

Opinion & Commentary

Railroad Workers Charged and on Trial: It Could be Any One of Us

Longtime readers of *The Highball* will already know the story of Tom Harding and Richard Labrie, two railroad workers who are being charged in connection to the Lac Megantic tragedy. Most of us recognize the importance in defending these two workers against the trumped up charges. If you are not yet convinced these workers should be exonerated ask yourself this: "Could I be next?" You don't think so?



Picture this not-too-distant future scenario as I tie the defense of Harding and Labrie into three of the biggest issues Railroad Workers United has fought: crew-size, fatigue and inward-facing cameras on locomotives. It's late one night and the phone rings, just as you lay down for bed. You're caught short on rest and fatigued due to poor lineups and company policy of running a skeleton crew on the boards. It's your 6th start in as many days, but it feels like more because a dead-head reset your rest the week before so you've worked 11 of the last 12 days on a grueling 12 hour run. You can't layoff for fear of company reprisal so you grab your grip and head in to work. Once you get to work, you run your paperwork and complete a job briefing by yourself. It's been hard, but since they cut the crew size down to one, you've had to adjust to life on the road as a solo engineer. It all started with the shortline railroads a few years earlier.

After powering through your first 8 hours, fatigue sets in. It

starts with micro-sleep, a condition of very short nod-offs. Because of conditioning, you still manage to press the alerter, but you aren't even aware you're doing so. Eventually you miss whistling a crossing. Unfortunately it wasn't well marked and didn't have gates and your engine strikes a car ... or maybe you run a series of signals and collide with another train.

Following the incident, the railroad and the FRA begin to scrutinize the footage from the inward facing camera, now a standard fixture on all locomotives. Do you think they will come to your defense for succumbing to fatigue?

If criminally charging workers becomes the norm, every one of us is at risk of civil or even criminal penalties, including incarceration. While the billionaire businessmen who kill thousands of workers annually through negligent practices shield themselves with Limited Liability Corporations or hide behind front-line workers, we as railroad workers do not have that luxury.

Does the above scenario sound farfetched to you? It should not. In fact, It's already happening. Not only have Labrie and Harding been charged criminally in Canada, but meanwhile in the U.S., the Norfolk Southern is currently suing a locomotive engineer for damages to trains, track and right-of-way for alleged failure to comply with signal indications in what is known as the *Sewickley collision*.

So what can you do? Spread the word and add to the defense of Tom Harding and Richard Labrie. You can do so by signing this petition: <http://hardingdefense.org/sign-the-petition/>

The railroad wants to put all the blame on us for accidents and injuries. It may be another guy today, but it could be any of us tomorrow. We are all in this together and must stand up for one another.

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