



The Highball

Official Publication of
Railroad Workers United

Rescue Bill Contains Key Provisions of Support for RR Workers

On March 11th, President Biden signed into a law a massive spending bill totaling some \$1.9 trillion. Much of the American Rescue Plan deals with providing much needed relief from the economic malaise resulting from the ongoing pandemic. A few key provisions of the package come as especially welcome to new railroad workers. As this issue of *The Highball* goes to press, more than 1200 rail workers at Amtrak are in the process of being recalled to service. These workers had been furloughed last Fall when Amtrak's "long distance trains" saw frequency dropped from daily to just three-times-per-week, in a cost-cutting move that the company deemed necessary due to reduce ridership through the previous six months of the pandemic.

But patronage has bounced back dramatically, and with the vaccination proceeding apace and summer travel season approaching, expectations are high that ticket sales will soon rebound on these trains to pre-pandemic levels. The carrier states that the 12 long-distance trains were meeting the criteria that Amtrak established last Fall to determine whether or not they would return to daily service. Employees are returning to work and engaging in refamiliarization and qualifying trips, rules classes and other formalities as necessary, in order for all trains to return to daily service at the end of May/early June. While the legislation does not provide for expanded train service, Amtrak CEO William Flynn has suggested in recent weeks that the company is intent on expanding service to communities not served in years, and to eventually increasing frequency on existing routes. Citizens groups in Montana, Louisiana, Alabama, Virginia, Massachusetts, Nevada and elsewhere are pushing for these new services. After a disastrous year at the nation's railroad, things are

looking up at Amtrak. According to CEO Flynn, "This funding will benefit the entire Amtrak network, out-of-state and commuter partners, customers and employees," Amtrak Chief Executive Officer Bill Flynn said in a prepared statement. "We will work closely with Congress and the Biden administration on next steps for funding to support Amtrak's long-term growth. Funding options include expanding the Amtrak network through new corridor routes, that will create thousands of new jobs, reducing our nation's carbon footprint, and helping the economy recover and flourish in the years ahead."

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For too many years, the fate of Amtrak has been a political football, at the mercy of the whims of politicians. Provisions in the American Rescue Plan will serve as a badly needed lifeline for now, but we must continue to advocate for a revitalized, national passenger rail system as a necessity in the interests of the general public.

Fight to Save the Two-Person Crew Gains Steam

Much to the chagrin of the Class One rail carriers, recent weeks have witnessed a series of tactical victories and provided inspiration to railroad workers in their ongoing fight to save the two-person crew.

The Departure of FRA Director Ron Batory

Lifelong rail CEO Ronald Batory – appointed by the Trump Administration to head the Federal Railroad Administration (FRA) in February 2018 – was sent packing after serving for just under three years as Agency head. As one may have guessed, he moved on to assume yet another rail CEO position, as head of RJ Corman Railroad Group. Among other anti-worker and anti-union actions taken during his time at the helm of the FRA, Batory took a stand for the elimination of the two-person crew. He reversed the previous FRA position that the Agency would engage in rulemaking on minimum crew size, and stated that the FRA would do nothing of the kind. In May 2019, he went further, declaring that state laws adopted in

previous years that mandated a minimum of two person train crews were all unconstitutional, and in fact were immediately null and void by his federal "power of preemption."

Batory is succeeded by Amit Bose, with a long career in rail and transportation organizations and government agencies, including the FRA. According to SMART-TD National Legislative Director Gregory Hynes, "We've had several conversations and he understands and supports our issues. It is a welcome new day for rail labor." While it remains of course to be seen what position Bose will take on the crew size issue, one can only assume it will not be worse than Batory's.

The End of the Trump Presidency

Former FRA Director Batory served at the behest of President Trump, leading one to conclude that Trump had no interest in

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RWU Happenings

RWU Moves Forward with Creation of Support Staff Position

RWU was founded with 40 members and a few hundred dollars in the Spring of 2008. As the organization grew and developed, by 2015, the International Steering Committee (ISC) began to research the question of hiring support staff to assist the organization by performing essential clerical duties (e.g., maintaining membership lists, sending out new member packets and membership cards, attending to membership renewal and fundraising efforts, etc.) under the direction of the General Secretary and the Steering Committee. After years of preparation, and as the Treasury continues to grow, in February, the Steering Committee assigned a subcommittee to investigate the prospects of hiring a part-time support staff. At the monthly meeting in early March, the Steering Committee voted to approve the Report of this sub-Committee and move forward with the process.

