Workers and Rail Safety

Last Summer, the Chairman of the House Transportation and Infrastructure Committee, Peter DeFazio (D-OR), told a gathering of rail industry heads, testifying before Congress, that the federal regulatory agencies cannot stand idly by, "...while vultures on Wall Street destroy the precious asset that is rail transportation in the USA". He continued by saying, "We shouldn't let a bunch of jerks on Wall Street who are trying to increase short-term profits ruin it!"

DeFazio was speaking at hearings before the House Subcommittee on 'all things railroad' held to address issues surrounding the adoption of Precision Scheduled Railroading, (PSR) --- the ghostly legacy of Hunter Harrison, the former head of CSX, as well as CP and CN before that. The Roundtable of Rail Shippers was held in July and was the latter of two hearings. The first, The State of the Rail Workforce, was held in June and entertained the complaints of rail union leaders.

The shipper's complaints to the committee were polite and careful not to hit the 'trip wire' of re-regulation, which they were quick to warn against. Nevertheless, the shippers complained that PSR had created a nightmare for them in predatory demurrage, reduced industry switching, and a lack of customer service. In one complaint, an over-charged shipper had managed, after some difficulty, to get the invoices reduced, only to find it resurface on a subsequent billing.

PSR became the newest rage among rail CEOs having been adopted by NS, UPRR and other railroads after 2017. Rail em-

ployment dropped 16%, railroad yards were closed, and trains got longer, adversely affecting the public, shippers and railroad employees. Then after several months, all one could hear were 'crickets', then followed by the pandemic and the rail carriers asking for a suspension of safety rules from the FRA.

Finally we have something to show for all of last Summer's testimony. DeFazio has unveiled the INVEST in America Act, that is a comprehensive \$500 Billion effort, (as written in the preamble), "...to catapult our country into a new era of smarter, safer and more resilient infrastructure that fits our evolving economy and society." Investing in a New Vision for the Environment and Surface Transportation in America (HR-2) earmarks 60 Billion for "clean" rail as an alternative to burning more fossil fuels.

COVID-19 has partially cleared the skies above us and below, demonstrating how healthy and clean the world can be again. Rail is a solution when planned and invested in properly. So, before returning to the oil-guzzling economy of 2019, we can take a good hard look at the DeFazio bill and give it our support. Not only will we be finding an ally in putting railroaders back to work, but also those adversely-affected by the economic downturn. HR-2 will undoubtedly be an uphill battle against the oil industry and deficit hawks in Congress. Nevertheless, in supporting this bill, we may corral the maverick corporate rail profiteers into a more scrutinized and regulated industry that is cleaner, safer, and serves shippers and communities more efficiently.

We just got it passed in the House. Now it is the Senate's turn!

TRAIN Act Highlights for Rail Workers, Passengers, Communities and the Environment

A subset of the INVEST in America Act is the Train Act.

This is landmark legislation for rail workers. If signed into law, the bill would:

- Mandate a two-person minimum for all freight trains.
- Contain Hours-of-service regulations for yard masters.
- Address the current situation at the US border, providing job and safety protections for U.S. and Mexican rail workers.
- Address the issue of continually blocked grade crossing to stop the impeding of traffic.
- Call for an inquiry into the current railroad practice known as Precision Scheduled Railroading.
- Mandate length limits on many types of trains.
- Provide \$29.3 billion over five years in grants to support Amtrak's intercity passenger rail service on the Northeast Corridor (NEC) and the National Network.
- Reauthorize the FRA's discretionary grant program, CRISI, at \$7 billion over five years.
- Authorize grant funding of \$19 billion over five years for state of good repair projects, service improvement projects, and rail expansion projects.
- Mandate that Amtrak must provide reliable national intercity passenger rail service now, and in the future, reflecting the needs of all passengers, and supporting rail workers
- Clarify that Amtrak serves the public interest in providing reliable passenger rail service.
- Realign the makeup of Amtrak's board of directors to better reflect the interests of passengers and Amtrak-served states.
- Provide a means for Amtrak to enforce its statutory right of preference directly in Federal court without intermediaries.
- Revise the Surface Transportation Board provisions that govern when Amtrak seeks to operate additional trains over rail lines owned by another carrier by establishing a process for the Board to determine whether the additional trains unreasonably impair freight transportation and initiate a proceeding to evaluate what additional investments are required. Commas?
- Require that any individual onboard a train who prepares onboard food and beverage service is an Amtrak employee.
- Amend current Amtrak contracting limitations to clarify that Amtrak cannot contract out the work performed by an employee if such employee has been laid off and has not been recalled to perform such work. It also clarifies that Amtrak is not authorized to contract out work if prohibited in a collective bargaining agreement.
- Prevent Amtrak from contracting out work performed at Amtrak call centers. The section also requires an Amtrak ticket agent to staff each station where there was more than an average of 40 Amtrak passengers boarding or deboarding per day in fiscal year 2019.



