



# The Highball

Official Publication of  
**Railroad Workers United**

## *CP Runaway Train Wreck Claims Three - the Latest Casualties of PSR*

Just after midnight on February 4<sup>th</sup>, 2019, Canadian Pacific (CP) Train #301 with three locomotives and 112 cars ran away down a steep grade in the Canadian Rockies, piling up the lead locomotive, the mid-train DPU (distributed power unit), and 99 loaded grain cars. Killed in the wreck were three crew members – conductor Dylan Paradis, trainee Daniel Waldenberger-Bulmer, and engineer Andrew Dockrell.

In the wake of numerous other runaway trains in the U.S. and Canada in recent years, it is baffling that such a horrific tragedy is possible today. The ongoing failure of the industry to provide proper protection against runaway trains – combined with government's continued hands-off approach – have combined to facilitate disasters such as this one. As usual, the regulatory agency acted after the fact, and within a week, Transport Canada had issued a Ministerial Order mandating handbrake applications on all trains that are stopped by emergency brake applications on steep grades.

While there are important technical differences between this wreck and the infamous Lac-Mégantic runaway in July of 2013, there are many similarities. As a result, one can conclude that nothing at all has been learned from the previous disaster, and if we do not come to terms with this most recent crash, nothing will be learned going forward. Predictably, both major Canadian railroads – CP and Canadian National (CN) – have already appealed the Ministerial Order on handbrakes.

**Long & Heavy Trains.** Railroad Workers United has campaigned for years against the practice of running long and heavy trains, but the rail industry appears determined to run them at all cost. CSX began lengthening coal and manifest trains a few years ago. On August 2<sup>nd</sup>, 2017, a long mixed-freight train of 178-cars derailed in the Allegheny Mountains of Pennsylvania, piling up 33 cars and causing a fire and



**A basic tenant of Precision Scheduled Railroading (PSR) is to run the longest and heaviest trains possible, with the least number of locomotives and employees. Together with steep mountain grades and frigid temperatures, this flawed operating plan has resulted in yet another needless tragedy in the Canadian Rockies on February 4<sup>th</sup>, 2019. Above: the aftermath of a UP fatal train crash in October, 2018.**

mass evacuation. The wreck of a Union Pacific freight train on October 4<sup>th</sup>, 2018 in Granite Canyon, at the foot of Sherman Hill, west of Cheyenne, WY, resulted in the death of two crew members and the derailment of the lead locomotives and 56 cars of Train MGRCY04, when it ran away down the mountain and into the rear of Train MPCNP-03, derailing 9 of that train's cars. Meanwhile this past winter, BNSF began testing double length grain trains of 230 cars, nearly 3 miles long. One of the basic hallmarks of "Precision Sched-

*Continued on Page 4*

## *Railroad Workers United Campaigns Against Precision Scheduled Railroading*

A railroad operating plan known as "Precision Scheduled Railroading" (PSR) has been thrust into the limelight in recent years, propelled largely by stockholders and hedge fund investors who see the railroad as a way to make a quick buck. While capturing the ardor of much of the rail industry, PSR has earned the wrath of railroad workers of all crafts, freight shippers from all sectors, passengers, and passenger train advocacy groups.

Railroad Workers United has opposed its excesses and worst practices throughout this time. But in early March, the organization decided it was time to take a stand in direct opposition to PSR, which it considers a sham and a farce. We hope that our actions will inspire others – passenger rail advocates, environ-

mental organizations, public officials and unions – to get on board and vocalize their opposition to this short-sighted operating plan that threatens the future of the rail industry itself. Even Matt Rose, recently retired CEO of the BNSF (not a publicly traded corporation and therefore not directly subject to the whims of Wall Street investors) has decried PSR as a gimmick. If a millionaire rail CEO working for a billionaire investment capitalist can step up and criticize this hoax, we certainly can!

**RWU has adopted a comprehensive "Resolution in Opposition to Precision Scheduled Railroading" (see Page 7) and takes up the whole question of this controversial operating plan in both the Commentary on Page 10 and in our Editorial on Page 11.**



# RWU News and Happenings

## New Books on Rail Safety and Rail Labor History Now Available on Sale

Over the past decade, RWU has offered books about rail workers and railroading through our online Store. In recent months, a series of new books has been released, all now available from RWU! Each one is on sale at the price listed (25% off), or get all five books bundled together for just \$75!

**The Edge of Anarchy** – This book traces the early development of rail labor and the formation of the nation’s first industrial union, the American Railway Union (ARU). In 1894, the ARU would take on the rail industry in full-blown class warfare when the union’s boycott of Pullman cars would escalate into a nationwide strike against the rail industry. Author Jack Kelly brings it all to life, detailing this monumental battle between railroad workers and the rail industry. For more info, see the Book Review on Page 8. On Sale for \$19.00

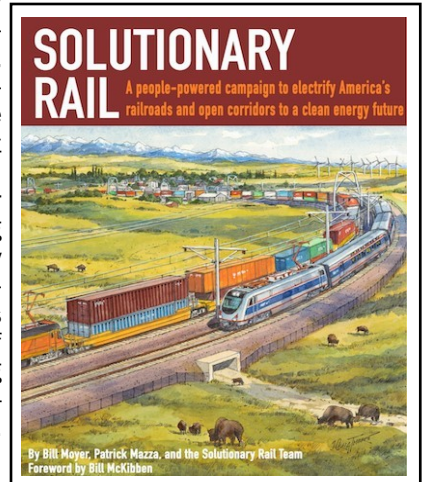
**The Selected Works of Eugene V. Debs – Volume #1** - This first volume of what will be a six-volume set includes speeches and writings of the founder of the American Railway Union. *Volume 1 - Building Solidarity on the Tracks: 1877 - 1892* includes the words of a young Eugene Debs on a wide variety of questions, including “Labor Leaders”, “Railway Officials”, “Federation”, “The Unity of Labor”, and others that speak to railroaders both then and now. It is must reading for the serious railroad worker who is looking for answers to today’s challenges on the rails of North America. On Sale for \$25.00.

**The Lac-Mégantic Rail Disaster – Public Betrayal, Justice Denied** - The July 6, 2013 Lac-Mégantic rail disaster is a tragedy unparalleled in Canadian history. Front line employees were put on trial and while acquitted, the real criminals – the rail industry CEOs and government bureaucrats – walk free. Lac-Mégantic is the story of a rail industry writing its own rules, a booming US oil industry, and a rogue U.S. railway operator cutting corners on safety. This book uncovers the truth, and includes first person interviews with many of the key players, analysis of the corpo-

rate executives and the companies involved, an examination of the complex world of transport safety regulation in Canada, and an account of the trials of the three accused rail workers. On Sale for \$20.00.