In the coming months, the RWU ISC will finalize a job description which will then be circulated publicly later in the Spring. More details will be available soon. For now, we have recommended that the job be roughly 10 hours a week and pay \$20 per hour. More details will be available soon.

A *Hiring Committee* in the coming weeks will begin to review applicants' resumes, and interview applicants over the course of the Summer. The most qualified individual for the position is expected to be hired and oriented sometime in early September.

Qualified applicants should be proficient in the use of Microsoft Office (Word, Excel, Publisher) and Google (Sheets, Drive, Docs), have had exposure to and experience in the Labor Movement, possess a basic understanding of worker issues and struggles, be highly motivated to assist the organization to grow, be self-starting, and be able to take instruction from multiple persons.

Working and retired railroad workers, as well as family members are encouraged to apply. The job may be suitable for a graduate student, part-time worker, stay-at-home parent, retiree, or another who has access to another source of income to supplement this position. Women and people of color are encouraged to apply. For more information, contact RWU General Secretary Ron Kaminkow at secretary@railroadworkersunited.org.

Now You Can Listen to - as Well as Read - the RWU Weekly News Summary!

Each week for the past few years now, RWU has provided a free online news service for our members, supporters and anyone interested in rail labor and the rail industry. Each week, *Rail & Labor News from RWU* is sent out to subscribers hungry for the news of what is happening in rail labor and in the rail industry in both North America and around the world. Employing numerous news feeds and a cadre of volunteers, we are able to glean out the most important stories of the week, focusing on issues of concern to railroad workers and our allies in the labor movement and the larger community. Look for it each week, publicly released at 7 AM Central Time each Tuesday morning.

And since February, you can now **listen** to *Rail Labor and News*

From RWU, a 5-minute summary which touches on all of the major articles in the digest of the week. Greg is an RWU Solidarity Member and a longtime member of the Industrial Workers of the World (IWW) in Upstate New York. He is also a union voice talent and actor, a member of Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA). Brother Greg kindly donates his services to RWU.

So listen to Greg read a summary of the major news stories of the week, then dive into the full *Weekly Rail & Labor News*. Go to the website at www.railroadworkersunited.org and fill out the pop-up block when it pops up on the screen! You will start to receive the Rail & Labor News each week

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

Alternates

- Chuck Abbate, SMART-TD #898b, KEOLIS, Boston, MA
- Tabitha Tripp, (family) BMWED #17, CN, Anna, IL
- Matthew Groulx, BLET #217, NS, Shenandoah, VA

Trustees

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

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RWU P.O. Box 2131 Reno, NV 89505



Rescue Bill Contains Key Provisions of Support for RR Workers

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In addition to the good news for Amtrak and its workforce, the relief bill holds promise for railroad workers on other fronts as well. The bill provides \$30.5 billion in COVID-19 emergency funding to help struggling public transit agencies nationwide, hit hard by a steep decline in ridership.

The Railroad Retirement Board (RRB) will receive \$21 million for long overdue Information Technology upgrades, plus \$6 million for additional field staff to better serve railroad workers. The bill will waive the 7-day waiting period for Railroad Unemployment and Sickness Benefits and provide \$300 per week of enhanced

benefits for Railroad Unemployment Insurance, which have been extended to September 6th, 2021 for unemployed rail workers.

We're very happy to have these longstanding and important measures included in this recovery legislation," said Jeff Joines, Director of Government Affairs for the Brotherhood of Maintenance-of-Way Employees Division. "Amtrak funding will provide our members continued work. The general transit funding will keep our transit rail members working. The RRB money, which has been sorely needed for years, and will mean a much quicker response time with benefit claims. We're encouraged by this legislation and what it contains specifically for rail."

