On September 8th, California Governor Jerry Brown signed a bill into law that mandates every freight train and light engine move to have a crew of at least two persons – a certified locomotive engineer and a certified conductor. California joins Arizona, West Virginia and Wisconsin, all states with similar two-person crew laws on the books.

Because of its size and stature as a key rail state, California’s passage of the bill represents a great moral victory in the fight against single employee train crews and a major step forward in the struggle to mandate a minimum of two on each train. The unity of the operating crafts – conductors and engineers – together with their respective unions, BLET and SMART-TD, was no doubt a contributing factor, as was the support of community and environmental organizations and the citizenry at large. The win serves as a demonstration of what we can achieve when we work together in solidarity, labor and community in unison.

Railroad Workers United (RWU) has made a valuable contribution to this important struggle – consistently opposing any and all attempts by the rail carriers to move forward with their plans for single employee operation of trains. In the past six months, RWU has organized three conferences - most recently in Chicago on September 19th (see article, Page 1), and earlier this year in the Bay Area of California and in the Pacific Northwest. Drawing hundreds of railroad workers, longshoremen, refinery and other workers, along with citizens representing a myriad of environmental and community groups, the conferences theme is to build a labor – community alliance around rail safety issues, single employee crews among them. And last year, RWU aided the charge against the BNSF - SMART TD GO-001 tentative agreement and assisted the trainmen on the former BN properties to vote it down by a 5-to-1 margin. Had the contract been ratified by the rank and file, it would have allowed for single employee operations on more than half of the BNSF system, putting enormous pressure upon the remainder of that road’s train crews – and crews across North America – to submit as well.

Other states have similar legislation pending that would likewise outlaw single employee operations within the state. The new California law will no doubt serve to bolster these campaigns, ignite new campaigns in still other states, and ultimately could propel a bill pending now before the US Congress – The Safe Freight Act HR 1763 – to become the law of the land in the United States.

But victory is far from ensured, regardless of how many states adopt such legislation. Even should the federal government pass a national law such as The Safe Freight Act, we cannot be assured that the specter of single employee train crews will not continue to haunt railroad workers and railroad communities of North America. To learn why, please see our Commentary on Page 7 of this issue of The Highball.
In 2008, a small but dedicated group of rail labor activists came together in Dearborn, MI to conduct the Founding Convention of Railroad Workers United. At that Convention, a set of bylaws was adopted, a series of resolutions passed, a name, slogan, logo and other trappings were agreed upon, and a Steering Committee elected.

Here we are nearly eight years and hundreds of members later, ready to celebrate our Fifth Biennial Convention! All members are encouraged to mark your calendars, make plans to attend, and pick your vacation for 2016 accordingly. Please join us in Chicago, Illinois — railroad capital of North America and the world — as we conduct a two-day series of workshops and discussions, consider bylaws changes, adopt resolutions and hear from a broad array of speakers from among our own ranks and from fellow workers both near and far.

The last convention’s discussions and workshops included the following: Supply Chain Logistics; Workplace Injuries and Safety Programs; Whistleblower Law; Organizing the Railroad Contract Sector; Railroad Crew Van Drivers Organize; Building the Campaign for a Safe Railroad; Korean Railway Workers Strike, “Rails Without Borders”; and Building North American Railroad Worker Solidarity.

We expect this convention to be a similar format, with numerous subjects of interest to North American rank & file rails.

Don’t delay and register today. Simply go to the RWU website and click on the link Fifth Biennial Convention. You can register online or you may download the paper form and mail it in with your payment.

RWU members gather in Chicago, IL. for the fourth Convention in 2014. Organizers expect the Fifth Convention to be the biggest and best ever. Make plans to attend now, March 31 - April 1, 2016.

RWU Plans for Fifth Biennial Convention March 31 - April 1, 2016
Railroad Crew Transport Drivers Organize with Rails’ Help

By Ross Grooters, RWU Steering Committee Member

During the RWU Railroad Safety Conference on September 19th (see article Page 1), I had the opportunity to speak with union crew transport drivers Phil Dedera, President of Local #1177 United Electrical (UE), and Clarence Hill, Chief Steward of the local, at the UE union hall in downtown Chicago, Illinois.