**Eugene V Debs – A Graphic Biography** - In the waning years of the 19th century, Eugene V. Debs emerged as a working-class leader, a hero of the railroad workers of the U.S. and Canada. After working for the railroad – first as a laborer and then a locomotive fireman - Debs went on to lead the Firemen’s union (BLF), assist in the organizing of other rail unions, and ultimately organize the nation’s first industrial union – the American Railway Union. Debs’ story – presented in cartoon format - is the story of labor battles in industrializing America and radical working-class politics in the making. On sale for \$15.00.

**Solutionary Rail** – This book, published a few years ago, outlines the prospects for a rejuvenated and electrified rail system in the U.S., one that would carry far more freight and passengers, is multiple-tracked, higher speed, and environmentally sensitive. With the environmental crisis at hand, the erosion of fossil fuel shipments, together with clogged and crumbling highways, this revolutionary idea could safely and efficiently move vast amounts of freight and millions of passengers, while providing good jobs for tens of thousands of railroad workers. On Sale for \$15.00.



### 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

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# Railroad Safety News

## Rail Carriers and DOT Conspire to Drop the Ball on ECP Brakes

Despite admitting to a cost accounting error of \$117 million in estimated future damages from train derailments that could be avoided by using Electronically Controlled Pneumatic (ECP) brakes, the Department of Transportation (DOT) continues to insist that, "... Even with the correction, in all scenarios, costs still outweigh benefits." ECP brakes had been included as part of a package of rail safety measures enacted in 2015, following a rash of wrecks by trains hauling oil and ethanol in the U.S. and Canada, including the states of Alabama, Oregon, Montana, Virginia, West Virginia, North Dakota, and Illinois.

Under the previous administration, the DOT had determined the brakes would cost up to \$664 million over 20 years, and save between \$470 million and \$1.1 billion from accidents that would be avoided if such brakes were implemented. However, under the current administration, DOT has reduced those cost savings numbers to between \$131 million and \$374 million (note: the loss of workers lives was not taken into account).

"The omission of \$117 million from the rule's anticipated benefits is further proof that the Trump administration is willing to cut corners to put industry profits ahead of ... safety," said Oregon Senator Jeff Merkley, urging the administration to reconsider the brake rule given the DOT miscalculation. He called for "a new cost-benefit analysis that is full and transparent."

The DOT claims to have downplayed the estimated future damages because oil train shipments had dropped off after the initial DOT report was released. However, oil train shipments have rebounded in recent months, and are now what they were at their peak. Shipments of volatile and hazardous materials such as crude oil are the explicit candidates for ECP brake applications as derailments of such commodities have the greatest potential for devastating impact upon life, property and the environment.

"These ECP brakes are very important for oil trains," said Steven Ditmeyer, a rail safety expert and former senior official at the Federal Railroad Administration. "It makes a great deal of sense: All the brakes get applied immediately, and there would be fewer cars in the pileup."

John Risch, National Legislative Director of the Sheet Metal, Air, Rail, Transportation Union (SMART), notes numerous other ways that ECP brakes offer a great advancement over traditional air-brakes. "We are using a 120-year-old technology with mechanical brakes. They've come to the peak of what you can do with them." In a statement before the US DOT in 2017, the union noted a dozen points where ECP brakes are vastly superior to traditional brakes. Notably among these is the fact that *all* brakes in a train are set and released at the same time, reducing in-train forces. And because they set immediately, stopping distances in emergency situations are vastly reduced, enabling trains to avoid catastrophe or limiting the scope and damage when a derailment does take place. In addition, ECP brakes allow for "graduated release", enabling a partial release of the brakes, a crucial advancement in mountainous territory.

With the industry hell bent on running longer and heavier trains, given the volume of hazardous materials moving by rail, and with crude-by-rail making a comeback, ECP brakes are an innovation whose time surely has come. At the 2018 Convention of Railroad Workers United, the members present adopted a *Resolution in Support of ECP Brakes*. Given the number of runaway train wrecks in recent years that could have been avoided had ECP brakes been in service on these trains, and given the ongoing record profits in the industry, it is verging on criminal that a known technology - one with a price tag just a fraction that of Positive Train Control - is not being implemented immediately.

## Co-workers Raise Funds for Family Members of Those Killed in Western Canada Tragedy

Co-workers of the three railroaders who were killed in the wreck of CP Train #301 east of Field, BC on February 4<sup>th</sup>, set up an online *Go Fund Me* fundraiser within hours of the tragedy. The effort was initiated to support the families of the three - Daniel Waldenberger-Bulmer, Andy Dockrell, and Dylan Paradis, - who lost their lives when the long and heavy grain train they had just boarded on a steep grade, rolled away in sub-zero temperatures and derailed in western Canada just after midnight.

Within three weeks, over a thousand donors had contributed nearly \$150,000! It is great to see railroad workers, family members and union locals all come together in such an outpouring of support for the victims and their families. Perhaps their efforts can act as a model for other railroaders who wish to lend support to their co-workers if and when tragedy strikes. An online "crowd sourcing" site like this one can be created

in minutes at no cost. RWU encourages every railroad worker to consider such a noble and worthwhile effort in the unfortunate event that co-workers are lost on the job.





# Railroad Safety

## Another Long & Heavy Train Runs Away on a Steep Grade, Derails in Western Canada

Continued from Page 1

uled Railroadings" (PSR), that is currently sweeping the North American rail industry, is to run trains as long as possible. So look for more of these behemoths in the coming year and, along with them, more disastrous train runaways and wrecks.

**Proper Use of Air Brakes and Hand Brakes.** In the case of Lac-Mégantic, the rail carrier – Montreal, Maine & Atlantic (MMA) – mandated that train crews *not* apply the train's air brakes when leaving a train unattended on a steep grade, but instead rely *only* on hand brakes for its securement. Ironically, in the case of Train #301, the rail carrier – Canadian Pacific – demanded NO handbrakes be applied to a train when stopped on a steep mountain grade. Granted, each corporation had its reasons for its behavior, but these revolved around economics, manpower, crew size, scheduling, and so forth, certainly not safety. When heavy tonnage is stopped on a steep grade – especially in very cold weather – the opportunity for a runaway train increases exponentially. Since trains come equipped with air brakes *and* handbrakes on both the train cars and locomotives, common sense would dictate that both safety appliances be employed. Had they been, then both tragedies could have been avoided.

