



The Highball

Official Publication of
Railroad Workers United

RWU Ramps Up Campaign Against Single Employee Crews

Refusing to wait until the carriers make their move, Railroad Workers United has decided that the time is now to fight single employee operations. Realizing that the best defense is a good offense, to honor and celebrate Labor Day this year, RWU unveiled our stepped-up campaign to fight the carriers' designs for single employee operations. Throughout the fall, RWU will be distributing flyers and leaflets, posters, stickers and other print matter to raise the issue to both railroaders, their families and the community in general.



In fact, RWU believes that this is of such major importance that we are printing a special supplement to this issue of The Highball, dedicated strictly to this vital question. Please see the center four-page addition here (Page S1 to S4).

In the Summer issue of The Highball, RWU editorialized that "The Time to Fight Single Employee Crews is NOW!" We base this assertion on the evidence that has accumulated over the last decade. Numerous developments have led us to believe that the carriers will soon make an all-out push for single employee train crews. These include the following:

- the 2004 Section 6 notices from the NCCC;
- the 2007 Agreement penned by the BLET on the BNSF;
- the 2010 Agreement penned by the UTU on CSX;

- the universal implementation around the country of single employee Remote Control Operation (RCO) jobs;
- PTC, soon to be implemented on most mainlines;
- the recent rumors that have leaked about the carriers' intentions to run trains wholesale with a lone employee.

We can choose to bury our collective heads in the sand; we can ignore the issue and wish it would go away; we can hope that we can just make it to retirement before it all falls apart; we can put our faith in our union or the government to defend and protect us. Or we can educate ourselves about the issue, commit ourselves to the fight, take personal responsibility, stand up and be the proud union men and women that we are, and fight back! Please join RWU in the fight of our lives and resist the carriers' push for single employee operations in both the yard and on the road.

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RWU Initiates Program to Honor and Remember Fallen Rails

The fractured nature of rail labor has led RWU to initiate a program to honor each and every railroad worker killed on the job, regardless of what craft and what union (if any) the worker was a member of. "When a brother or sister is killed in the line of duty, it is the concern of all of us, whatever position we currently hold on the property," points out Robert Hull of the RWU "Fallen Rails Committee".

For the past four years now, RWU has honored and remembered fallen railroad workers with the annual "Railroad Workers Memorial Day", held each Friday before Fathers Day in June. The purpose is to unite railroaders in remembering our fallen comrades throughout the previous years. In 2011 we chose to focus on the tragedy in Longview, WA, one that unnecessarily claimed three lives due to the blatant failure of the carrier to provide a safe workplace (see The Highball Spring 2011). Funds were raised through T-shirt sales, the money being donated to both the National Workers Memorial in Silver Spring, MD and the National Railroad Memorial in Durand, MI.

This event was the first time that we honored specific railroaders -- Tom "Two-Notch" Kenny and Chris Loehr -- while this year we recognized Laurette Lee, Amtrak con-

ductor of the ill-fated *California Zephyr*, killed when her train was hit by a speeding truck at a dangerous highway crossing in Nevada. "So it was only natural", states RWU Steering Committee member Robert Hill, "that we begin to honor and recognize each and every railroad worker who is killed in the line of duty."

To those ends, RWU plans to do the following:

- Send cards and flowers to the family of all victims.
- Publicize each and every railroad fatality.
- Encourage our fellow railroaders to sign the register at the funeral home as an act of solidarity with the aggrieved family.
- Keep a running tally of all rails killed on the job and make this information available on the website and annually in the pages of The Highball.
- Continue our annual Railroad Workers Memorial Day activities each year.
- Make future donations to both the National Workers Memorial and the National Railroad Memorial as funding allows.
- Set up a special memorial fund in order to fund these activities.

All railroad workers are encouraged to join us in this effort.

Wanted -- Help in Distributing The Highball Each Issue

In an effort to increase distribution of The Highball, RWU encourages all members and supporters to order a bundle each and every issue. Members may receive a bundle (up to 50 copies) free of charge each issue (donations to help cover the costs of printing and mailing are appreciated!). Non-members may also order bundle, but are required to pay the cost incurred by RWU.

To order yours, email secretary@railroadworkersunited.org or call 206-984-3051. **Bundle costs are as follows:**

<u>Bundle</u>	<u>Member Cost</u>	<u>Non-Member Cost</u>
25	Free (or donation)	\$17.00
50	Free (or donation)	\$25.00
75	\$15.00	\$30.00
100	\$20.00	\$40.00

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-and-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 the address 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*

Railroad Workers United P.O. Box 1053 Salem, IL. 62881

International Steering Committee

Mark Burrows	UTU #1433	CP	Chicago, IL	
Jon Flanders	IAM #1145	CSX	Selkirk, NY	
Robert Hill	BLET #75	BNSF	Vancouver, WA	
Robert Hull	UTU #199	BNSF	Creston, IA	
Ron Kaminkow	BLET #51	Amtrak	Reno, NV	
Shaun Kelley	BLET # 642	BNSF	Creston, IA	
Ed Michael	UTU #979	BLET #724	UP	Salem, IL
Hugh Sawyer	BLET #316	NS	Atlanta, GA	
James Wallace	UTU #305	BNSF	Lincoln, NE	
Chet Whyers	UTU #979	UP	Salem, IL	
John Wright	BLET #78	CSX	Louisville, KY	

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Fighting "Behavior Based Safety" Programs

Ed Michael, UTU #979 & BLET #724, UP, Salem, IL

We all are aware of the pitfalls and problems of behavior-based safety (BBS) programs and the damage they can do to a safe work place and to union solidarity. But finding a way of fighting them off while replacing them with an effective safety program can be difficult.