Fight to Save the Two-Person Crew Gains Steam

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preserving two-person train crews. Alternately, the new President Biden professes to be a supporter and a friend of rail workers and has clearly stated his support for a two-person crew on all freight trains. Note: If and when a stalemated contract on this issue were to go before a Biden Presidential Emergency Board (PEB), the chances are better for labor to achieve a favorable ruling.

Court Ruling in Favor of States and Rail Unions

On February 24th, a three-judge panel with the U.S. Court of Appeals for the 9th Circuit Court ruled that the FRA did not conduct adequate due process and failed to undergo an adequate public review process prior to declaring that its May 2019 order on train crew size preempted state laws that required a minimum of two-person crew on freight trains (see above). As such, the Court has remanded the issue back to the FRA for review. What the FRA does now under a new administration remains to be seen.



If the carriers get their way the seat on the left will be vacant leaving the engineer to handle radio communications, train lists, operating bulletins etc. while simultaneously handling increasingly, longer and heavier trains. The resulting task overload will further compromise railroad workers' and the public's safety.

“Congress and the FRA must act to deploy a strong nationwide crew size mandate that will keep railroaders and the communities they travel through safe...”

In the wake of this court ruling, four more states – Virginia, New York, Missouri, and Wyoming – have all seen bills introduced and/or advanced in their respective state legislatures. Other states are expected to follow. While the American Association of Railroads (AAR) was “perplexed and frustrated” by the ruling, the rail unions and the AFL-CIO Transportation Trades Department (TTD) were elated. According to the TTD, “The Ninth Circuit rightfully cast aside the FRA’s order ... We are thankful that state safety laws can go back into effect, but today’s decision is only a first step.” TTD is correct, this is of course but the first step. The unions must now go on the offensive to consolidate this win.

Conclusion

All railroaders who have been engaged in the fight to preserve the two-person crew should be heartened by the victories outlined above. However, we remember that the fight goes on. These are tactical victories in the war over this issue that dates back to 2004. The 9th Circuit Court ruling can be appealed and overturned. Biden’s resolve on the issue is by no means guaranteed. And it remains to be seen what position the new FRA administrator will assume on this vital question. Therefore, rails must continue to be vigilant. As we have stated endlessly, RWU believes this fight must ultimately be won on the property, where rank and file railroaders will decide our fate. It comes down to our resolve and our solidarity versus that of the carriers. They will no doubt attempt to coax, cajole, blackmail, and bribe us and our unions to go down the single crew road, just like they did in 2014 on the BNSF. But we can beat them in the coming years – just like we did then – but we cannot rely on the courts, regulators, nor politicians to win this for us. Rather, we must strengthen our resolve, build up our unity, solidarity and alliances, keep our ear to the rail, refuse to be bought or intimidated, and always believe in our collective power to win!



Political Action

Coalition Building and the Ninth Circuit Opinion on Train Crew Size

Congratulations and commendations are in order for Washington state Rail Labor and their members. On Feb. 23, 2021, the U. S. Court of Appeals for the Ninth Circuit issued an important decision clarifying the rights of states to regulate certain railroad safety matters (See U.S. Court of Appeals for the Ninth Circuit, Case No.1971787). While the crux of the decision hinged on procedural failings, the court addressed other issues that included federal preemption – a boilerplate industry assertion on literally all state-level attempts to regulate the railroads. Specific to this case was state mandated Minimum Train Crew Size, an issue Rail Labor has pursued nationally for years. The road to victory involved a diverse coalition, and it is worth exploring how the remarkable feat was accomplished. Being one of the small cogs in a complex coalition machine, I can offer my perspective.