**ECP Braking.** Meanwhile, a form of braking that has been tried and tested in recent years known as Electronically Controlled

Pneumatic Braking (ECP), sits on the shelf, very much the same way that PTC had languished for a few decades prior to it being federally mandated in 2008. While PTC represents a giant step forward in rail safety, it does not have the capacity to stop all train wrecks, including those mentioned in this article. But ECP braking, in combination with PTC, could eliminate most major wrecks (see article on Page 3). Unfortunately, it will probably take another series of tragic and costly crashes, in terms of lives and property destruction, before government agencies are forced to act and mandate ECP brakes. Meantime, the rail carriers dig in their heels and cry that such applications are too costly. They have done the very same for practically every proposed safety device or safe practice throughout their history - from PTC to switch point indicators this century; from the two-way end-of-train-device to the hours-of-service laws in the last; from the Janney coupler to the air brake itself in the 19<sup>th</sup> century!

**Conclusion.** The carriers wish to run ever longer and heavier trains. And they want to run them with fewer maintenance personnel, fewer crew members, fewer locomotives, and less infrastructure, period. They do not wish to implement proven safety technology. And they do not wish to be regulated by either government or union work rules. This arrogant and reckless approach to railroading – if allowed to run amok - can only result in future train wrecks and disasters like that of CP Train #301.

### RWU Co-Sponsoring National Book Tour to Promote Rail Safety

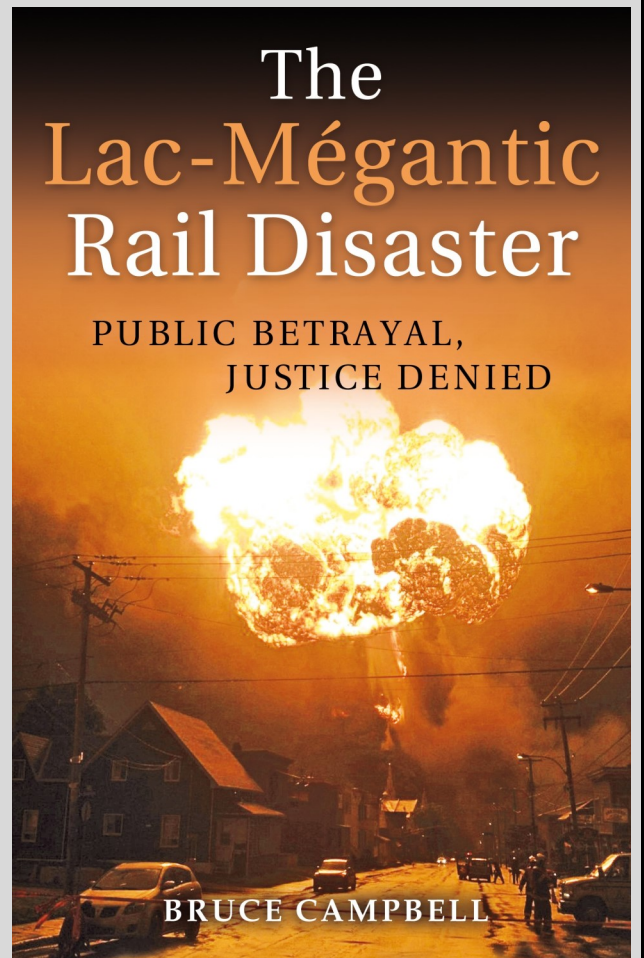
Plans are in the works for a series of events that revolve around a new book recently published by Bruce Campbell. RWU is partnering with allies in the labor and environmental movements, and has conducted a series of presentations and meetings in Baltimore, MD, Washington, DC, Albany, NY, the Twin Cities, MN, Seattle, and Olympia, WA., to explore the issue of rail safety, in the wake of the train wreck and disaster at Lac-Mégantic, Quebec, nearly six year ago on July 6th, 2013. As this issue of *The Highball* goes to press, events are scheduled for Chicago and Springfield, IL; St. Louis and Kansas City, MO; and Des Moines, IA. Later this year, plans are for a west coast tour. See the RWU website for more information about the tour and upcoming events.

The Lac-Mégantic rail disaster is a tragedy unparalleled in Canadian history. It resulted in major loss of life, massive environmental destruction and the evisceration of a small town. Blame landed squarely on the shoulders of three front-line employees of the Montreal, Maine, and Atlantic Railway Company. But a jury acquitted them.

Lac-Mégantic is the story of a rail industry writing its own rules, a booming US oil industry fighting any obstacles to selling their dangerous product, and a rogue US railway operator cutting corners to make his fortune. At another level, the story is about a federal government blinded by its own free market ideology, fixated on making Canada an energy superpower, and compliant bureaucrats failing to protect the public interest.

At the heart of it all is a small, tight-knit community torn apart and struggling to recover. There is unimaginable loss, broken lives and families, and individual and collective trauma. But there is also healing, solidarity, commemoration, remembrance, and the determination to rebuild.

This book uncovers the truth about Lac-Mégantic. It includes first person interviews with many of the key players, analysis of the corporate executives and the companies involved, an examination of the complex world of transport safety regulation in Canada, and an account of the trials of the three accused. Order your copy today, available from RWU online at [www.railworkersunited.storenvy.com](http://www.railworkersunited.storenvy.com).







# Two-Person Train Crew News

## Two-Person Train Crews Legislation Advances in Numerous States

As this issue of *The Highball* goes to press (early April), the prospects for two-person train crew legislation at the state level are encouraging. With the rail unions of the operating crafts working together on this important issue, legislation in a number of states now appears promising.

Currently, there are now five states with legislation or regulation that requires trains that operate within the state to have a minimum of a 2-person crew: Wisconsin, California, West Virginia, and Arizona, and as of March 21st, Colorado.

States where a two-person crew bill has been introduced include: Maine, Massachusetts, North Carolina, Pennsylvania, Kentucky, Indiana, Missouri, Iowa, Kansas, Utah, Idaho and Nevada (12). Committee Hearings have been scheduled on pending legislation in Washington, Oregon, Nebraska, Texas, Minnesota, Illinois, Georgia and Maryland (8). All told, bills have been adopted, been introduced, or are advancing in fully one half of the states of the union.

Meanwhile at the national level, both unions of the operating crafts fully back the Safe Freight Act, HR1748. While it stands a chance of passage in the House, adoption in the Senate appears unlikely at this time. Even if adopted by both chambers, it seems likely that a Presidential veto would be inevitable. Nevertheless, momentum towards eventual passage appears to be building.

Meanwhile, the rail carriers will no doubt attempt to bargain a reduction in train crew size in the coming year or so. Should the Senate and the White House fall to control of the Democrats in 2020, the carriers might just see their dreams of single employee crews stymied. We expect a full court press in bargaining by the Class I carriers to achieve single employee train crew operations, whether in national handling or in "on-property" agreements in the next 18 months or so. If the resolve of the workers on both the BNSF and the W&LE are anything to go by, the rail



**A standard crew change takes place thousands of times a day across North America, as the inbound engineer and conductor hands off a train to the outbound duo. The movement to preserve this as the standard in the United States is gaining traction nationwide, where legislation is now pending in at least 21 states. Passage is expected in a number of them during this legislative session.**

carriers will certainly have a fight on their hands.