In many places we have seen the carriers establish BBS by co-opting local union members, or even officers, with generous paid time away from their regular assignments, or by promising "leniency" on discipline cases. Conversely we have seen carrier officers establish harsher discipline policies in locations, such as my service unit, where local unions have refused to participate in BBS.

Unfortunately, many locals have been forced to deal with BBS programs by themselves. General Chairmen and National and International Divisions have provided little or no guidance whatsoever, leaving local officers to fend for themselves. Even though there is an abundance of information available about how other industrial unions have dealt with BBS programs, rail labor leaders have done little to educate members about these programs.

The UTU Local and BLET Division in my terminal have been effectively refusing to participate in a BBS program. It is not an easy thing to do, but it can be accomplished. There are two important points to consider:

1. Local officers must first educate themselves about the ways in which BBS programs can damage union solidarity and make the workplace less safe. Then they must begin the process to educate their members. The BBS program makes it easy to fall into the trap of putting the fault strictly on the members, but we must always remind ourselves

that we cannot ignore the underlying causes of accidents.

2. Secondly, we cannot just refuse to participate in BBS programs and let it go at that. Unions must always be involved in protecting the safety of their members, so we must have an alternative to BBS.

At our terminal, the UTU Local and the BLET Division each formed their own safety committee under the guidance of their respective Legislative Representatives. These safety committees offered to meet with local officers on a regular basis. Carrier officers recognize that even though we will not be involved in the BBS program, we are serious about cooperating in reducing hazards, accidents and injuries.

The BLET and UTU safety committees work together to address safety issues from a united front. We meet with the carrier once a month and work together with local officers to eliminate worksite hazards on an ongoing basis. Members submit safety issues to their Safety Committee and these are subsequently addressed with local officers. Local officials also bring safety issues to the table for the UTU and BLET to address. Solutions to problems are cooperatively discussed and referred to the proper people for disposition. Solutions to problems that cannot be enacted or approved on a local basis are put in letter form and submitted to a higher authority for action.

Here are some of the reasons our version of a workplace safety committee has been successful:

- UTU and BLET members put petty differences aside and always put forward a united front.

Continued on Page 6

Mexican Railroad Workers Demand National Union Keep Clear of Local Elections

As Mexican railroad workers' unions were in the process of voting for new local leaders in late August, Orlando Velasco Cabal, speaking on behalf of a slate running for office at Local #20 in Orizaba, demanded that the Mexican Railroad Workers Union (SNTFRM) general secretary, Victor Flores, "keep his hands off the election process and leave us to decide who will lead our local union during the next six years."

Rank-and-file railroad workers and retirees have long complained that Victor Flores behaves as a dictator, controlling national and local elections, as well as using union funds for his own interests.

In the late 1990s when the Mexican national railroad was sold off to private consortiums largely controlled by major U.S. based rail carriers, Flores, then a member of the Mexican Congress, colluded in the process which resulted in the loss of tens of thousands of railroad jobs and the destruction of many collective bargaining agreements.



With U.S. based roads like KCS and UP becoming major players in Mexico, while CP and CN have become major players in the U.S., RWU believes it is imperative that we create transborder networks between the railroad workers of Canada, the U.S. and Mexico.

“Behavior Based Safety” Debunked at UTU Regional Meetings

This year’s UTU regional meetings played host to a very special guest -- Nancy Lessin from the Tony Mazzochi Institute. Sister Lessin was invited to speak at both the Portland and Memphis Regional Meetings, where she addressed the rails assembled on the question of building effective safety programs. Just last year, Nancy had been invited as a keynote workshop presenter at the BLET Iowa State Legislative Board’s safety conference in Iowa City (see [The Highball](#) Winter 2012).

Sister Lessin has worked for over 20 years, educating workers about their rights on the job and for the need for real “union based” safety programs that are run by and for union members. She is highly critical of safety programs that focus primarily on worker behavior as opposed to hazard elimination, and encourages workers and their unions to avoid the pitfalls of buying into these types of “behavior based” schemes.

The rail industry is awash in these sorts of programs. Dozens of companies devise these programs and sell these packages to the major rail carriers, who then pretend that these are “worker driven” programs, which of course they are not. They run under a variety of names and are nuanced to the likes of the particular carrier, but they all have this one major thing in common -- they all shift the focus away from hazard elimination and management responsibility for maintaining a safe workplace to blaming the individual worker’s behavior whenever there is an accident or injury.

New Auxiliary in Iowa Pushes for Rail Labor Unity

Newly established Auxiliary of the UTU Local #199 “Creston’s Voice” spearheaded an all-union float in the 4th of July Parade in Creston, Iowa. The purpose of the float was to represent railroad workers of the past, present, and future of all crafts and all unions in this small Midwestern railroad town of 8,000. The float consisted of a railroad bench of retired railroad workers and signs representing each union, together with a driveable caboose borrowed from Bob Borgenson, UTU Safety Coordinator Assistant State Director.