Crew Consist Report

Single Person Train Crews: Irresponsible, Inefficient, and Unsafe - Part 1

In Part 1 of this 2-part series, RWU explores and analyzes the dangers and pitfalls of the Class One rail carrier proposal to run trains with a single crew member. Part 2 will run in the Fall issue of The Highball.

Rail carriers – like many corporations – are obsessed with the short-term operating ratio, and the desire to cut costs – especially labor costs – all with the goal of delivering short-term maximum value to stockholders. It is this drive that has been propelling rail corporations – all of them “Fortune 500” entities, which are some of the most profitable and powerful companies today – to push for single employee train crews on mainlines throughout the country. From a Wall Street perspective, this is an entirely logical and rational way to run a railroad. But rail workers, shippers, passengers and the public at large – and others who have a vested interest in safe and efficient operations - have a different take on this. For them, this concept raises numerous red flags regarding safety, efficiency, train operations in general, and the health and vitality of the rail industry in the years ahead.

Background

The rail carriers are fond of stating that there is no “evidence” to show that single crew operations are any less safe than multiple crew members. This is disingenuous on their part, as we all know that single crew train operations barely have been experimented with in North America. And *no* Class One mainline operation has ever utilized this form of operation. Saying there is no evidence that single crew operations are *not* as safe as those staffed with the traditional two-person crew begs the question, is there evidence that they *are* as safe? Of course, the answer is no. We could also postulate a myriad of other possibilities, such as: there is no evidence to show that trains are just as safe with or without a 1000-mile inspection; or likewise, there is no evidence to show that locomotives would be just as safe if only inspected weekly instead of daily. Or again, there is no evidence to show that workers need to be qualified on the territory over which they operate their trains. All of these are current practices by rule, regulation and/or law. To simply state that there is no evidence to prove that we do not need these practices, and therefore, it is safe to abolish them, is absurd.

In the case of single person train operations, just a handful of such operations have been experimented with. Two such experiences come to mind, both being unit train operations from Point A to Point B on low density tracks, including the Indiana Railroad and the Quebec, North Shore & Labrador. Another infamous example of single train crew operations (that no longer exists) was the Montreal, Maine & Atlantic (MM&A), where after two months of running trains experimentally with a single crew member, a train ran away down a steep grade, derailed and exploded, wiping out much of the downtown of a scenic lakeside Canadian town, killing 47 people, plus two known, related suicides.

The rail carriers argue that as Positive Train Control (PTC) nears complete implementation, that the second crew member is no longer needed to maintain safe train operations. Once again, the carriers’ rhetoric regarding safety rings hollow when we learn that as early as 2004, the carriers declared their intentions and desires to run trains with a single crew member, long before PTC was considered and then mandated by the Rail Safety Improvement Act of 2008. Had the rank & file rail workers and their unions not been able to hold them off, the carriers would have instituted this practice without the assistance of PTC more than a decade ago, safety apparently be damned.

The rail carriers argue that with low wage, non-union trucking as their competition, and with autonomous and platooning of trucks on the horizon, the rail carriers must cut crew costs to stay competitive. Once again, the carriers’ arguments are a bit disingenuous, when you consider that a two-person crew is easily capable of handling 200 or even 300 truckloads on one train! In addition, U.S. freight railroaders – once numbering some two million workers but now numbering less than 10% of that figure – are considered the most productive in the world, moving more tonnage per person-mile than any other.



A lone rail worker makes his way to a locomotive on Union Pacific. If UP and the other major rail carriers have their way, the standard train crew will be reduced from two to one in the cab of the locomotive across the U.S. This short-sighted profit-driven move will diminish the safety and health of rail employees, as well as put the public at greater risk. In addition, it will result in inefficient rail operations that will slow down and impede rail operations.