All railroad workers are encouraged to get on board with the effort in your respective states to get legislation passed. The more states we can win, the better chance we have to prevail at the national level when the time comes. Check out the RWU website for more information as we attempt to keep abreast of developments across the country during this legislative session.

## Trainmen and Engineers Win Contract, Maintain Two-Person Crews at W&LE

In January, engineers and trainmen of the Wheeling & Lake Erie – members of BLET #292 - voted to approve a hard-fought for Tentative Agreement that was years in the making. For seven long years – and all told for more than a decade, members of both crafts have fought valiantly against the carrier's desire to implement single employee train crews. Their struggle attracted the support of RWU when both crafts struck the W&LE in October of 2013 (see *The Highball*, Fall 2013).

While the workers did not get all that they deserve, the contract represents a victory for rail labor. Running single-person trains was the pet issue of W&LE management for years, and in the face of determined resistance to the proposal by engineers and trainmen, the rail carrier backed down. A 79% majority of voting members ratified the engineers contract, with 80% of voting members voting in favor of the trainman contract. The overwhelming majority of workers in both crafts cast a ballot.

For seven long years the workers held out for this contract, having exchanged Section 6 notices way back in early January of 2012. The agreements for both crafts extend for seven years – until 2026 - and govern work rules, rates of pay, and health & welfare issues for the roughly 75 engineers and 130 trainmen.

BLET President Dennis Pierce acknowledged the contract vote,

stating, "This is a significant victory for our members and for our Brotherhood." Curiously however, in both the email communique from the BLET and the article in the *Locomotive Engineer & Trainmen News*, he failed to reference the centrality of the single employee crew issue in their struggle.

The W&LE is one of the larger "regional railroads" in North America, running trains on 840 miles of track in Ohio, Pennsylvania, West Virginia, and Maryland. The W&LE handles more than 140,000 carloads annually and interchanges with three Class I railroads (CSX, Canadian National and Norfolk Southern) and numerous smaller roads.

The significance of this victory cannot be underestimated. Due to their efforts, together with those of the trainmen on the BNSF (members of SMART GO-001) the rail carriers, large and small, have come up empty handed in their war on the two-person train crew. While we have managed to stave off the scourge of single employee crews for more than a decade, the rail carriers have not given up. Now with PTC coming online, we expect a full-frontal assault by the Class I carriers in the coming months and years. All railroaders should take courage from the heroic actions of our brothers on the Wheeling & Lake Erie. Their struggle has been our struggle. Now it is up to the rest of us!



# Rail Labor, the Environment, and a Just Transition

## The Green New Deal: What is it and Why Rail Workers Should Support it

In January, a Resolution was introduced into the U.S. House and Senate that calls for a "Green New Deal." Patterned on the New Deal of the 1930s, the idea brings that concept into the 21st century, where "climate change" has become a household word. In a nutshell, the Green New Deal is a plan to transition America to 100% renewable energy, a "just transition" for all communities and workers who have been impacted by climate change or depended on fossil fuels, and a job guarantee with a family-sustaining wage for everyone in our society.

A key component of the Green New Deal is the so-called "Climate Jobs Guarantee" (CJG). The CJG appears to have popular support. Polling firm Civism Analytics says a jobs guarantee is one of the most popular issues they've ever polled: 52% in support and 29% opposed. Polling by the Sunrise Movement, which has championed the idea since Day One, indicates that support for a jobs guarantee *focused on climate protection* is in fact even more popular.

Millions of workers stand to lose their jobs, their livelihoods and their communities when the economy re-tools to a clean energy future. Workers in basic extraction, processing and refining, along with some railroad workers, probably stand to lose the most. Therefore it is imperative the these workers and their unions study the Green New Deal and help to push it forward, especially the protections for workers who are dislocated by such a transition.

The Green New Deal has the potential to assist the labor movement to achieve many of its long-term goals and objectives, including, but not limited to, the following: providing good jobs for all workers; the abolition of poverty; rebuilding the Labor Movement; winning wide support for a labor friendly program of action; building a powerful labor-friendly coalition among U.S. citizens; unifying those fighting for a better environment with those of us fighting for better wages, benefits and working conditions;

ending corporate dominance of the U.S. political process by creating a coalition of the vast majority of Americans on one side and corporate America on the other; strengthening workers bargaining power by maintaining full employment at a living wage for all; Strengthening workers bargaining power by eliminating unemployment and taking wages out of competition; and expanding union apprenticeship and training to do the new jobs required by the conversion.

Railroad workers in particular would benefit greatly under a Green New Deal. The key to transformation to a clean economy is modern, efficient, safe and fast transportation. There is no other form of transportation that is as environmentally friendly, nor as safe as the railroad, when operated properly. It leaves less of a mark upon the landscape than highways, is far less damaging to the upper atmosphere than plane traffic, and as we know, can "move one ton of freight 450 miles on one gallon of fuel."

RWU urges all rails to become familiar with this innovative and bold concept capturing the imagination of millions, from all sectors of society. See the RWU Resolution in Support of the Green New Deal at <http://railroadworkersunited.org/rwu-resolutions>.



## "Solutionary Rail" Project Gains Traction Among Diverse Constituencies

As communities search for solutions to environmental and economic problems, more and more citizens, organizations, and governmental bodies are looking to rail as the preferred mode of transportation. While Wall Street may have a narrow and short-term profit oriented view of what rail is capable of achieving, these folks are thinking

long-term and comprehensively, with a vision to assisting rail employment, the environment, passengers, tribes, and other stakeholders.

One campaign which strives to move freight and passengers off the highways and airways and back to rail is called "Solutionary Rail". They have developed a unique proposal complete with a website, a book, a promo video, and group of dedicated activists from around the nation. It describes itself as a "People powered campaign to electrify America's railroads and open corridors to a clean energy future." The basic strategy is to unite railroad workers with passengers, farmers, native tribes, trackside communities, green energy developers, rural communities and the rail industry in an effort to make rail the preferred mode of transport for freight and passengers in targeted corridors. By utilizing the efficiencies of rail transport coupled with the power of clean energy, combined with increased track capacity and higher speeds, *Solutionary Rail* envisions a future where the rail industry employs far more workers, moves a far greater number of passengers, and handles a far greater percentage of freight than is currently the case.

Railroad Workers United is a member organization of the Solutionary Rail Team, and supports these kinds of innovative and forward thinking efforts aimed at rail expansion. For more information, see the website at [www.solutionaryrail.org](http://www.solutionaryrail.org). Please consider buying the book. It is available from the RWU online Store ON SALE this spring for just \$15.00.