Shaun Kelley, RWU Co-Chair and member of BLET #642 carried the RWU banner together with his daughter Tessa Hull, President of UTU Auxiliary and wife of RWU member Rob Hull. Rob Hull drove the caboose which carried the children and grandchildren of local railroaders. A truck in the parade carried BLET members, while several UTU members were on foot and threw union items to the crowd. The group won first place for adult theme and got several positive comments from the community. Other RWU members present included Jim Garrett, recently elected UTU State Legislative Rep who donated pencils,

As one might imagine, Nancy was warmly received by the rails in attendance at both gatherings. In Portland she received a prolonged standing ovation, while at both regionals she was greeted by workers following her address, those wanting more information on how to build union based safety committees and how to get rid of the current BBS program currently in practice on their property. Sister Lessin received outstanding evaluations from those in attendance and hopefully she will be invited back again for next year’s regionals.

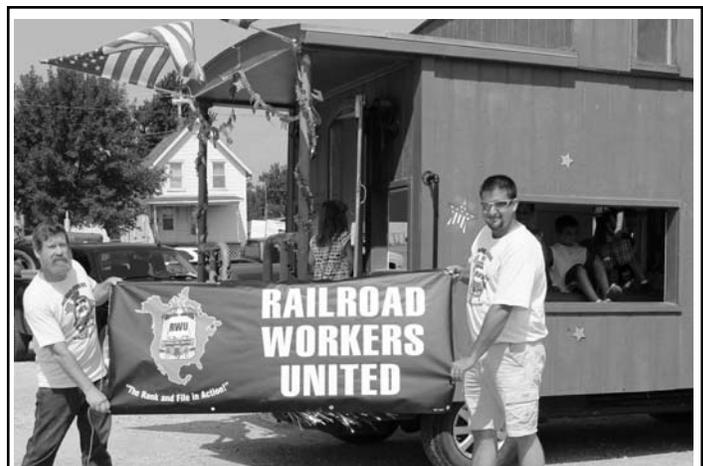
Since our founding in 2008, RWU has consistently opposed behavior based safety programs and has advocated for a more worker based approach. Six RWU members were on hand in December for Nancy’s workshop in Iowa, and like the other participants, were highly impressed. As such, we invited Nancy to attend and speak at our Third Biennial Convention in Chicago this past May (see [The Highball](#) Spring 2012).

Plans are afoot for a similar safety conference once again sometime next year in Iowa City, where Nancy will hopefully give her full workshop presentation. If interested in attending, please contact Jeff Kurtz, BLET Iowa State Legislative Chair for more info: rottenlr391@mchsi.com.

RWU members and all railroaders are encouraged to get involved in the fight against behavior-based safety. We need and deserve a genuine union-based approach to safety on the job. For some thoughts on how to win this, see the article on Page 3 of this newsletter.

pens, coloring books, and other UTU items, and also Billi Vavra, Local Chairman of UTU #199.

The Auxiliary hopes to organize other cross-craft all-union events in the near future.



RWU members Shaun Kelley and Rob Hull at the all union event sponsored by the Auxiliary on July 4th in Creston, Iowa.



Railroad Workers United

Special supplement to *The Highball*

Single Employee Crews

We Say Hell No!

That's right folks, *Hell No!* We're fired up and we ain't gonna take it no more!

We are not interested in hearing about how the telegraph went away, together with the steam engine and the caboose. We are tired of hearing how "you can't stop progress" and we're sick of being told that the single employee crew (or even the *no employee crew*) is inevitable, that the forces of industry and technology are inexorable. Bullshit!

First of all, what is there that is so "progressive" about workers working all alone, by themselves, day in and day out, year after year, with no companionship or assistance whatsoever? Is this really the kind of world that we want to live in?

And what about the inherent dangers for train crews -- for any and all workers -- that are forced to work alone? The railroad preaches "safety" and continually comes up with bad ideas that in fact threaten the safety of both the rail workforce and the general public.

In the coming months and years ahead, railroaders will be facing the specter of single employee train crews, and for many it is going to be the fight of our lives. Railroad Workers United feels there is no time like the present, so

let's get started now and be one step ahead of the game when it all comes down the pike.

We have included this special supplement to the Fall 2012 issue of our newsletter *The Highball* to get you, the rank & file railroader, fired up like we are. In these few pages we make the case that the threat of single employee crews is very real and is imminent. We ask some questions and have a few answers. And we lay out a strategy and tactics with which we can fight back and win. If you like what you read here, please make copies or order a bundle from us and we'll mail them to you. We also have flyers, stickers and bumper stickers, all available at cost to you.

If you are a trainman, join in this fight for your job. And if you are engineer, join in this fight to save your quality of work life. And if you are a railroader of any craft, join this fight too, out of solidarity with your brothers and sisters of the T&E craft and to help keep Railroad Retirement solvent. Go to your union meeting, demand your leadership take action. Go to work and spread the word, and prepare for the looming battle ahead. Let's not wait until the storm is upon us to start the fight. And in the words of the martyred union organizer Joe Hill, "Don't waste time mourning, Organize!"

www.no1persontraincrews.com

No Single Employee Train Crews

Protect Your Family Protect Your Community

Get your bumper stickers now! Five full size bumper stickers for just \$3.00! (RWU members just \$2.00)

A Brief History of the Attack on the Two-Employee Crew

Ron Kaminkow, RWU General Secretary, BLET #51 Amtrak, Reno,

After achieving the near universal two employee train crew in the 1990s, the carriers did not waste a whole lot of time before they set their sights on eliminating that second worker and achieving the single employee crew. And while they have yet to achieve their goal, make no mistake, this is indeed their objective.