Crew transport plays a vital role in today’s railroad operations. You may have stated or heard a co-worker say, “The vans run the railroad.” In my experience, over-the-road freight is witnessing an ever-increasing dependence on contracted crew transport. Our safety as railroad workers - particularly in the train and engine craft - when being transported, often during limbo time, is in the hands of railroad crew transport companies and their employees.

Despite numerous fatalities and injuries to both van drivers and railroad employees while being transported, the railroad carriers have done nothing to improve the safety or working conditions experienced by the drivers themselves. Instead, they take a “hands-off” attitude, as if suddenly - despite all the company’s cries for safety - they appear uninterested in this crucial aspect of railroad safety.

After years of low pay, few if any benefits, a dangerous environment and mass exploitation, drivers at one of the biggest contractors - Renzenberger - began to organize a union. With the help of the United Electrical (UE) union, they demanded better working conditions. Central to the organizing was support from unionized rail operating employees. With the help of 500 petition signatures from conductors and engineers, they organized about 200 drivers in the Chicago area. In just five years that number has more than quadrupled to about 1,200 members across the country from New Jersey to California.

The van drivers’ issues are similar to those of railroaders. “I’m concerned about fatigue,” said Phil Dedera, President of Local #1177. Just like railroad workers, drivers experience difficult work schedules, long irregular hours, and chronic fatigue. “Before the union we were forced to get up,” said Clarence Hill. Both van drivers (now union representatives), told me: Train crews trust the van drivers, who are often working long hours themselves, with their safety and security. Both representatives said the van companies should have better professionally trained drivers. In order to achieve this, the union sought a contract establishing better pay, better hours, and more paid time off - things every worker wants and deserves.

The two union brothers also discussed the union’s efforts at bargaining various benefits, including higher wages and paid time off; safety, including better work/rest cycles; job protection, including a standard contractual provision that would enable management to terminate or otherwise discipline a driver only in the event that the company can show - just like on the railroad or at any union shop - “just cause”.

By bargaining for a contract which promotes the health and safety of crew transport drivers, these workers and their union are - by extension - preserving and protecting the health and safety of the railroad train crews that they transport. “Protecting drivers’ rights keeps skilled people on the job,” said Clarence Hill. “Keeping skilled people on the job protects the safety of both van drivers and the railroad employees who are transported.” By supporting the efforts of crew van drivers to build the union, railroaders build support to protect our safety and our jobs.

The van drivers understand the importance of solidarity, and have supported Railroad Workers United’s efforts against single employee train crews. At the UE’s 74th convention this past summer, union members put forth a resolution calling for opposition to single-employee train crews in the interest of protecting worker and public safety and preserving good jobs.

There was a time when railroad crew transport was in fact, a railroad union job. Now it’s almost all contracted out work, sometimes creating a layer of separation between van drivers and rail crews. Clarence Hill had this to say about the division, “We’re at the bottom of the economic chain, we would like to be appreciated and respected.” And as Phil Dedera pointed out the respect goes both ways, “If it wasn’t for the 500 conductors and engineers [who signed our petition] we might never have got our contract. We’re grateful.”

To learn more and/or to assist with the union organizing efforts, please contact the UE at 312-829-8300 or email Local #1117 President Phil Dedera at phillipdedera@gmail.com.
California Takes a Stand Against the Carriers’ Plan for Single Crew Member Trains

Continued from Page 1

Railroad Workers United (RWU) has made a valuable contribution to this important struggle – consistently opposing any and all attempts by the rail carriers to move forward with their plans for single employee operation of trains. In the past six months, RWU has organized three conferences – most recently in Chicago on September 19th (see article, Page 1), and earlier this year in the Bay Area of California and in the Pacific Northwest. Drawing hundreds of railroad workers, longshoremen, refinery and other workers, along with citizens representing a myriad of environmental and community groups, the conferences theme is to build a labor – community alliance around rail safety issues, single employee crews among them. And last year, RWU aided the charge against the BNSF - SMART TD GO-001 tentative agreement and assisted the trainmen on the former BN properties to vote it down by a 5-to-1 margin. Had the contract been ratified by the rank and file, it would have allowed for single employee operations on more than half of the BNSF system, putting enormous pressure upon the remainder of that road’s train crews – and crews across North America – to submit as well.