The rail carriers assert that even the Federal Railroad Administration (FRA) claims that there is no reason to abstain from single person train crews, thus there being no need for any such rule or regulation. This is of course, the same agency that a few short years earlier proclaimed on April 9, 2014, its intent to require two-person crews “for most main line train operations including those trains carrying crude oil.” FRA Administrator Joseph C. Szabo at that time flatly stated, “We believe that safety is enhanced with the use of a multiple person crew - safety dictates that you never allow a single point of failure ... Ensuring that trains are adequately staffed for the type of service operated is critically important to ensure safety redundancy.”

The difference? The current FRA Administrator appointed by President Trump – Ron Batory – is a lifelong railroad executive, squarely in the pocket of the rail carriers, appointed to the position as a gift to the freight rail industry.

So, we have on the one hand, the rail industry and the oversight administration taking the position that single person train crew operations are safe, efficient, and necessary. While on the other hand, the railroad workers and their unions of both crafts – engineer and conductor – are dead set in opposition. Who to believe? Let’s take a closer look at the situation.

Continued on Page 5



Crew Consist Report

Single Person Train Crews: Irresponsible, Inefficient, and Unsafe - Part 1

Continued from Page 4

An Inevitable Decline in Safety

Despite what FRA chief Batory has claimed in recent years, as noted previously – which represents an agency about-face from its earlier position (NOTE: the current FRA has also done an about face on a series of other rail safety related issues, including movements of Liquefied Natural Gas (LNG) by rail, Electro Pneumatic (ECP) braking, and oil train regulation) - the Agency itself released a 41-page report on January 13th, 2020 by its own Office of Research, Development and Technology, which contradicts Batory. Researchers at the Volpe Center over a period of years performed cognitive task analyses (CTAs) that examined the mental demands placed on rail workers - including operating personnel in the locomotive cab - as they engaged with technology and performed their jobs. *“Results from the locomotive engineer and conductor CTAs indicate that train crews, a primary example of an elemental team in railroad operations, exhibit characteristics of high performing teams that are found across industries,”* the report said. *“These include mutual performance monitoring – to catch and correct errors – and active support of each other’s activities ... These teamwork activities went beyond the requirements of formal operating rules and were not explicitly covered in training,”* the report states.

Importantly, the Volpe research notes that PTC, *will not provide all the cognitive support functions the conductor currently provides to the locomotive engineer.* This scientific research builds upon earlier findings at Volpe, first released in December of 2013: *“The locomotive engineer and conductor function as a joint cognitive system, meaning that conductors and locomotive engineers jointly contribute to the set of cognitive activities required to operate the train safely and efficiently ... While each crew member has a distinct set of formal responsibilities, in practice they operate as an integrated team, contributing knowledge and backing each other up as necessary... When operating on the mainline, conductors not only serve as a ‘second pair of eyes’, alerting the locomotive engineer to upcoming signals and potential hazards (e.g., activity at grade crossings; people working on or around the track), they also contribute knowledge and decision-making judgment ... Conductors also serve an important, redundant check and backup role, reminding locomotive engineers of upcoming work zones and speed restrictions ... If necessary, they will also handle unanticipated situations and activate the emergency brake, in cases where the locomotive engineer has not responded quickly enough... Conductors have developed a variety of skills and strategies that enable them to handle non-routine situations safely and efficiently.”*

Rank & file railroad conductors and engineers can verify the finding of the Volpe Center, from years of cumulative collective experience in train operations of all kinds, under all conditions, from routine to extreme.

Fatigue: Long an issue with current and past train operations, the National Transportation Safety Board (NTSB) has cited crew fatigue as a major factor in several deadly accidents over the years. Despite this, and despite the numerous studies that show the dangers of fatigued workers as analogous with the dangers of workers under the influence of alcohol, the industry has ALWAYS denied it has any role in creating and perpetrating a workplace that practically guarantees that train crews will be subject to frequent fatigue. Without a second crew member to assist, a

single crew member would of course be expected to carry out numerous other duties, in addition to operating the locomotive. Tasks that the conductor now handles include:

- Radio communications with dispatchers, signal maintainers, track inspectors and other railroad personnel.
- Keeping a record of the train manifest, including the location of all hazardous materials in the train.
- Making minor fixes to the locomotive interior, including mirrors, windshield wipers, lighting, ventilation, windows, etc.
- Assisting with food, drink and other amenities.
- Looking up rules and instructions when in doubt.
- Stocking the locomotive with ice, water, and other necessities.
- Obtaining and copying orders from the dispatcher.
- Making adjustments to trailing units as needed.
- Performing necessary outside work, including consist prep and air tests.