The first shot in the war on the two employee crew was fired when in 2003, the carriers reached agreement with the UTU to implement RCO with a UTU represented conductor at the controls of the box. This agreement has decimated the ranks of yard engineers all across the country. By the end of the decade, the carriers had implemented single employee RCO crews in the yard and on certain roads, they appear to be expanding their use ever more.

Meantime, the attack on the road conductor has proceeded apace. The ongoing hostility between the two unions of the operating crafts has facilitated this attack, as the carriers play each union and each craft against the other. The UTU has long maintained that it is not especially worried since it has a "crew consist agreement" which it is counting on to preserve a UTU-represented employee on the locomotive of every train. While the BLET appears to not be especially worried as it believes that all trains must have an engineer, and the BLET holds the contract representing that craft.

As a result of this narrow parochial approach to the issue, the unions did not utter a word when in November of 2004, the National Carriers Conference Committee (NCCC) dropped this bombshell in the form of a Section 6 Notice: *"All train and engine service positions should be consolidated ... the work formerly performed separately by the train and engine service positions be performed by 'qualified transportation employees' ... crew size shall be based on operational needs as determined by the railroad..."* But a group of rank and filers, engineers and conductors both, came together and formed Railroad Operating Crafts United (ROCU) and proceeded to educate the membership of both unions about the proposal and the need for rail labor unity of the unions of the operating crafts. Throughout 2005 ROCU lobbied the unions to unify, to stand together and to take action against this proposal for single employee operations.

Finally, in January, 2006, the presidents of the UTU and the BLET called a joint press conference and declared their opposition to any plan for single employee crews. But unfortunately just over a year later, the BLET's Dennis Pierce (at that time General Chairman on the BNSF property) cut a deal opening the door to RCO operations on the mainline. Under this plan, his union would be the one to represent the worker who dismounts and straps on the box. The UTU cried foul, the delicate truce was broken and the craft war would re-escalate with a vengeance.

Since that time, various rail carriers have run experimental trains with various technologies that appear to require just one -- or even no -- employees aboard the locomotive. And while none of this has yet to be regularly implemented, technology is being prepared for the crew reduction that the carriers fully anticipate. These technologies continue to be tested regularly while the unions seem to be oblivious to the threat they pose to their members' livelihoods.

Then in 2010 on the CSX property, it was the UTU's turn to cut a deal in the interest of "job security". Perhaps in a moment of weakness, losing faith in their beloved "crew consist" agreement that every train must have a UTU conductor aboard, the union agreed to language that provides for the use of "utility conductors" out on the road. Similar to utility brakemen that were implemented in the 1990s to work in the yard, these utility men would similarly service one or more trains, attaching themselves to the crew as necessary and then moving on. Like the BNSF -- BLET agreement of 2007, there is of course no mention of single employee operations, but come on, why else would you need a utility man out on the road? Likewise, why would an engineer need to strap on a belt pack if there was a conductor in the cab to do the job?

So here we are. On the one hand we have the BLET saying our guys can do the whole job, just let us be the ones to use the beltpack on the road. On the other hand we have the UTU saying, OK, we can see that single employee trains are in the works, let's save some jobs for our guys rather than have the BLET guys get all the work. And all the while the testing of new technology to grease the wheels of single employee operations goes merrily on, unfettered not one bit by union protest or interference..

This is a pretty grim scenario fellow workers. But single employee operations are not inevitable at all. Our unions do not have to be at each others' throats. The operating crafts are not predestined to stab each other in the back. We still have the option of solidarity. The leadership can still be pushed by the rank and file to stand together against single employee crews like they did briefly in 2006.

But it ain't gonna happen without you. Please read the editorial by former RWU Co-Chair and ROCU founder Ed Michael on Page S4 of this supplement to *The Highball* to see what we can do to create a whole different scenario, one that can stave off single employee operations and preserve the two employee crew.

Ron Kaminkow is the General Secretary of RWU. A former employee of both Conrail and NS, he currently works for Amtrak in Reno, NV. In 2005, along with other midwestern rails, he co-founded Railroad Operating Crafts United.



Where Are the Rail Unions in this Fight?

J.P. Wright, RWU Organizer, BLET#78, CSX, Louisville, KY

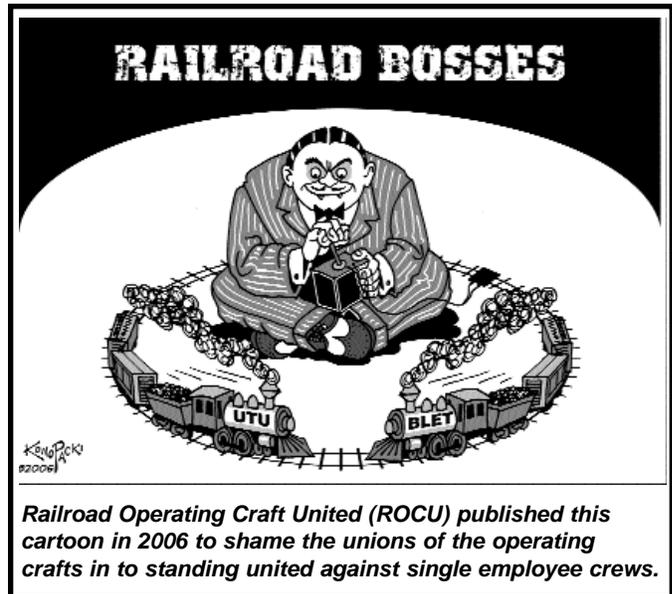
Is the job of the North American railroad conductor safe? Or do the railroads and government regulators have it in the crosshairs for elimination? This should be the number one question in the forefront of the minds of all railroad conductors' and engineers.