# RWU Takes On Precision Scheduled Railroading

## RWU Resolution in Opposition to Precision Scheduled Railroading

**Whereas**, "Precision Scheduled Railroading" (PSR) is being propelled forward strictly by stockholders, hedge funds and Wall Street insiders in order to get rich quick; and

**Whereas**, from its beginnings on the CN-IC it has spread to CP, then CSX, and now UP and NS, quickly becoming the standard operating procedure for the Class One railroads of North America; and

**Whereas**, it has been responsible for traffic congestion, inefficiencies, lost freight traffic and dissatisfied customers, leading to a near "melt-down" at CSX in 2017 and investigations by the federal Surface Transportation Board; and

**Whereas**, PSR has been a disaster for passenger trains that share the rails on "host railroads" that have switched over to this operating plan format, suffering regular and more extreme delays than what had previously been experienced; and

**Whereas**, working conditions have increasingly worsened in terms of longer hours, less time off work, abolition of long-standing work and safety rules, and general decline in safety; and

**Whereas**, the emphasis on longer, heavier trains, fewer employees, and less supporting infrastructure have all combined to create a more hazardous and unsafe railroad; and

**Whereas**, the implementation of PSR and its concomitant emphasis of doing "more with less" can be directly linked to several serious injuries and fatalities at CN, CP and CSX; and

**Whereas**, the idea that "less is better" runs contradictory to the generally held wisdom that expansion, not contraction, of the rail industry, with more trains, not fewer, more track, not less, and more freight moved is vital for the future of our country and the industry itself; and

**Whereas**, Matt Rose, the CEO at BNSF – the only Class I railroad not publicly traded on Wall Street – dismisses PSR as a gimmick, one that will only serve the short-term interests of stockholders while jeopardizing the long-term health and vitality of the nation's rail system;

**Therefore, Be it Resolved** that Railroad Workers United (RWU), calls out PSR for what it is – a sham and farce, an operating plan hatched by hedge fund investors - solely designed to bring a quick return on investment to stock holders at the expense of shippers, passengers, workers, communities, and the nation as a whole; and

**Be it further Resolved** that RWU urge others to speak out as well – including railroad CEOs, rail experts, passenger advocacy groups, rail communities, elected officials, the FRA and, most especially, the rail unions – and condemn this irresponsible, short-sighted management style; and

**Be it finally Resolved** that RWU urge rank & file railroad workers to speak out against PCR at union meetings, public gatherings, rallies and demonstrations and other forums in order to provide a counter perspective to this scourge.

Adopted by the RWU Steering Committee 3/5/19





# Railroad Book Review

## *"The Edge of Anarchy: The Railroad Barons, the Gilded Age, & the Greatest Labor Uprising in America"*

By Jack Kelly - St. Martin Press - 2018

By Ron Kaminkow, BLET #51

Cataclysmic events would unfold during 1894 that would lead U.S. Attorney General Richard Olney to proclaim that the nation has been pushed to "the ragged edge of anarchy". He was making use of the words employed by the rich and powerful when they felt threatened by labor unrest. A strike of a few thousand railroad car builders in Chicago had escalated into an uprising by hundreds of thousands of workers, and their newly formed industrial union, the American Railway Union (ARU).

In his new book, "The Edge of Anarchy", journalist, novelist, and historian Jack Kelly sets the stage for the events, then provides the reader with a blow-by-blow account of the conflict and sums up why the ARU and the ideology of Eugene V Debs are so relevant to today's "labor question." His book is not the first to examine the Pullman Strike, but Kelly gives us a unique "ringside seat" as a railroad worker at the ARU Convention, a delegate to the Chicago Labor and Trades Assembly meetings, and to the violent actions of strikebreaking police, state militia, and federal troops.

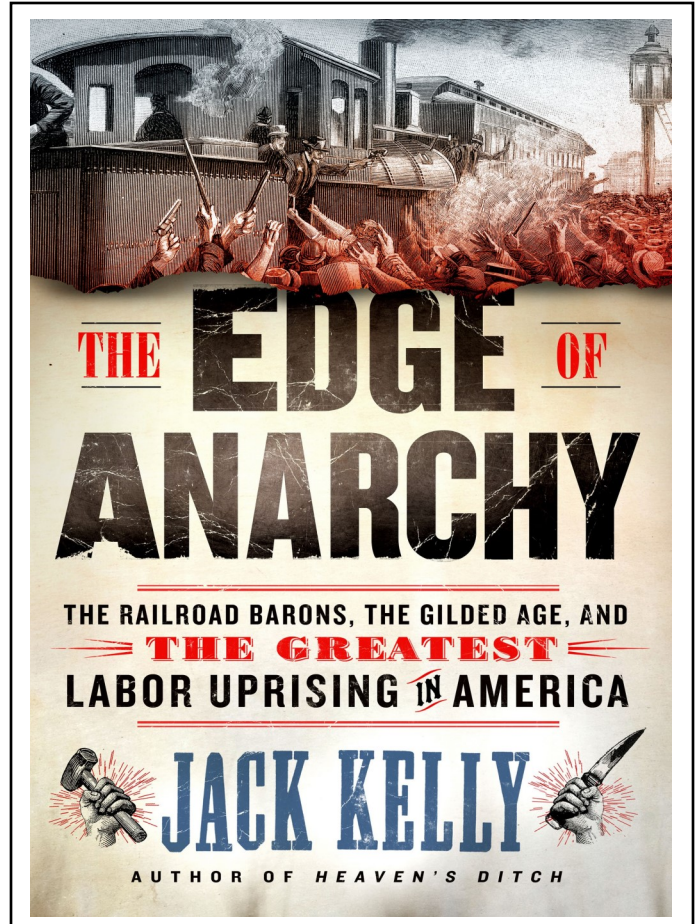
History holds little interest to many like me if it is simply regurgitated as a string of facts, figures, names, and dates. But as George Santayana said, "Those who do not learn history are doomed to repeat it". So, it takes a book like Kelly's to make history truly relevant to what we face today. It brings to life the victories and defeats of a generation of workers who struggled with the same oligarchical conditions that workers face today.

Kelly's accounts of the battles between citizens and the forces of strike-breaking "law and order" can be a bit tedious at times. But his attention to the details of important worker meetings, and revelations of the complex politics, strategies and tactics are quite fascinating. The author details the ARU Convention on the "race question" and the debate that accompanied it. And he examines the debates of the Chicago Trades & Labor Assembly meetings that swirled around the question of a general strike.