In addition, railroad rules prohibit reading non-railroad materials, do not allow for distractions such as radios or taped music, and disallow napping. With no one to talk to on a single person crew, the lone operator has no respite from the job for the full tour of duty (up to 12 hours). And with the inherent inefficiencies of single person crew operations lengthening the average trip (see under *Decreased Efficiency*), fatigue would no doubt become an even greater safety hazard should single person crews be implemented.



Restricted Speed: Current PTC does not protect against collisions at “Restricted Speed.” When trains enter a “restrictive” block, PTC is not set up to stop the train before it encounters and overruns a derail, misaligned switch, or train/engine ahead. Two in the cab is a safety overlay in this circumstance. A crew of one in this very common situation is much more vulnerable than a crew with a second person.

Continued on Page 8



RWU Position Statement

RWU Statement on The Murder of George Floyd

Railroad Workers United (RWU) joins the overwhelming majority of the people of the United States - and of the world - who have taken to the streets in huge and unprecedented numbers in solidarity with US protests - in condemning the horrific murder of our brother George Floyd.

We urge all of Rail Labor and, indeed the entire labor movement in the United States, to speak out strongly against this crime and the rigged and racist criminal justice system that spawns outrage after outrage.

This unjust system is marked by mass incarceration; decade-after-decade of racist police killings and brutality with near-total impunity for the police; frame-ups and corrupt prosecutions; and endless, heartbreaking accounts of innocent men, disproportionately Black, enduring years and decades of false imprisonments. It is the weight of this legacy that fuels this social and political mass struggle for justice, which is overwhelmingly legal and peaceful.

We are encouraged and inspired by the unprecedented outpouring of trade-union support and strong statements in response to this latest racist outrage, including from unions representing rail and transit workers - Brotherhood of Maintenance-of-Way Employees Division (BMWED); SMART-TD, Machinists (IAM), Electricians (IBEW), Amalgamated Transit Union (ATU) among them.

This fight for social justice should be championed by a revived US labor movement that draws on our best traditions of struggle against boss and state violence in our history of organizing and defending our unions. But we must also acknowledge, with some honorable exceptions, the US labor movement has had an uneven -generally bad - history of fighting anti-Black discrimination. And perhaps the worst, most openly racist, legacies have been in the railroad industry. Decade after decade, these segregationist policies were shamefully promoted by the rail union "brotherhoods." Exclusion of Black workers from most organized rail labor craft unions did not collapse until the 1960s.

RWU denounces this racist legacy of craft unionism. We advocate for rail labor unity across craft lines. RWU salutes the historic struggle of Black and Latino workers, and women, to break down barriers and create genuine labor unity and solidarity. We venerate the memory of Black rail labor heroes like A. Philip Randolph and E.D. Nixon. RWU campaigns for a national paid

holiday across the entire railroad industry in honor of Dr. Martin Luther King, Jr.

RWU supports massive, legal, peaceful, disciplined, and self-policed protests. The overwhelming character of this massive national upsurge for justice has been legal and peaceful. We reject unconditionally the destructive actions of elements that undoubtedly include agents provocateurs and opportunists.

RWU supported the universal demand that all four of the police involved on the scene in Minneapolis be charged and detained. That has now been accomplished. They should be given a fair trial - more than they allowed George Floyd - and spend many years in the penitentiary. This is the only possible deterrent to future killers and brutalizers who are obviously so permeated in police departments from coast to coast.

The supposed "bad apples" rarely if ever get "weeded out" - unless exposed in their careless social media posts or captured video footage. Thugs with a badge and uniform must be made to think twice with the next Eric Garner or George Floyd or Sandra Bland or the child Tamir Rice. They must know they will face consequences and jail time; not the traditional impunity. Only galvanized public pressure, as well as legislation that strengthens constitutional rights and constitutional policing, can advance this.

We do not trust that justice will be gained without independent mass pressure on the authorities and their system.

This massive national (and international) upsurge for justice, catalyzed by a vicious police killing in Minneapolis, comes at a turning point in the unfolding of the COVID-19 pandemic, which has led directly to 130,000 U.S. deaths and rising. The pandemic has spotlighted the glaring, grotesque, and growing social inequalities in U.S. society. These inequalities have gone hand-in-hand with attacks on the US working class, labor organizing, and trade unionists. We now are facing massive unemployment, unsafe working environments, and more pressures on employed workers as the economy tumbles and working people are devastated.

Now is the time for a revived, revitalized fighting labor movement that organizes the unorganized and unites the entire working class.