Along with this very important question comes a load of historical baggage. We must first understand where we have been to understand what might happen in the future. There are some things we know and there are some things we have heard. We know that all across America trains are no longer operated with cabooses. We have heard about the 1985 "Halloween Agreement" that sold out one craft and eliminated the caboos along with the jobs associated with it. We know that all over this land there are fewer and fewer jobs left that have a brakeman on the crew. We have heard of the language that is being added to our agreements that wish to combine engine service with train service to make another service craft called "Train Service Employee". We know that technological advances are making it easier for the railroad to track everything that an engineer does in the course of a trip. We have heard that there have been trains operated with no people at the controls whatsoever.

Unfortunately, the rail unions that represent engineers and conductors have yet to issue any statement that would commit them to the fight to preserve and protect the two-employee crew. A few years ago the presidents of the UTU and BLET, after several deaths in RCO operations, issued a joint statement that requested the FRA to halt the practice of single employee RCO operations. One president has since retired and the other was arrested and jailed for corruption. With the smoke settled and new union presidents in place in both organizations, RWU sent two rounds of certified mail to those new union presidents requesting that they both make a renewed commitment to oppose single employee operation of trains. Those letters were mailed on May 17th and again on August 2 of 2011. We know those letters were received, and we know that the union presidents chose not to respond.

We know the history whereby the carriers offer certain crafts another crafts' work. We know how the railroad pushes to combine many job responsibilities into a new position by pitting worker against worker. We now know that unsafe one-person operations of RCO are increasingly becoming the norm. We watched as the BLET and UTU were pitted against each other as the carriers implemented this new technology. We can only guess what is in the future for Road Conductor.

What are the important questions that must be asked? We know that Positive Train Control (PTC) will be implemented, but what will be done to keep the carriers from



using this technology to assist them in their goal of just one employee in the locomotive cab? We know that there are thirteen unions in the U.S. representing railroad workers; how do we build the solidarity with them to enlist their help in fighting single-employee trains? We know the dangers that our communities face if one fatigued worker is alone on a train; how will we educate the public to the danger?

With all of this said, it appears that if we rank and file rails don't take action NOW to oppose this possibility, then nothing will be done until it is too late to protect our jobs and our communities! The conductor craft is under attack from the greedy railroad bottom line, and no doubt the rail carriers will get the usual help from government regulators who will turn a blind eye and sanction the carriers' reckless actions. Railroad Workers United is in a position to lead the fight, by uniting all of us across craft and union boundaries and apply the pressure needed to make our unions work for us like they are supposed to. The past four years RWU has been working in our rank-and-file grassroots style to educate and inform the members of our unions about issues that unfortunately, the unions don't sometimes seem to want to address. We need your help. We are rank-and-file railroaders who are asking all rails to join us in our message of union solidarity. If we can't be one big union, we need to start acting like one. Join our campaign to oppose single employee operations of trains. If we don't fight this fight, who will?

J.P. Wright is a member of the Railroad Workers United Steering Committee and the current RWU Organizer. J.P. works as an engineer for CSX in Louisville, KY. where he is the Secretary-Treasurer of BLET #78.



Winning the Fight Against One-Person Train Crews

Ed Michael, BLET#724 & UTU #979, UP, Salem, IL

We all know that rail carriers are looking down the road to using technology to reduce freight crew size to one person. Unfortunately many TE&Y people seem to be convinced that there is little we can do to stop this progression. But we believe it can be stopped with an organized campaign.

Will the BLET and UTU be able to mount an effective campaign to prevent one person train crews or will the carriers play them against each other in order to get one union to cave completely on the issue? Our assessment is that the two unions are not in any shape to mount a successful fight. Each union is affiliated with different parent unions, and they refused to cooperate in the last round of bargaining. And as it has been many years since the current officers have even worked T&E service, it is difficult to imagine that they have any real concept of what we are facing.

Railroad Workers United has begun this campaign against one person freight train crews. How do we propose the battle be won? What recent struggle can we use as a model for an effective campaign? In 1997, the Teamsters (IBT) fought United Parcel Service (UPS) and won one of the biggest labor victories in years. How did they do it?

IBT General President Ron Carey began preparing his campaign against UPS a year before the contract expired. The union circulated petitions among the members to gain support. They held rallies to motivate members and build communication networks among members in order to increase the mobilization effort. They established a website to maintain a flow of current information. They worked to ensure solidarity between part-time workers and full-time workers. They wanted no divisions in the ranks that UPS might capitalize on. Major resources were committed to this battle. UPS Teamsters were hired, pulled out of the shop for a year, to communicate face-to-face with members, and built networks in all barns across North America.

The Teamsters also worked to mount a public relations campaign in which they carefully crafted their message to the public. They made sure that everyone understood that they were striking for good full-time jobs. They used rank-and-file members in their public ads and statements so that the American public could empathize with strikers. It was a combination of these tactics and some political maneuvering which enabled the Teamsters to ultimately win their strike. Many Teamster members and local officers were skeptical that such a battle could be waged and won against such a powerful company. UPS fought hard, but union members worked hard to come together and stand with a collective, organized voice, and win. So using this example, RWU proposes the following tactics in order to fight single-employee train crews:

1. TE&Y employees, regardless of union membership, must help in the effort to educate ourselves and all our fellow

workers about the carriers' push for single person crews.