Having hired out on the railroad in 1995 at age 36, I was further along the career path than many of my railroad worker contemporaries. But life experience and a recovering railroad industry were to my advantage. Within a few years of working yards and “the road” across Washington state, I wanted to get more involved in workplace safety. The very real dangers inherent in the industry, and being neglected by the railroads, were obvious and more needed to be done to protect railroad workers. While “marked up” in Pasco, WA, and in the Yakima Valley, I decided to run for the Legislative Representative (LR) position at the Brotherhood of Locomotive Engineers and Trainmen (BLET), Division 402 (Pasco). In turn, the LR position introduced me to the union/company safety processes and, more importantly, with the state-level BLET Washington State Legislative Board (WSLB). In the late 1990’s, the BLET-WSLB had a change in leadership with the new board Chair, Mark K. Ricci, PhD, taking office. Determined to act on larger safety issues, Brother Ricci elevated issues like fatigue and remote-control locomotive (belt pack) safety to the forefront of the board’s efforts. Brother Ricci was very adept at producing professional-grade white papers, attempting “grass roots” education of members and the public on safety issues, and exploring state-level regulatory safety action by way of outreach to the Washington State Utilities & Transportation Commission (UTC). These skillsets were instrumental in engaging our members, drawing media attention to railroad safety issues in the public realm, building support with other labor unions and state legislators, and ultimately, providing inspiration (myself included) to “think outside the box” on ways to progress the BLET-WSLB’s safety agenda. One of the first coalition building relationships outside the immediate rail labor world was with the International Longshore and Warehouse Union (ILWU), Local 24, Hoquiam, WA.

Remote-control locomotive technology was being introduced into the railroad working environment in WA state by Class I railroads and, in some cases, smaller rail operations. This rollout was designed to remove switch job locomotive engineers from the cabs, replace them with technology, and reduce crew size. In truth, it was about saving money and increasing profits. Coincidentally, there had been a remote-control locomotive “runaway” accident in the Hoquiam area, and I was looking for someone from Labor who might be able to provide more details. So, I reached out to Mike Brown, President, and Billy D. Swor, Sec-Treas., at ILWU Local 24 in Hoquiam, WA. After explaining our safety concerns and issues we had with remote control locomotives, I asked if the ILWU would be willing to come to Olympia and participate in UTC safety hearings as Brother Ricci had convinced the commission



In 2015, RWU sponsored a series of coalition building conferences entitled Railroad Safety: Workers, Community & the Environment in Richmond, CA, Olympia, WA and Chicago, IL entitled: "Rail Safety: Workers, Community & the Environment".

to examine remote-control locomotive safety. Without hesitation Brothers Brown and Swor agreed to help.

We all met up in Olympia at the UTC building to provide testimony to the commissioners regarding the safety concerns workers in both the railroad industry and the Longshore industry had with remote control locomotive technology. To say the least, the railroads were not pleased. In fact, they had tried to stop the hearings altogether. At the start of the first hearing, a corporate lawyer for one of the Class I railroads stood up and proclaimed the UTC (and by inference, Labor) *had no right* to hold public hearings on railroad safety! While this arrogant, entitled pronouncement was outrageous and offensive, it is typical of the Class I railroad mentality – both past and present. The hearings were held, and they were important as they would be one of the first railroad industry assertions of preemption of state-level railroad safety processes in Washington state.

Equally important, the UTC remote-control locomotive hearings marked the beginning of modern era, state-level railroad regulatory efforts. Specifically, the hearings: 1) marked the beginning of stronger Labor-to-Labor relationships, i.e., *coalitions* and, 2) were one of the first attempts in Washington state after the enactment of the Federal Railway Improvement Act of 1970 to seek state-level regulation of the railroad industry. While an entire book could be written on the next several years after the remote-control locomotive hearings at the UTC in Olympia, WA, I want to keep the focus on coalition building and its importance to making meaningful change for workers, the public, the environment, and other issues important to blue-collar, working-class people.

Mike Elliott is the former Chair, Washington State Legislative Board – Brotherhood of Locomotive Engineers & Trainmen. He worked 22 years in the railroad industry as a locomotive engineer, conductor, switchman, union official and FRSA whistleblower. Now retired, he continues as a railroad safety advocate for workers everywhere and occasionally volunteers to assist colleagues in the state-level legislative efforts in Washington State.





Political Action

Railroad Workers: Don't Take Railroad Retirement for Granted

Sometimes our railroad paychecks can be a bit demoralizing and frustrating in view of take-home pay. Taxes take quite the bite! Sometimes half of earned income is gobbled up as deductions for Federal, State and Railroad Retirement (RR) taxes, in addition to union dues, medical insurance and 401K contributions (if any). The good news about RR is your monthly annuity comes whole and is yours to keep!