Other states have similar legislation pending that would likewise outlaw single employee operations within the state. The new California law will no doubt serve to bolster these campaigns, ignite new campaigns in still other states, and ultimately could propel a bill pending now before the US Congress – The Safe Freight Act HR 1763 – to become the law of the land in the United States.

But victory is far from ensured, regardless of how many states adopt such legislation. Even should the federal government pass a national law such as The Safe Freight Act, we cannot be assured that the specter of single employee train crews will not continue to haunt railroad workers and railroad communities of North America. To learn why, please see our Commentary on Page 7 of this issue of The Highball.

RWU Conducts Third Rail Safety Conference in Chicago

Continued from Page 1

workers and how the other sectors of the supply chain workforce could support it. From the nationwide USW refinery workers strike earlier in 2015, the demands were the same. The refinery workers strike demands – real in the USW strike earlier this year and imagined in this workshop – are identical to the safety concerns of railroad workers. They’re actually identical to most industrial workers the world over. The best slogan coming out of the workshop was from an RWU member who stated, “Your strike is our strike!”

The next workshop was “Chicago Area Organizing Efforts & Community Mapping.” Chicago activists guided us through the concerns regarding crude oil trains, that are destined either for Chicago or pass through on their way east, and how community members can join an interactive mapping process. It finished with a hands-on activity with some supersize maps and markers for participants to add data to them.

The final workshop almost served as a basic conference wrap-up: “Building the Labor-Community Alliance”. Paul Bigman from Seattle walked us through the process of finding allies to support our struggles, listening to their concerns, and building further solidarity to strengthen our struggles. His examples of success of environmental activists finding common cause with industrial workers was truly inspiring.

The workshops ended with Affinity Clusters, where people broke into three groups to attempt to build lasting networks to continue working together into the future. The three were Supply Chains, Chicagoland Issues, and Global Issues. In the latter, participants discussed the support work for railroad workers Tom Harding and Richard Labrie who are defendants for the oil train disaster in Lac-Mégantic in Quebec, Canada.

We finished the day with a spirited singing of Solidarity Forever, before 30 of us continued meeting and discussing over dinner in Greektown for a sumptuous feast.

The following day, 25 of us took part in a guided tour of the railroad infrastructure around the south side of Chicagoland, visiting Blue Island Junction, and the yards of Indiana Harbor Belt, CSX, and Union Pacific, then going by the BP Whiting Refinery and the KCBX Terminal where pet coke is collected for trans-shipment around the world.

This tour just scratched the surface of the complexity of Chicagoland’s logistics infrastructure, but in many ways was a perfect overview of the massive scale of this central node of the North America transportation system. Just as with the Rail Safety Conference the previous day, the experience left me better educated about how fossil fuels – and other commodities – traverse Chicago’s immense rail transportation network. More importantly, it showed how we all live along supply chains and how our safety is fully dependent on the safety of the workers up and down the line. Acting in solidarity unites us because their safety is our safety; their struggle is our struggle.
Railroad Workers United is creating a new page to highlight the creative works of railroaders from all across our great divide. Please send photos, poetry, song lyrics or suggestions to RWU via email or by mail. Please let us know how you would like to be identified or that you would like to remain anonymous. All submission will become property of RWU unless you state that you would like the piece to only run once.

Part 1 - Rail

The sun sets purple
on thin silver mirrors
ancient iron horses hurtle westward
thrust by two miles of weight.
Over aching bridges and bald prairies they stride,
lined for mountain, sky, stars.