2. We have to make sure our elected union officials understand that we expect leadership and total commitment to winning this battle. They must understand that we expect them to commit substantial financial, public relation and political resources. *We expect and demand complete unity and solidarity between the UTU and the BLET on this issue.*

3. Single-employee crews are being negotiated on an on-property basis and not as a national contract issue. This means we must cast off our shackles of carrier, geographic, general committee and union boundaries and reach out

Get your "NO Single Employee Crews" lapel stickers now! Great for lunch boxes, hard hats, grips, bulletin boards and just about anywhere else you can think of! They are available online and come in sheets of 12 for just \$2.00 (RWU members just \$1.00 a dozen)



to all of our co-workers to build the solidarity and strength we need to win. *Implementation of single employee crews anywhere is a threat to the two-person crew everywhere!*

4. We must each build a network of rank-and-file members who can effectively work to educate our friends, families and communities about the dangers of one person crews. These members must be able to present our message to the media and others in an effective and professional manner.

5. We must put the FRA and other regulators on notice that single employee crews are not safe and are not acceptable.

6. We must begin our efforts now and continue to build them until our union leaders, government regulators and the carriers understand that we will not relent.

As a dues paying, rank-and-file member, you are one of the true owners of your union. There is a lot you can do to help. Email us at no1personcrews@gmail.com to get on board. We will ensure you have all the materials you need. We understand that this will not be easy, but we also realize that this battle is absolutely crucial to the future of our jobs, the safety of our families and communities, the health of our Railroad Retirement and the safety of each and every one of our brothers and sisters.

Ed Michael is on the RWU Steering Committee. Ed works as an engineer for UP in Salem, IL and is a member of both BLET #724 and UTU #979. In 2005, along with other midwestern rails, he co-founded Railroad Operating Crafts United (ROCU).



TY&E + Dispatchers Strike Canadian Pacific in Canada

After taking a strike authorization vote in which 95% of the engineers, conductors and traffic controllers at Canadian Pacific in Canada voted in favor, the Teamster Canada Rail Conference (TCRC) struck the CP for 10 days until the workers were ordered back to work by the federal government June 1st. The real power of the union -- solidarity of the three crafts -- was on display for all to see. And it was obvious that the workers would win their fight if the strike were to continue. So the corporate allies in Ottawa stepped in and saved the day for the rail carrier.

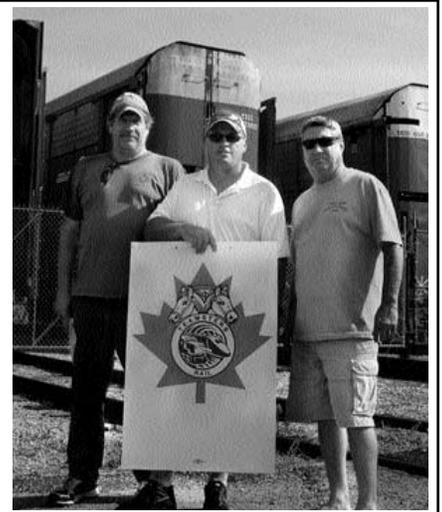
As we go to press, the union and the company were unable to resolve their differences over pension, fatigue management and work rules, so it is in the hands of an arbitrator now.

Sadly there has been very little news about the strike south of the border, and very few rails in the U.S. are aware of the situation. As brothers and sisters who are often members of the same or related unions, and who

work for the same corporations south of the border, U.S. rails should be very interested and concerned about the outcome of this standoff with a major rail carrier.

On strike at the CP.
Greg Demers, an engineer for 22 years, Dave Boxall, a conductor for 25 years, and A.J. McGuinness, a conductor for 39 years.

Like in the U.S.
Canadian labor law is stacked against the union. Without government intervention, rail workers and their unions would be able to win their battles with the rail carriers.



RWU Member Wins Whistleblower Case at CN

Over the course the last few years, injured railroad workers have been seeking justice through the Occupational Safety & Health Administration (OSHA). It has become commonplace for the employer to take reprisal against a worker for reporting a workplace injury, a violation of federal law. Since 2007, OSHA has been accepting "whistleblower" complaints by these fellow railroaders who are disciplined, fired or otherwise harassed by the employer for reporting a workplace injury or a safety hazard.

As OSHA points out, it is vital that these injuries and hazards be reported in order that a safe workplace be maintained. But because the carriers have an interest in keeping the number of reportable injuries as low as possible, they think it is OK to harass and intimidate workers who

get hurt on the job. "Behavior based safety" programs -- which claim that all workplace injuries and accidents are the result of worker behavior -- are the root cause of this callous and destructive attitude on the part of the rail carriers. It is only logical that, according to this flawed outlook, any worker who is hurt on the job has violated some sort of safety rule, operating rule, etc. and therefore should be subject to discipline for such violation.

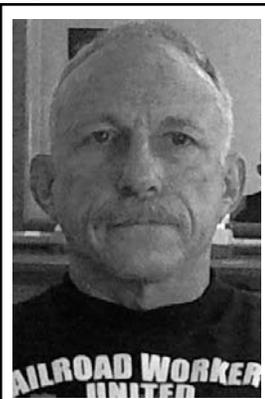
In the case of Steve Desavouret, carman on the CN railroad, this is exactly what happened.