Kelly provides background on the strike's most prominent leader, Eugene V Debs. He details Debs' employment on the railroad at age 14, his rise to locomotive fireman and his efforts on behalf of the railroad "brotherhoods." Debs became disillusioned with craft unions and their failed efforts at federation. In 1893, he and other rail unionists formed the American Railway Union, and soon after chartered 425 locals with 170,000 members. The purpose, Debs noted, was not to quarrel with the brotherhoods of the craft unions, but to unite all railroaders.

Within a year, the ARU would shut down the Great Northern Railway and force James J. Hill, the "Empire Builder," into arbitration. This was a complete victory for this new style of union. Weeks later, workers at Pullman would go on strike, then appeal to the ARU for support. At its convention in June 1894, the ARU called for a boycott of Pullman rail cars, calling on members to refrain from handling them in any and all trains until the strike of the car builders was won. With these battle lines drawn, the stage was now set for the "Great Strike".

Unfortunately, the Great Strike was lost. The union's offices were ransacked by authorities, the leadership jailed, and its members blacklisted. For railroad workers, as you read this book, ask yourself some key questions: Why did they lose this battle? What could ARU and the workers have done differently to win? What about allies in organized labor and in the community? Understand we are not merely engaging in "locker room" academics,



but we are initiating a discussion of tactics and strategies to better prepare us to win our own inevitable battles yet to come.

Readers of the book – especially railroaders – will find yourselves rooting for the strikers. Here are some of the factors that this reader gleaned from the book, each of which may have contributed to the workers' defeat:

- Craft Union Scabbing and Conservative Union Leadership: The rail craft union officials never endorsed the strike, nor supported it. Conservative union leader Samuel Gompers – head of the American Federation of Labor (AFL) - at first pledged support for a general walkout but then failed to deliver.
- Racism and Discrimination: Widespread racism of many workers, and the resulting failure of the ARU to admit black workers, undermined the strike and boycott's effectiveness. As a result, the porters and other Black rails would see the strike as just another quarrel among whites and take no active role in it.
- ARU Immaturity: The ARU was barely a year into its existence and without the experience, discipline, consolidation and resources, the ARU was ill-equipped to win such a battle against the "robber barons" and most powerful corporations of the day.
- State Repression: The strikers found it impossible to combat the use of thousands of troops and police that were used by authorities. The effect cannot be underestimated. Court injunctions made practically any assemblage, let alone strike activity, punishable by immediate jailing.

Continued on Page 9





# Rail Labor Unity

## A Call to All Rail Unions: Support MLK Day as a Holiday for All Railroaders!

BY Ike Nahem, BLET #11, Retired

The International Steering Committee of Railroad Workers United (RWU) has decided to launch a major campaign to honor and celebrate the life of Dr. Martin Luther King, Jr. The RWU leading body proposes making what is already a Federal Holiday observed in all 50 States, also a paid holiday for all railroaders, from every craft, across the United States. RWU is proposing that this demand be included - and fought for uncompromisingly! - in all collective bargaining agreements from this day on until MLK Day is observed with honor, celebration, and contemplation by all working railroaders, of all skin colors.

This is a just and appropriate demand on the face of it. But, the RWU elected leadership also feels strongly that such a campaign is necessary on the part of the rail industry as a whole, and rail labor in particular. Because of our history!

Our railroad unions today, which also need to unite and overcome anachronistic divisions by craft, need to honestly address and finally overcome the nothing less than shameful, disgraceful, anti-labor history of the railroad industry, including the racist practices over many decades, of the so-called rail labor "brotherhoods." These craft unions were, for decades, "white job trusts" that excluded African-American railroaders, until the passage of the 1964 Civil Rights Act forced an end to such obscene, unforgivable anti-working class practices.

We urge RWU members and supporters to campaign with this Resolution. Get it passed at your local union meetings. Urge that it be included at the top of our demands for the next rounds of collective bargaining in freight, passenger, and all contracts.

There are new winds blowing in the labor movement today, after decades of retreat by our unions which resulted in a cumulative

assault on workers rights and our standard of living. We need to rebuild the labor movement in the United States as a fighting movement for all working people. This RWU initiative promotes a more profound unity for all railroaders as we move united for the battles ahead to defend our jobs, our rights, our safety, our benefits, and our standard of living in the years ahead.

See the full Resolution on the RWU website RESOLUTIONS Page.



Martin Luther King, Jr. (left) and A Phillip Randolph (center) are prominent in this collage of prominent citizens - both Black and White - at the time of the 1963 March on Washington for Jobs & Freedom.

## Book Review: "The Edge of Anarchy"

Continued from Page 8

● The Capitalist State: Most branches of government were arrayed against the strikers in favor of the oligarchical corporations. The most obvious manifestation of this was that Attorney General Richard Olney - still employed as general counsel and a director for the Boston & Maine Railroad - who was the driving force behind the federal government's strike breaking effort.

While the strike was lost for a myriad of reasons, it nevertheless demonstrated the awesome power of an industrial union, paving the way for Debs and others to organize the Industrial Workers of the World (IWW) and other forms of worker resistance.

Kelly notes that in 1981, corporations and the government united again, going on the offensive against workers and unions. President Reagan's actions destroyed the air traffic controllers, and labor was confronted with the same questions as before: Do workers have a right to organize? Is labor a mere commodity subject to only a capitalistic law of supply and demand? Should workers in an enterprise have a say in how it is run? Is all power in the workplace to be retained by oligarchical capitalists?"

When he was released from Woodstock jail in 1895, strike leader Debs returned to Chicago, met by 100,000 supporters. From the podium that night, he asked, "What is to be done?" His answer to his own question speaks volumes. "You cannot do your duty by proxy ... Not only will you lose nothing, but you will find something of infinite value, and that something will be yourself."

I urge all union activists to read Jack Kelly's book. Imagine that you were an ARU member engaged in the struggle. Then fast forward 125 years to what must be done today in order to protect our wages, benefits and working conditions. We can all start by taking the advice of Eugene V. Debs and find that "something of infinite value."

Railroad Workers United draws great inspiration from the American Railway Union's effort to unite railroad workers across craft and union, skilled and unskilled, operating and non-operating crafts alike. Like the ARU, we do not wish to fight with the "brotherhoods." Rather, we see a united railroad workforce, one built upon the principle of "an injury to one is an injury to all!", as being essential to victory. We encourage all railroad workers to find yourself and get involved in the struggle!

The Edge of Anarchy - along with a number of other books about rail labor history and safety - is now on sale at the RWU online Store. See Page 2 as well as the back page of this newsletter.

Ron Kaminkow is the General Secretary of Railroad Workers United. He has worked as a brakeman, conductor and engineer for Conrail and NS in Chicago, and now works as an engineer for Amtrak out of Reno, NV. He is the Vice President of BLET #51 and is the local's National Division Delegate.