Part 2 - What Old Men Do When They Tell Their Wives They're Going to Walk the Dog

Old men come down to the depot just to see what's still there: The switch lock, the train orders, the dispatcher's chair. Yellowed papers hang from clipboards of a grander time, when the Rock Island Rocket ruled the main line.

She breezed through town at a hundred miles an hour, with a hearty "Highball!" from the man in the tower. Picks and shovels once held by artisans of track now stand covered with cobwebs in the gandy dancer's shack.

All that remains is a weathered shell, broken shed and dreams of legends in an old man's head.

Bob Allen, RWU member

Smokin' Joe is a retired hogger and Vietnam Vet. He has contributed to RWU campaigns with his moniker / The header for this page was designed and donated by him! Thanks Joe, You truly are a legend!

Send submissions to:
RWU
121 Harrison Ave
Louisville, KY 40243
or by email to:
railroadmusic333@gmail.org
In conjunction with the urgent need to conquer unity and solidarity amongst ourselves, as well as democratize our union, we need to go on a long, overdue counteroffensive to fight for a UNIFORM, NATIONAL standard of wages and working conditions throughout the ENTIRE rail industry. As the carriers take their divide and conquer game to a higher level, the stakes for us multiply exponentially.

It requires more effort to take candy from a baby than for the carriers to shamelessly manipulate and take advantage of us being divided into 13+ different craft unions. This then makes it easier for them to secure their sweetheart, individual customized on-property agreements; slicing us up from carrier to carrier, terminal to terminal, with the brutal precision of a surgeon eviscerating a soft stick of butter with a dull chain saw.

Last summer when the BNSF blindsided our brothers and sisters in GO-001 with the infamous “engineer-only” tentative agreement (TA) bombshell, the vast majority of rail workers around the country instantly grasped the magnitude of the stakes involved. While we applauded and saluted the “troops” on the front line for their 5-1 thrashing of the TA, we warned of inevitable future attacks; anywhere and at anytime.

We are all under attack in some way, shape or form, from the day to day skirmish on the “playing field” to the next treacherous backroom deal being hatched right now as you’re reading this. Just as we all had a stake in last year’s battle at the BNSF, all rails should be concerned with what’s going down at the Canadian Pacific (CP) in the U.S.

Last December, the SMART-TD conductors on CP Rail (US) decisively rejected CEO Hunter Harrison’s “blood-money for anything goes” vision of modern railroading (i.e. the CN model) by a 30-1 margin. For a summary of the worst sorid details, see the Fall 2014 edition of The Highball: “Don’t be Fooled by Candy-Coated Promises; Fight Back!!”

A few months ago, while the SMART-TD and BLET General Chairmen were working overtime in the backroom, desperately trying to find enough lipstick to slather on that “pig” of an agreement for Round Two, CP viciously ambushed us from behind with a Section 4 notice, pre-approved by the Surface Transportation Board. If implemented in its totality, this would result in approximately an $8.00 per hour wage cut, as well as further deterioration of our working conditions. To fully appreciate just how insidious THIS attack is, a little background history is in order. (Sorry). A few years after our 47 day strike in 1994, the Soo Line (subsidiary of CP), short-lined its main line to Kansas City, along with the “corn-lines” throughout Iowa and Minnesota. The streamlined Soo Line was now Bensenville Yard, the main line from Chicago - St. Paul - North Dakota - Canada, along with a few auxiliary branch lines. With the CP “mothership” maintaining 33% ownership in the “new” railroad, wages and working conditions were gutted, legitimized by a BLET contract, for those who chose not to permanently relocate or be migrant workers.

The CP later acquired Dakota, Minnesota and Eastern (DM&E), a BLET represented property. So now the original short-lined Soo Line trackage is DM&E South, the rest DM&E North, with CP now owning 100% of the operation. Isn’t that special?