Brother Steve reported an arm/shoulder injury that occurred February 2008. While walking along a platform to inspect rail cars in the poorly lit yard, Steve slipped on ice and tried to catch himself, which jolted his left arm and shoulder. The railroad held an investigative hearing and consequently terminated his employment for allegedly violating the company's injury reporting procedures. OSHA concluded that he had properly reported the injury, and has ordered CN to reinstate the worker. CN must pay him a total of \$154,694, including \$14,694 in back wages, punitive damages of \$75,000 and compensatory damages of \$65,000, and also must provide a copy of OSHA's "Whistleblower Protection for Railroad Workers" fact sheet to every employee at the Markham Yard, south of Chicago. However even though OSHA ordered immediate reinstatement July 18, CN continues to defy the order and has not brought him back. RWU has passed a solidarity resolution which encourages all rail workers to demand that CN obey the law.

Between 2007 and 2012 to date, OSHA has received more than 900 whistleblower complaints under the FRSA. Almost 63% involved an allegation that a worker was retaliated against for reporting an on-the-job injury!

Rails who believe that they have been retaliated against for engaging in protected activity may file a complaint to request an investigation by OSHA's Whistleblower Protection Program. Rights afforded by this include, but are not limited to, worker participation in safety and health activities, reporting a work related injury, illness or fatality, or reporting a violation of the statutes.

For detailed information on employee whistleblower rights, go to <http://www.whistleblowers.gov/index.html>



In July, RWU Steering Committee Member Steve Desavouret won his whistleblower case at the CN after a four year fight.

The Assault on North American Railroad Retirement Pensions

Part of the Attack Upon Workers' Retirement Around the World

The man who has drafted a budget proposal in the U.S. House of Representatives that would gut Railroad Retirement has now been selected by Presidential candidate Mitt Romney to be his running mate. Paul Ryan has proven his anti-union, anti-worker credentials over the years and hence his selection by Romney to potentially be the next Vice-President of the U.S.

EDITORIAL

Meanwhile in Canada, our brothers and sisters in the Teamster Canada Rail Conference (TCRC) went on strike in defense of their retirement benefits which were under direct attack by their employer, Canadian Pacific (in Canada railroaders have no equivalent of the federal retirement system like in the U.S). After over a week on strike, the workers were ordered back to work by the anti-union government in Ottawa. (See Page 5).

While both of these attacks upon the living standards of North American railroaders are cause for alarm, they should come as no surprise. Corporations and governments across the continent and around the world have been attacking pension plans and retirement programs for some time now. Along with health care, these are the favorite targets when employers and governments demand that the working class "tighten their belts" and "pay their fair share" for an economic crisis that they did nothing to create.

In Canada, should the CP prevail and slash the benefits of their retirees, the CN and other smaller Canadian roads are sure to follow suit. And should Paul Ryan and Mitt Romney and the anti-worker forces south of the border have their way, it will represent a major blow to the retirement standards of all railroaders for sure, but also signal that an outright attack on the social security system as a whole is imminent.

Railroad workers are in a key position to lead the charge against these attacks. The CP railroaders in Canada have thrown down the gauntlet and have shown their determination when they struck in May. U.S. railroaders need to show the same resolve if and when the Ryan plan makes its way to the floor for a vote. And if passed, railroaders in the U.S. must take action to see that the plan is never successfully implemented.

The political landscape looks grim right now. One party has pledged to attack our pension benefits, while the other refuses to stand up for the working class. It has been many years since rail labor has truly battled for rights or benefits against the carriers or against the politicians in

Washington D.C. We cannot sit idly by and expect that our labor leaders can or will do it without us. We must demand that our unions lead us into the war to save the retirement benefits we have earned and deserve.



In early May, 2012, nearly a half million protested the conservative British government's plans for millions of workers to pay more into their pensions, retire later and receive less when they stop work. Now, North American railroad workers are facing similar attacks upon their pensions by industry and government.

Fighting Behavior Based Safety

Continued from Page 3

- The monthly meeting with local management is open to all union members and they are encouraged to attend.
- The meeting is open to all crafts (TE&Y, MOW, Car Dept, Signal, etc.).
- The managers from all departments are invited.
- Layoffs by union members are scrupulously kept to an absolute minimum. Nothing damages a safety program more than members believing it to be nothing more than a "cush" assignment for their representative.
- Monthly meeting minutes and records are kept and posted at the yard office for all to see and read.
- UTU & BLET safety reps make a full report on activities at each monthly meeting.

Fighting BBS programs and replacing them with truly effective safety programs is no easy task. It takes serious dedication on the part of the BLET, UTU and all union members to make it work. But it can, and must, be done.

Attention All Rails: Beware of the Carriers' Section 6 Notices!

Mark Burrows, RWU Co-Chair, UTU #1433, CP, Chicago, IL

Now that all of our individual contracts have been settled at the national level and we've all had our raises kick in, received our retroactive pay and/or signing bonuses, we should all be able to just settle into a state of bliss and contentment for the next few years, right?

On the other hand, perhaps it might be in our collective interests to take a serious look down the road at the future attacks on our dignity, safety, quality of life on the job as well as off the job, that the carriers are planning and preparing for in the not-too-distant future.