Black Lives Matter!

We Shall Overcome!



The International Longshore & Warehouse Union (ILWU) has taken the lead role in the fight. The union carried out a one-day strike at all West coast ports in solidarity with the Movement to Defend Black Lives on June 19th. The ILWU is under a vicious assault by stevedore companies who are determined to break the union on the West coast. Others, including bus drivers, teachers, electrical, communications workers and more, together with their unions have taken up the cause under the banner, "An injury to one is an injury to all!" Perhaps rail workers can likewise unite with this burgeoning social movement for the purpose of mutual aid and assistance. Rail workers have had our backs against the wall in recent years and need allies in the community.



Editorial

The INVEST in America Act: A Golden Opportunity for Alliance Building

By forwarding the *INVEST in America Act*, Rep. Peter DeFazio – Chair of the House Committee on Transportation & Infrastructure – has handed us a unique opportunity to build an enduring alliance of rail workers and their unions; environmental and community organizations; and rail advocacy groups (see the lead article on Page 1 and the Legislative Report on Page 3 for details). The legislation – a 5-year, nearly \$500 billion investment in infrastructure featuring a title called the TRAIN Act – is comprised of a virtual “wish list” for all those who seek improvements in rail safety and rail employment, improved passenger/commuter/transit rail service, and environmental improvements, enhancements, and protections.

In 2014, after rail workers defeated the drive for single crew operations on BNSF, Railroad Workers United (RWU) embarked upon a campaign for rail safety, where we took various safety issues to the public. Together with dozens of community and environmental groups, we presented a vision of a safer railroad around a number of issues, including but not limited to: adequate train crew size, limits to long and heavy trains, safety restrictions on the movement of hazardous materials including explosive “bomb trains,” an end to train crew fatigue, and proper scheduling of train crews. In doing so, we began the process of building enduring relationships with countless individuals and organizations. And while we maintain our autonomy and they maintain theirs as well, we stick to our agenda as they do to theirs, we all came together around a common theme – railroad safety. We do not have to agree on everything. We reserve the right to differ with one another. This of course, is the basis for any coalition.

Then in 2017, RWU formally joined a number of groups that were dedicated to preserving, protecting and expanding passenger rail service. We joined the Rail User Network (RUN) and also the Rail Passengers Association (RPA). We have close ties with regional groups including RailPAC of California and Nevada. Like our efforts to work with environmental and community groups, this effort serves likewise to introduce rail workers and our issues to these potential allies, and to gain insight, wisdom, and resources from them as well. It is a two-way street. And in building these relationships, all of us and our organizations gain strength and power, which is what we need to successfully take on the corporations and the rich and powerful.

Both of the above efforts are examples of what are called “external coalitions”. As opposed to “internal coalitions”, which consist of people who are already part of a group, such as a trade union, formed at the workplace in order to more effectively defend workers’ interests, “external coalitions” base their confidence in gaining credibility on inviting non-traditional partners who wish to attain the same end goal, but the reasons to achieve these goals differ. For example, when we work with our partners in the advocacy and environmental communities, we all wish to attain the same end goal (a safer, more efficient railroad), but for a broad array of reasons, including more rail employment, worker/community safety and protection, more trains, better passenger service, less pollution, etc.

RWU hopes to build upon these alliances and to strengthen our relationships with our coalition partners in the months and years ahead. We encourage all RWU members – and all railroad workers and union officials – to join one of the various rail advocacy groups – either local or national – and become an active member. Your knowledge of worker and rail issues will be a welcome

addition. In taking part, you assist their efforts for more and better trains, and help ensure that they do not support such developments at the expense of rail workers’ jobs, safety, and conditions of employment. Likewise, we encourage you to join groups like Sierra Club and Green Peace. Vocalize your support for environmental issues, and explain why rail workers livelihoods, safety and working conditions must not be compromised in the noble and critically important pursuit of a greener economy.

With the nation and the world in the throes of protest and social unrest, working class people are on the move, their minds being opened to new ideas. A new social movement is brewing. Things like *The Green New Deal*, *Health Care for All*, guaranteed employment, a living wage for all, police accountability, high-speed rail – in a matter of months – are suddenly on the agenda, together with the *INVEST in America* legislation. Yet none of these objectives can be obtained by a single group or organization acting alone. We need the broadest possible unity and solidarity if we hope to prevail.