Stay with me here it gets even better. Citing their need for ... decreasing congestion and promoting more efficient movement of rail traffic in the Greater Chicago Terminal...”, the plan now is to merge us all into one big, happy seniority district from Sabula Jct., IA, Milwaukee, WI to Hammond, IN (Indiana Harbor Belt - Gibson Yard).

OK, here’s the main punchline. Item #3 states: “Train crew positions headquartered within the consolidated territory will be established pursuant to the terms of the Agreement between the DM&E and the BLET, effective October 01, 2010. So in essence, the short line once “cast adrift”, (with a 33% lifeline), now reemerges to replace the comparatively tolerable Soo Line wages and working conditions, with a BLET-sanctioned hellhole. A secondary punch line is that the DM&E South is predominantly engineer and asst. engineer. The fate of conductors who are not qualified engineers could be a problem. A third punch-line is the DM&E agreement doesn’t provide health insurance for retirees, as the Soo Line and some other Class ! agreements do. Soo Line employees crossing off the days on their “jail-cell” calendar could be SOL, myself included. This will all be decided by an arbitrator in the near future. There is something very wrong when this scenario can even be posed!

Needless to say, this doomsday scenario was utilized as a gun-to-the-head threat to frighten the SMART-TD conductors into ratifying Round 2 of the CN model TA (must’ve been one hell of a sale on lipstick). In spite of this serious threat and some loud cheerleading by a few LC’s along the system, we once again rejected the opportunity to sell ourselves into “railroad-slavery” by a 2-1 margin. Now the BLET engineers are getting their first opportunity to sell out their souls, dignity, quality of life, as well as their co-workers and ultimately rail workers around the country. If the BLET ratifies this, an arbitrator would no doubt say, “Well, if it’s good enough for the engineers, then it should be good enough for the conductors”. My opinion is that this logic would then ultimately spread like cancer throughout the entire industry. Even if the majority of engineers do the right thing and reject it, an arbitrator could still ram the DM&E contract down our throats.

I know things are tough all over, but I feel this saga at CP Rail makes a convincing case that #1: All of us rail workers, regardless of craft, need to be in ONE industrial union, (or until such time, at least function as one), and #2: We need to fight for one master national agreement governing wages and working conditions for ALL! If we don’t fight to improve the conditions of those worst off, then those conditions inevitably become forced upon us. An injury to one is an injury to ALL!

If you are convinced, please join RWU to take your place in this fight.

Mark Burrows currently serves as the Organizer for Railroad Workers United. He is a member of UTU Local #1433 and works as an engineer for CP Rail in Chicago. He first hired out in 1974. This is the 13th installment in this series.
Yes, We are Winning Battles - But How to Win the War?

Our prospects of defeating the rail carriers’ drive for single employee operations of trains appears to have improved over the last couple years. The most recent advance of the movement was California’s recent adoption of a two-person crew bill that outlaws single employee operations within that state (see Article on Page 1). No fewer than 11 other states now have bills in the works. The BLET and SMART-TD (at least at the national level of their respective legislative departments) have taken to working hand-in-hand in support of both state and federal legislation that would ban the practice. Hell, even Trains Magazine recently opined that – for now at least – the rail carriers should stay with a two-person train crew!

Looking back a few years ago, the landscape did not appear nearly as bright. The BLET General Committee on the former BN properties had penned an agreement with BNSF to allow RCO to be used on mainline through freight. And not to be out-maneuvered, the UTU cut a deal with CSX Southern Lines to provide for road “utility conductors.” RWU was screaming for solidarity and unity among the crafts and their unions, but the leadership failed to take any notice. Angry words between the heads of the operating craft unions were the norm, as each union retreated to its corner and worked to out-maneuver the other to win what would remain of the steadily shrinking operating crafts.

