

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

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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.