# Commentary

## How Many Rails Need to be Sacrificed at the Altar of Capitalism?

As I began to process the few facts that came out in the immediate aftermath of the derailment of CP, Train #301, that killed three workers (see lead story on Page 1), that question came to mind, and since then has burned its way into my consciousness. What is it going to take before the rank & file rise up to demand ENOUGH IS ENOUGH? For the evil, immoral CEO's and their faithful, Kool-aid drinking lackeys down the chain-of-command, the occasional, but way too frequent, tragic incident is no more than an inconvenient cost of doing business. The front-line, low-level managers put on a sad, empathetic face and conjure up a somber tone to express their condolences to the grieving families, while the CEO's accountant double-checks to ensure they're current on their liability insurance premiums. While they're at it, they just might up the coverage a bit, just to play it safe. That's who they are and what they're about. There's no revelation there. All that's a given.

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For the evil, immoral CEO's and their faithful, Kool-aid drinking lackeys down the chain-of-command, the occasional, but way too frequent, tragic incident is no more than an inconvenient cost of doing business.

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What does mystify, and outright angers me, is that there are far too many rails who have allowed themselves to be beaten into submission, to rationalize that fatalities and crippling injuries simply come with the territory of working on the railroad. Are those "fighting words"? If so, then prove me wrong, PLEASE! In lieu of that, until there are mass protests and demonstrations, demanding that safety not be compromised one bloody iota, just so some stockholder can take luxury vacations, live in a luxurious home, drive luxury cars, attend sporting events in the comfort of luxury suites, send his/her kids to elite colleges etc., I stand by that assertion. Last I heard, the unions' stated mission, if not reason for existence, is to "negotiate" for improved quality of life on-and-off-the-job. It's the opinion of many of us in RWU that the concept of "FIGHT" - by ANY means necessary - needed to replace the concept of "negotiate" a long time ago. Come on, how are the existing terms-of-engagement working out for rails?

At CP and CSX, where the oxymoron titled business model of Precision Scheduled Railroading (PSR) has been firmly implemented, the investors who buy in are certainly making a "killing". So the other carriers are forced to implement their own versions, since in order to compete, they need to "keep up with the Jones's". So PSR is now spreading thru the industry like a cancer on steroids metastasizing.

For that reason, I want to analyze this specific incident, because it serves as a classic "poster child" for how the carriers' profits, enhanced by PSR, are dripping in railroad workers' blood. It needs to be noted that whenever there is an incident, it's very difficult to assemble the facts. Workers are prohibited from speaking to the media and/or publicly, per unconstitutional, "...against the rules to disclose company business and/or disparage the company..." BS. The carriers can't allow any relevant facts to slip out, while they're getting their "ducks" lined up and story straight, to minimize any perception of culpability and liability. The standard refrain from the carriers, unions, and any opportunist politicians if so moved, generally goes something like: The

applicable government agency (Canada: Transportation Safety Board - US: National Transportation Safety Board) will conduct a thorough investigation. When we have more information, we'll get back to you." In other words, "Nothing to see here folks, so please move along", as they clean up the wreckage and haul off the body bags. "Don't worry your pretty little head about it, we got this." A year or two later, the findings and conclusions will be quietly buried in the website archives.

In spite of not having all the facts, the bits-and-pieces that we do have, augmented with some plausible, educated speculation, a damning indictment can still be made. Even without the "bloody shirt, smoking gun, DNA evidence and signed confession", the circumstantial evidence is compelling, nonetheless.

Fact: The train was in emergency. I've heard, but can't verify, that the engineer was struggling to stop for the crew change.

Fact: The conventional train brake air system is increasingly challenged in arctic conditions. The moisture in the air tends to freeze. The synchronized, mechanical interaction of the various moving parts is challenged. The rubber gaskets sealing the train line at every hose coupling become rigid, causing enough leakage to potentially wreak havoc on a mile-plus long trainline.

Fact: The ambient temperature was 15-20 below 0 Fahrenheit. An article in the Calgary Herald, Feb. 6, stated that the crew had reported struggling to maintain the desired speed. DUH!

Fact: The more cars/tonnage, the longer the train, the more variables in play, meaning greater potential for problems. Arctic conditions on mountain grade increase that potential exponentially.

Fact: PSR seeks to obliterate the "inconvenience" of designated divisions with regular crew-change points. Crews get qualified beyond their previous territories and are instructed to, "Get on and take it as far as you can". Increase the train length to over 2 miles long, and voila - a few less crews are needed to get the freight from point A-to-B. Lower operating ratio = higher profit.

What the Hell do I know? I'm not some degreed, overpaid, bean-counting, pencil-pushing (or computer programming) operations manager, who quite possibly has never worked a day on the ground in his/her life. That said, as a veteran rail, here's what I DO know: In order to recharge the air brake system after an emergency application, the train brakes need to be in a state of release. During this process, since the engine brakes alone would not be sufficient to hold the tonnage of a unit grain train on a steep mountain grade, handbrakes would be essential. Had CP simply reduced the cars/train length/tonnage by 50%, to account for the challenges of a unit grain train, in arctic conditions, thru the Canadian Rockies, both crews would at least have had a fighting chance to get the train over the road safely.

Fact: No worker should EVER have to sacrifice his/her life.

Fact: Only an educated, organized, mobilized, rank & file, empowered and determined to fight by any means necessary, can bring an end to this criminal carnage.

**Mark Burrows has served as Organizer and Co-Chair for RWU. He recently retired after hiring out in 1974, working as an engineer for a combined total of 37 years for the C&NW and the Soo Line/CP Rail in Chicago, Illinois. He was SMART-TD 1433's Delegate for the 2011 & 2014 International Conventions and continues to be an active member of RWU.**







# Editorial

## The PSR Tragedy for Rail Workers is Also a Tragedy for the Nation as a Whole

As the commentary on Page 10 makes clear, Precision Scheduled Railroading (PSR) is no way to run a safe railroad. Whenever a corporate entity attempts to “do more with less”, the workforce knows very well what this means – *do more work with less employees*, resulting in low morale, higher levels of fatigue, task overload, longer hours, less time off work, all of which then manifests as a decline in physical health and well-being, marital and family issues, burnout, stress, overall job dissatisfaction, and yes, accidents, injuries, and fatalities. But it is not just the safety and health of workers that are threatened by PSR. Other interest groups and sectors also stand to lose.