Over the course of the last six years, RWU has attempted to build this external coalition, encouraging rail unions and various organizations to come together around issues of mutual concern. The *INVEST* legislation offers us the chance to push this idea forward with renewed vigor. At last, here is something tangible – in the form of written legislation – that speaks to *all of us*. In the coming weeks and months, we aim to galvanize the disparate supporters of this legislation to work together to see it through to ultimate conclusion. And in doing so, we hope to see an organic connection built at the rank & file membership level as well as at the leadership level, connections that sprout deep roots for an enduring and long-term coalition that works to advance the interests of all who wish to see a more robust, safer, greener, and citizen oriented rail system and a more just society.



The proposed INVEST in America Act would provide increased funding for passenger rail, and transit, and mandate certain requirements and reforms for Amtrak and rail freight service. For rail workers, the Act contains a “wish list” of many provisions we have been fighting to achieve. For passengers, the Act contains numerous provisions that our Advocacy partners have been pushing for. And for community and environmental activists, the Act would provide for a far safer and environmentally oriented rail system in the U.S. As such, the Act provides a golden opportunity for all of these forces to work together.

Join the Fight To Save the Two-Person Train Crew!

RWU has lots of stuff to assist you in the fight to save the two-person train crew. T-shirts, buttons, stickers, bumper stickers, flyers, yard signs and more. Get yours today!

RWU Online Store

www.railworkersunited.storenvy.com

Or order by mail with a check or money order to
Railroad Workers United
 P.O. Box 2131
 Reno, NV 89505



“The whole world is under obligation to the Negro, and that the white heel is still upon the black neck is simply proof that the world is not yet civilized. The history of the Negro in the United States is a history of crime without parallel.”

Eugene V Debs, Founder of the American Railway Union

Single Person Train Crews: Irresponsible, Inefficient, and Unsafe - Part 1

Continued from Page 5

PTC Failure: Like any technology, PTC is prone to fail. This can be the result of a failure on the locomotive or the wayside equipment. When either of these failures occurs, the train crew operates according to signal indication and standard operating rules *without* the protection afforded by PTC. The carriers make the case that single person crews are safe now that PTC is in effect. This begs the question, are single person crew operations safe when PTC is inoperable? According to their own logic, the answer can only be NO.

Switching: When a train is setting out or picking up cars, PTC in many cases offers no protection. Since the lone operator is now subject to a greater level of fatigue as a result of single crew operations, there is a greater danger that mainline switching accidents will increase.

Derailments: When a train derails or otherwise suffers a mishap, the conductor can swiftly move into action, being immediately present, and make expedited decisions on what must be done. Equipped with the train’s manifest, s/he knows where the hazardous materials are located and can take action to potentially avoid further destruction/danger/loss of life. The most notable example of such action – action that would have been impossible with a single person crew – was in a Castleton, ND wreck in 2013, when the conductor was able to pull the hind end of an oil train away from the remainder of the burning train by utilizing the train’s DPU (rear-end locomotive). And there are numerous examples where crew members were able to assist another who may have been injured in the wreck.

Pedestrian and Vehicle Strikes: Just as in the aftermath of derailments, in the moment following a pedestrian/vehicle strike, an expedited response by the train crew can save lives and property. It stands to reason that a lone crew member cannot respond as quickly as a two-person crew is able to. As it

now stands, the conductor is often the first on the scene after the crash, able to explain its nature, location, and logistics to the engineer by radio, who in turn reports this info to the train dispatcher, who relays the information to first responders and other nearby train crews as necessary. The conductor may decide to “cut” the train to unblock a crossing or take other measures to facilitate rescue efforts. With a single person crew, the operator would be obliged by rule to tie handbrakes on the train, a time-consuming procedure, prior to being able to walk back and investigate. Upon arrival, the operator would not be able to cut the crossing or otherwise move the train. The operator might obtain assistance from the utility worker, but this worker would, in most cases, be miles – and possibly hours – away from the scene.

Miscellaneous Issues: With just one crew member, there is no one to assist in case of emergency. When a crew member leaves the cab of the locomotive, especially in remote areas, at night, and/or in remote locations, should anything happen (slip, trip, fall injury; snake bite; heart attack, stroke, assault, etc.) there would be *no one* to be aware nor take action to assist. Unable to return to the locomotive, it is possible that the worker would be unable to communicate her/his condition to the dispatcher. Even aboard the locomotive and able to communicate the condition, s/he has no one to administer first aid, CPR, or any other assistance until help arrives, which could be hours away.

To be Continued in the Fall issue of *The Highball*

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