Sure, some Federal taxes need be paid out, but not at the same percentage as earned income. For those under 65 there will be required payments for continued medical insurance and for those over 65, a Medicare premium. It is a small price to pay for the financial security and substantial monetary reward that RR provides (FYI: five years prior to retirement, railroad employees can request a projection of one's own monthly annuity from the Railroad Retirement Board).

Of course, it is not a "reward" but an earned income for all our years of service. RR is funded by the many tens of thousands of dollars that we contribute from our own paychecks, taxes on our earnings that the railroads pay, and investments. Not only does RR make Social Security pale in a comparison of benefits, but it is independently funded and self-sustaining. It is the "gold standard" by which other pensions, government and private retirement programs look on with envy. It is an embarrassment to those in Congress who want all government social programs to fail in order to prove incompetency.

It is because of the latter that Congress, 83 years ago, chartered the National Association of Retired and Veteran Railway Employees (NARVRE) as an organization that would fight and advocate for the Railroad Retirement Administration (RRA) and its Board. Even at its inception in 1937, RRA had its enemies in the legislative branch of the government and needed a strong political group to keep it from being dismantled. Why? Because what Congress giveth, Congress can taketh away!

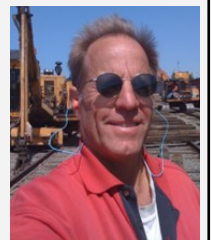
Our retirement system has come under attack before. With the help of NARVRE Units nationwide, active rail employees and

union officials, those attacks on the RRA have been beaten back with political leverage borne out of letter writing campaigns and telephone calls to congressional reps. Our friends in Congress need to know that we have their backs!

COVID has taken a toll on NARVRE Units nationwide, diminishing the social networks that hold the organization together. This is a much older group in need of protection from the ravages of any virus and the clock is always ticking. The natural diminishing of NARVRE's numbers occurs with regularity. What has impacted NARVRE greatly is that fewer employees are retiring to fill the void. Automation, technology, the 1985 agreement, diminished crew size and the hiring freeze between 1980 and the mid-1990s has conspired to bring fewer NARVRE members into the fold.

NARVRE has never ONLY been an organization of "retired" railroad employees. The "veteran" in its title includes active employees concerned and politically-involved in the protection of one's own railroad retirement tax "nest egg." While "active" railroad employees have traditionally been a smaller portion of its ranks, the survival of NARVRE may very well rely now upon those paying into the system, rather than those receiving the benefits. You can join NARVRE and help to keep it alive by visiting its website: www.narvre.us. The yearly dues are reasonably low. Best of all, by joining early you will be in position to take up the standard and do the necessary political work, protecting your future annuities well before you turn in your switch keys, reversers and radios.

B.P. Lewis, retired Union Pacific Conductor, first hired out with Western Pacific in 1978. Former Local Chairman for UTU #239 in Oakland, CA, he is a Founding Member of RWU and serves as the Legislative Rep for the National Association of Retired & Veteran Railroad Employees (NARVRE) Unit #61 in the San Francisco Bay Area, for which he writes a monthly on-line Legislative Report.



Our Dear Friend Anne Feeney Catches the Westbound

The labor movement – and Railroad Workers United – lost a great friend, ally, and sister worker in early February. Anne Feeney – musician, singer-songwriter, lawyer, labor activist and hell-raiser – died of Covid-related pneumonia in her hometown of Pittsburgh, PA on February 3, 2021.

Since the RWU Founding Convention in 2008, Anne faithfully showed up and would lead us in singing labor's anthem, "Solidarity Forever," at the close of each Convention and would stick around for the post-Convention activities, providing entertainment at our hospitality suite in the evenings.

Her Irish grandfather was a mineworkers' organizer and a fiddle player, who often put his music toward the cause of labor, having a great influence upon Anne.