Then Lac Megantic changed everything. Once a big oil train – which had been under the operation of a lone employee – rolled away and exploded, destroying half of a small town, killing 47 residents, the tables began to turn. While it certainly can be argued that numerous factors came into play that day (an unsafe, cash-poor railroad, led by an arrogant anti-union CEO; the dangerous practice of leaving heavy trains on steep mainline grades unattended; inappropriate tank cars; the ignorance of the dangers of explosive Bakken crude, etc.), the fact that a single employee had been in charge of this train certainly raised the question in everyone’s mind: Is this the best way to run a railroad? Numerous oil train derailments, spills, and explosions over the following two years would shock and alarm railroad workers and the general public alike, fueling concerns about the safety of the industry.

Not long afterwards, the head of the FRA – who would shortly thereafter be forced out of the agency when the rail industry called for his head – postulated that “safety is enhanced with the use of a multiple person crew - safety dictates that you never allow a single point of failure.” This statement was an amazing development for Joe Szabo, who just a few years earlier had ruled against the BLET-UTU joint appeal for an emergency order to halt the practice of single employee RCO operations. In 2009, he had flatly denied that request and stated that “there was no evidence to show” that RCO is safer when operated by a two person crew!

Then we witnessed the spectacle of the BLET (of all unions!) standing up for the road conductor on the regional railroad Wheeling & Lake Erie (W&LE). The management there has wanted to run single employee crewed trains for nearly a decade. With both the W&LE conductor and engineer represented by the BLET, and with both crafts adamantly expressing their desire to stick with two employee crews, the BLET had to (rhetorically at least) step up to the plate. At the National Convention last September, the BLET – to the thunderous applause of the delegates assembled - adopted a resolution of support for these besieged brothers and sisters in their fight to preserve the two-person crew.

And last summer, when BNSF overplayed its hand (letting the cat out of the bag and for the first time making it crystal clear to all that the Class I rail carriers were in fact intent on single employee crews), RWU would charge into battle and assist the trainmen on the former BN properties to defeat the proposal 5-to-1, sending the industry reeling and giving confidence to trainmen and engineers everywhere that this scourge can be defeated, and that we can win this fight.

Nevertheless, while the winds might appear to be blowing in our favor in these last couple of years, it is vital that we do not get lured into the naíve belief that shallow rhetoric and legislative efforts can carry the day. While RWU does not oppose efforts to change the law at the state or national level, we understand and appreciate the law’s limitations. Three examples are in order: 1 - State laws that interfere with interstate commerce have historically been found to be unconstitutional by the Supreme Court. (Remember the BLET’s effort to get municipalities and counties to outlaw RCO? It failed miserably). 2 - The National Labor Relations Act (NLRA), considered by organized labor of the 1930s to be its savior, was amended and crippled a few short years later by the Taft-Hartley Law. 3 - Laws enabling unions to organize have been rolled back or outright abolished in recent years (e.g. look at Wisconsin and other Midwest states). So how do we best ensure that the scourge of single employee crews never takes hold in North America?

RWU holds that railroad workers must not rely on politicians, lawyers, or our union leaders to save us. We must remain vigilant and conscious of what swirls around us on a daily basis. Demand that your union never reach any kind of tentative agreement (TA) that would open the door to single employee crews. Join the next “Vote No!” Campaign on whatever property where such a TA might rear its ugly head, and vow to vote down any sell-out back-room scabby deal. Be ready to strike and/or take other industrial action as necessary to preserve the two-person train crew. We must put the rail carriers on notice that when they next make a push for single employee train crews, that they are in for a knock-down, drag-out, all-out fight! Working railroaders have the power to stop single crew operations. And together with our allies – in the rest of the labor movement, the community, and among environmental activists – we can win!
Railroad Workers United
P.O. Box 1053
Salem, IL 62881

“They (railroad workers) ought to be able to act together as one. But they divide according to craft and calling, and if you were to propose today to unite them that they might actually do something to advance their collective and individual interests as workers, you would be opposed by every grand officer of those (craft union) organizations.”

Eugene V. Debs: “Craft Unionism”, speech in Chicago, November 23, 1905

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: Railroad Workers United P.O. Box 2131 Reno, NV 89505
OR join on-line at www.railroadworkersunited.org