**Shippers** – During the rollout of PSR at CP and CSX, countless shippers complained of the lack of rail car availability, late arrivals of raw materials and a failure to deliver final product on-time. Many fled to the competition (CN and NS respectively), causing fluidity problems on those roads, while some shippers reverted to the highway, and others were temporarily or permanently shuttered. At CSX the situation verged on a crisis, as the Surface Transportation Board was called in to investigate the barrage of complaints. It is impossible to calculate the long-term damage that has been done by these rocky rollouts. Suffice to say, expect more of shipper complaints and hardships as PSR variants are rolled out at NS, UP and KCS in the months ahead.

**Passengers** - With a moniker that includes both the term “precision” and the word “scheduled”, one would think such an operating plan would come as welcome news to Amtrak and commuter carriers who rely on freight railroads to dispatch and otherwise host their trains. In fact, PSR has been nothing short of a disaster for passenger railroads, Amtrak in particular. According to BNSF CEO Matt Rose, “I think we’ve seen, actually, a degradation in overall performance of the rail network in general ... You would think these would be working perfectly with more people going to PSR. You would think Amtrak performance would be at an all-time high. You would think commuter rail service would be at an all-time high. They’re not.”

**Trackside communities** – For those living along the tracks, PSR offers little comfort. In addition to the safety failures that are a hallmark of this operating plan that can result in derailment and disaster to such communities, the penchant to run ever longer and heavier trains means long waits at railroad crossings and the potential for completely blocked crossings along with all of the hazards and safety issues that come with such impediments. In addition, PSR is unlikely to be courting small town shippers who wish the occasional carload. PSR is focused on large shippers, while local switching and single carload billing offers limited returns. So much for revitalizing the local trackside factory.

**Railroads** - Rail is the proven, the most efficient means to move both freight and passengers, and stands poised to regain an endless amount of traffic that has been diverted to the highways and airways this last century. To propel this transition forward, we need to increase track capacity, build infrastructure, and raise average train speed. To win back carload shippers, the railroads must aggressively go after new business. But the PSR operating plan is at odds with this model, focusing instead on the operating ratio and disregarding other metrics of success and vitality. Matt Rose of BNSF (a non-publicly traded company), in a recent interview in *Railway Age Magazine*, claimed that Wall Street is dictating, “Less is better. Less capital is better. Fewer marker opportunities are better. Fewer unit trains are better. It’s

all about lowering the operating ratio. I disagree with almost all of that. I truly believe that every industry, every business, needs growth.” And in the February issue of that same magazine, Contributing Editor Frank Wilner decried the “operating ratio trap”, stating, “In fact, an obsession with lowering the operating ratio can feed a perverse result. While deferring maintenance and shedding locomotives, employees and track miles reduces operating expenses and improves operating ratio, such actions can discourage new business, irritate existing customers and labor partners, adversely impact safety ...”

**Society and the Nation** - As the climate crisis deepens, rail has the potential to play a crucial role in moving our economy in an environmentally sustainable direction. Yet PSR is shuttering facilities, bulldozing classification yards, downgrading and even single tracking mainlines, and selling off assets, all designed to reduce the operating ratio and pump up the stock price in time for the next quarter’s financial report. We have seen this movie before, a few generations back, when the rail industry single-tracked thousands of miles of major trunk routes, and abandoned others entirely, driving thousands of shippers off the rails and onto the highway. In those days of heavy regulations, the railroads had high operating ratios and pleaded poverty. Today, however, those same railroads are making record profits on record low operating ratios, and yet are playing the same game. This is perhaps the worst aspect of PSR – it stands in the way of a railroad renaissance just as we are at the threshold. CEO Rose once again: “It’s in the public’s best interest to move more tons to the railroad network, not off of it.” Meantime, countries like China, India, and Spain move forward with massive rail projects – both freight and passenger – to serve their countries’ transport needs in the decades to come. Meantime, the North American rail industry – held hostage by PSR - is obsessed with the upcoming quarter’s profits, stock price and operating ratio, hardly a strategy for development, growth, and expansion.

**Conclusion** - RWU urges all those concerned – workers, unions, shippers, passengers, and trackside communities to join with us, and to stand up and raise our collective voices in opposition to PSR. And as outlined above, this is an issue that transcends the railroad community and is one of great importance and significance to the entire nation. It’s time we let our public officials know what is going on out there! Since the rail corporations appear incapable of even the pretense of responsibility to anyone but their short-term investors, then perhaps it is time to once again regulate – if not outright nationalize - the rail industry. The rail industry is too important to all of us, to leave to the selfish short-term whims of a handful of wealthy investors.



"ONE OF THE MOST IMPORTANT AMERICANS OF THE 20TH CENTURY... THE MOST EFFECTIVE AND POPULAR LEADER THAT THE AMERICAN WORKING CLASS HAS EVER HAD." —BERNIE SANDERS

# EUGENE V. DEBS

## A GRAPHIC BIOGRAPHY



ART BY MORRIS VAN SIVER. SCRIPT BY PAUL BOMLE AND STEVE MAX, WITH DAVE NANCE

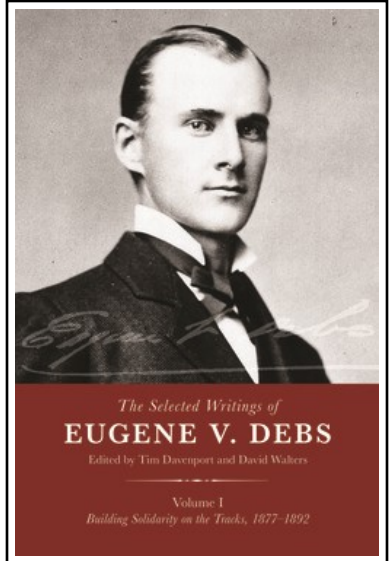
## RWU Book Sale on Now!

In recent months, there has been a proliferation of books published about rail labor history, rail safety and more. RWU is proud to make these new books available to members and supports at discounted rates this spring. Please check them out and order yours at the

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



*I am opposing a social order in which it is possible for one man who does absolutely nothing that is useful to amass a fortune of hundreds of millions of dollars, while millions of men and women who work all the days of their lives secure barely enough for a wretched existence.*

**Eugene V. Debs Statement to the Court, delivered September 1918, Federal Court of Cleveland, Ohio**



# Railroad Workers United

## Membership Application

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Union \_\_\_\_\_ Local # \_\_\_\_\_ Employer \_\_\_\_\_

Terminal \_\_\_\_\_ Craft \_\_\_\_\_ Years of Service \_\_\_\_\_

Union Position (if any) \_\_\_\_\_

I'd like to join for (check one):  1 year \$50.00  2 Years \$90.00  3 Years \$120.00

Clip and mail together with your dues to: **Railroad Workers United P.O. Box 2131 Reno, NV. 89505**

**OR join on-line at [www.railroadworkersunited.org](http://www.railroadworkersunited.org)**