Feeney was a member of the Travelling Musicians Union (AFM) Local #1000, and also a member of the Industrial Workers of the World (IWW). She served as president of the Pittsburgh Musicians' Union in the late 1990s. In 2005, she was honored with a lifetime achievement award from the Labor Heritage Foundation. Her business cards described her as "Performer, Producer, Hellraiser."

Beginning in 1991, Feeney toured North America and the world to perform and participate in political and labor rallies and events. From an interview in 2008 (when RWU was just getting organized): "I think music is a fantastic way of empowering people and giving them strength and energy. I've spent a good part of my life trying to find and write music that will empower people to resist and stand up for what's right." RWU can attest that she did a great job. We will miss you Sister Anne Feeney! Rest in peace, and rest in power!



Ann Feeney closing the 2018 RWU Convention with a rousing rendition of "Solidarity Forever."



Opinion & Commentary

Rails Need to Crank Up the Pressure and the Heat on Biden and Co.

I'd like to pick up where I left off in the Winter 2021 issue of The Highball with my commentary, "Railroad Brothers and Sisters: Why Do We Put Up with This?" I trust that it's a generally accepted premise that railroad workers' struggle for safety and dignity on the job, as well as quality of life on and off the job, clash head on with the insatiable and unscrupulous quest for profits by the railroad bosses, CEO's and freeloading investors. Essentially the same can be said for workers across the spectrum, from manufacturing, transportation, distribution, construction, infrastructure maintenance etc., to service and retail. Public sector workers, such as teachers and postal workers, are at the mercy of local, state and federal budgets controlled directly by politicians. While private sector CEO's may not have direct input on government budgets, you can be certain that their influence on the political process ensures that whatever they pay in taxes doesn't hurt their bottom line.

So essentially all workers have to confront a combination of CEO's, investors and politicians to address our collective and respective concerns, issues and grievances that impact our daily lives on and off the job. As I've stated previously, I became disillusioned with the Democratic Party 40+ years ago. That said, I get the collective satisfaction of the 78 million who voted for President Biden, being able to tell Trump, "You're fired!"

I also get why so many workers voted for Trump in 2016, because they couldn't stomach the thought of voting for Hillary Clinton. Now the following is my personal opinion and analysis, but I'm convinced that enough of those same workers who voted for Trump, could have been won over to vote for Sen. Bernie Sanders, the only serious challenger to Clinton in 2016. Sanders could've appealed to those same workers who bought Trump's, "Drain the swamp", anti-establishment schtick.

Sanders was clearly the peoples choice, filling up football stadiums with energetic rallies across the country. But the Democratic National Committee (DNC) used their clout to steal the nomination from Sanders and hand it to Clinton, as if she were the entitled heir. By doing so, the DNC deprived us of what would've been must-see TV, the splendid theater a Trump vs. Sanders contest could've and would've been.

My personal opinion is that Sanders could have defeated Trump. Trump lost the 2016 popular vote by 3,000,000. But he won the presidency only because of a few thousand votes from understandably disgruntled, blue collar workers in Wisconsin, Michigan, Ohio and Pennsylvania. Winning the popular vote in those four states, albeit by narrow margins, gave Trump the decisive electoral votes, and the rest, as they say, is history. I'm convinced Sanders could have appealed to those same workers, with a much more coherent pro-labor/anti-big business message, but we'll never know.

So compliments of the DNC's heavy-handedness, four years later, instead of discussing the limitations of a self-proclaimed Democratic socialist, pro labor president, we're just relieved to be liberated after four years of Trumpian Hell. Even I have to concede that Biden is a breath of fresh air after Trump's putrid, subterranean low bar. Compared to Trump, Biden comes off like a conquering hero, as he strives to get the covid plague under control. While I appreciate his efforts on vaccine production and distribution, as well as economic relief, this is the bare minimum obligation and responsibility of government. We should expect



We cannot afford to slip into complacency just because Democrats have gained a little more "power." Real power flows from an educated, organized, mobilized rank & file, in alliance with our natural allies, fighting for the social justice and dignity we are all entitled to.

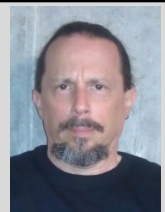
and are entitled to nothing less, in addition to so much more.