COMMENTARY

Though RWU does not get invited to participate in high level meetings of railroad owners, bosses and investors, we feel that we can connect quite a few dots by analyzing their statements from the National Carriers Conference Committee's (NCCC) Section 6 Notices from 2004 and 2009. For those of you who might be new to the industry, the rail unions and the NCCC (the coalition of some of the major rail carriers, regional and short line railroads) submit "Section 6 Notices" to each other at the beginning of each round of negotiations for a new "national" agreement. These notices present the unions' and the carriers' ultimate "wish list" as the starting point for negotiations.

In reviewing the 2004 and 2009 Section 6 Notices, there remains some serious "wishes" that have yet to be fulfilled. In case any of you might be tempted to exchange "high-fives" and woof "hooray for our side", I'll share with you a cautionary tale. The 1982 national BLE strike lasted about four days before President Reagan issued an Executive Order for us to return to work. The House and Senate would later vote by OVERWHELMING majorities (approximately 9 to 1) to ram the Presidential Emergency Board (PEB) recommendations down our throats.

During those four days on the picket line, my co-workers and I engaged in many lively and serious discussions, with the circumstances that led to the strike as the starting point, but also where our strike fit into the bigger picture. At that time, the carriers had already eliminated the third brakemen, so our crews were staffed with engineer, conductor and brakeman. Set-back engineers would exercise their seniority as firemen, serving as an assistant engineer on some jobs.

The carriers' Section 6 Notice on the table at that time talked about eliminating the caboose, the brakeman and fireman. Crews that had been staffed by as many as five, would be reduced to two, engineer and conductor, if the carriers got their way. 'That's crazy.' That's ridiculous.'

'That will never happen.' were their responses at the time.

The carriers may not have been granted their more extreme wishes from that Section 6, but with the 1985 National Agreement, the fireman was history. The PEB that ended the 1991 national BLE strike give the carriers their long sought-after caboose-less two-man crew (engineer and conductor) road trains and yard jobs, on a national scale

The moral of the story is this: While the carriers' "wishes" expressed in their Section 6 Notices may appear extreme when presented and the carriers may only get a few of those "wishes" with *that* round of negotiations, within 5 to 10 years, most of those carrier "wishes" end up being implemented.

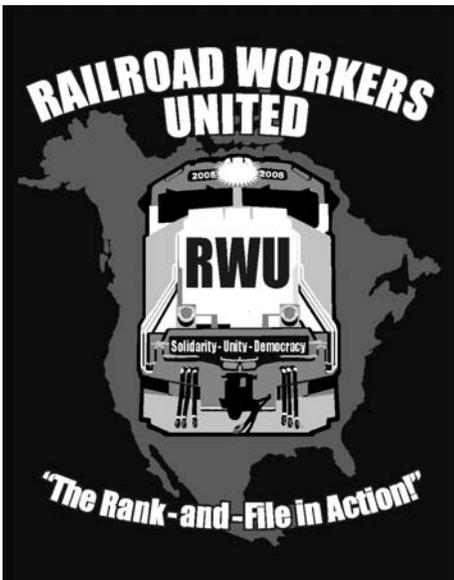
New hires entering the industry over the last several years walk into an environment that most "old heads" could not have imagined in their worst nightmares. On the surface, there is no indication of anything close to the level of organized resistance that would be required to slow down the carriers' momentum, much less to actually halt the assault.

RWU feels that it is imperative that any and all rails who are concerned about our future, need to analyze and assess the implication of these Section 6 Notices. The 2004 and 2009 Section 6 Notices are relatively the same in tone and content, though the 2009 Notice is a bit more vague.

RWU has written extensively about the danger of the carriers' attempts to impose single employee crews and the need to organize and mobilize resistance to this serious threat. (For more on this question, see the supplement included with this issue of the newsletter). From the 2009 Section 6 Notice: "To obtain and retain business, we must consistently deliver value. Our compensation and benefits costs must match the marketplace - pay at above-market rates or for unproductive time makes us less competitive. We must be able to utilize our employees and our assets as flexibly and efficiently as possible. Anachronistic work rules and practices that hinder our ability to give customers high quality, cost-effective service or which add unnecessary costs must be reformed."

That pretty much sums up what the carriers have in mind. In future issues of [The Highball](#) we will continue to analyze the most alarming statements from these documents. We will also attempt to address some of the fundamental questions posed by this article. How have the carriers effortlessly succeeded over the years in the following: 1) Driving down our REAL wages, relative to the cost of living while simultaneously achieving major increases in productivity per man hour; 2) Getting away with operating a more dangerous work environment that puts us and the public at greater risk; and 3) Compromising our dignity, not only on the job, but relative to our time off the job as well.





Railroad Workers United
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Let me say to you, if you are a craft unionist, that infinitely greater than your loyalty to your craft is your loyalty to the working class as a whole. No craft union can fight this great battle successfully alone. The craft is a part, a part only, of the great body of the working class. And the time has come for this class, numerically overwhelmingly in the majority, to ... unite as a whole."

-- Eugene V. Debs, Founder of the American Railway Union



Railroad Workers United

Membership Application



Railroad Workers United needs you! Please keep your membership dues current. If your membership is about to expire or has already expired, please renew today and remain in good standing. And if you are not already a member of RWU, please consider joining; then fill out the application below and mail it in with your dues. Thanks!

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:
Ron Kaminkow, RWU General Secretary P.O. Box 2131 Reno, NV. 89505
 OR join on-line at www.railroadworkersunited.org