As the front page article points out, the American Rescue Plan has some bones and trinkets for rail workers. As this issue goes to press, there's discussion about some kind of infrastructure bill that is high on the Biden administration's wish list - potential obstruction from Sen. Mitch McConnell (the self-proclaimed "Grim Reaper") notwithstanding. Pardon me for digressing for a moment, but what kind of evil, deranged sociopath takes pride in such a nickname, much less how he's earned it? He spews repugnant BS with an arrogant smirk, as he kills any legislation that might give us a few crumbs of relief, better health care, safer workplaces, cleaner environment etc., while he arrogantly rams through tax cuts for the rich.

If I can walk and chew gum simultaneously, then I can call out the Republicans for being vile and subhuman, without drinking the Biden Kool-Aid. Now it's not my intent to urinate on anyone's Biden victory parade and the, "Hallelujah! It's a new day!", celebrations, but I have a personal beef with all the pro-labor accolades heaped on Biden by the unions' leadership.

While rails have been battered and bruised by PSR the last few years, I experienced it several years earlier when Hunter Harrison became CEO at CP Rail in 2012. My last few years before I retired in January 2016 were sheer torture and hell. The new regime unleashed a reign of terror, effortlessly imposing their will, violating work-rule agreements left & right, over-under-sideways-down. Biden was Vice-President at that time, and he never uttered one syllable in our defense, reinforcing that we can't sit back and wait for a savior. So let's use this breath of fresh air to rejuvenate ourselves and seize the moment. The following article on Page 7 has a list of numerous tasks to prepare for the inevitable clash over single-employee crews.

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

To Win the Fight for Two Person Crews, Rail Workers Need a “Plan B”

On November 1, 2004, the rail carriers umbrella group – the National Carriers Conference Committee – submitted “Section 6 notices” under the Railway Labor Act to both unions of the operating crafts. Both were identical. And both demanded a reduction in crew size from the current standard of two employees to just one. As this issue of *The Highball* goes to press on April 1, 2021, nearly 16 years later, no Class One mainlines trains are being operated in such a fashion.

Despite the carriers’ efforts and despite the unions’ half-hearted efforts at best, and their treacherous betrayals at worst, trains across the United States continue to roll with both a certified locomotive engineer and a certified conductor on board. This, of course, has only been realizable due to the determination of the rank and file of both crafts, united in opposition to their plan.

For those not around at the time and for those who fail to remember, the workers’ proudest moment of resistance came in the summer of 2014. A tentative agreement that would have mandated single person crews on most mainline trains – sprung on the unsuspecting trainmen on the BNSF former BN lines – was vehemently protested and overwhelmingly rejected. With aid and assistance provided by Railroad Workers United, the BN workers, other rails, and community allies sprung into action and mounted a “Vote NO!” campaign, the likes of which surprised not just the BNSF, but the rail unions as well. Every terminal and every craft systemwide rejected the contract. When the votes were counted, an unprecedented turnout revealed that the workers had voted down the single crew concept by a 5-to-1 margin!

While this was a great victory, an impressive show of strength, solidarity and determination by the workforce, the rail carriers have since double-downed on their commitment to prevail. Now they openly boast of their intentions, and boldly state their intentions to ram this concept down our throats. In such a hostile environment, we cannot put our faith in the courts, in the arbitration process, nor in politicians at the state and national levels. While it is true that we have won tactical victories in these arenas over the last decade or so, and will no doubt win others in the years to come, we simply cannot rely on more than winning tactical defensive stopgaps in these theatres of conflict. While this stage of operations might be referred to as “Plan A”, we need a well-organized and prepared “Plan B” if we intend to win this important fight.

Once upon a time, rail workers did not have unions. So, they built them. Rails did not have lawyers and politicians, courts or legislation to win the day for them. They engaged in strikes and other “industrial actions,” conducted mass rallies and pickets, engaged other workers and community members, fought for and won everything we hold dear today. This was the original Plan B that was not the Plan B then, it was simply THE Plan. And while we may engage in court and arbitration battles, lobby legislation at the state and federal levels and push for federal protective regulation through the FRA and other government agencies, we must never forget the original source of our power, and be ready, willing and able to use it.

RWU invites all rank and file workers and our rail unions to organize this “Plan B” so that it is ready when (and we believe it is simply a question of *when*) Plan A has reached the end of the road, we can combat the carriers and save the two-person crew. We urge that the unions, with their vast resources and infrastructure, paid staff personnel, dues base, treasury and communica-



tion network engage immediately in any and all of the following:

- Outreach to the community and the general population through creative use of the media.
- Create articles, flyers, and videos to explain our perspective to other unions, politicians, community organizations and potential allies.
- Erect billboards at major terminals to show the carriers we are determined to win, and to encourage and embolden our members to resist.
- Conduct rallies and pickets at major terminals that motivate and empower our members, while we impress the carriers, the media, the community and the labor movement that we are serious and ready.
- Produce stickers, buttons, T-shirts, banners and other paraphernalia to publicize the struggle and to motivate and encourage our ranks.
- Open up the bargaining process to allow membership input and support. Call upon the membership to back up the bargaining process with displays of solidarity and strength.

The list of creative tactics that we can employ is limited only by our imaginations. Non-violent actions that build up our solidarity, that empower us, that win others to our cause, and that serve to bolster our determination and spirit are on the table. We need look no further than the great social movements of the last century – including the labor movement – to uncover a treasure trove of creative and effective means to build up our defenses and ability to prevail in the fight.

For the record, Railroad Workers United stands at the ready to aid and assist – just like we did in 2014 – any and all workers and unions willing to fight back against single person crews. We have been working tirelessly on this issue since our founding in 2008. We have a burgeoning network of dedicated rank & file rail workers, community supporters and environmental activists nationwide, versant in this issue, and at the ready to confront the Class One rail carriers when the gauntlet is laid down, as it most assuredly will be in the months and years ahead. We are infinitely more prepared for a showdown that we were in 2014. But so are the rail carriers. That’s why we are calling on the rail unions to take the actions above. The best way to win a fight is to be prepared for it. And the best defense is a good offense. Let’s get moving! *Highball!*

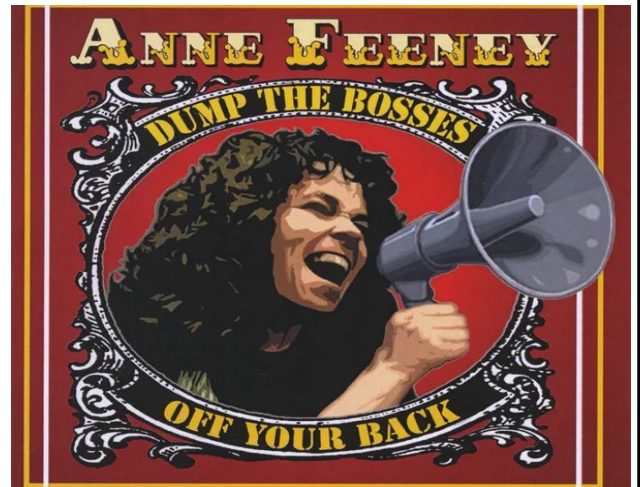
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www.railworkersunited.storenvy.com

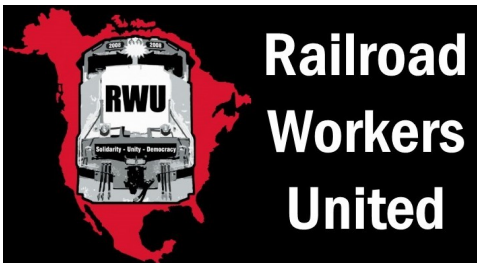
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P.O. Box 2131
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"The great folk musician Anne Feeney was a fearless and formidable force for justice and workers' rights onstage, in the studio, and on the picket line." Tom Morello - Rage Against the Machine and Nightwatchman

"Too long have the workers of the world waited for some Moses to lead them out of bondage...I would not lead you out if I could; for if you could be led out, you could be led back again. I would have you make up your minds there is nothing that you cannot do for yourselves."

Eugene V Debs, Founder of the American Railway Union



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