

## Railroad Workers Memorial Day

For eight years, RWU has observed *Railroad Workers Memorial Day* on the Friday prior to Father's Day, and 2016 was no exception. As always, we asked that all railroad employees wear black to the workplace in remembrance of our fallen fellow railroaders, killed in the line of duty.

As a general rule, RWU focuses the spotlight on a specific incident, issue, or rail property that is deserving of attention. Last year, four railroad workers were killed in just 10 days, bringing attention to the rail industry and showing once again that on the whole, this industry is still a very dangerous environment, and that the carriers continue to fail us in providing the safe workplace we are entitled to.

In 2017, Railroad Workers Memorial Day will no longer be observed on Fathers Day Friday. Because many rails are distracted with the holiday, and because the national AFL-CIO and its affiliated unions observe "Workers Memorial Day" on April 28th each year, the RWU Steering Committee voted to change the date. Now Railroad Workers Memorial Day will be observed at the same time as Workers Memorial Day. In doing so, we hope to



attract the attention of railroad workers and others alike, and build a more robust and more visible day of remembrance and action.

## RWU Steering Committee

The RWU International Steering Committee (ISC) continued to meet on the first Wednesday of each month for most of 2016. ISC members do not get paid, nor do they have rights to mark off "union business", so meetings are scheduled when most members are able to attend. This can be tricky given the nature of railroad work. In addition, other RWU members have attended the meetings in 2016. Some have become regular participants. All RWU members in good standing are welcome to attend, listen and/or participate. Numerous guests attended throughout the year - friends from other unions, worker organizations and citizens' groups - per our invitation.

The current Steering Committee (elected in April 2016) is largely drawn from the operating crafts - represented by the Sheet Metal, Air, Rail & Transportation union (SMART) and the Brotherhood of Locomotive Engineers & Trainmen (BLET). But we continue to have representation from the non-ops as well, including members of the National Conference of Firemen & Oilers (NCFO), and the Transportation Communication Union (TCU). The current ISC also include a member of the Teamster Canada Rail Conference (TCRC).

### RWU International Steering Committee

Ross Grooters, BLET 778, UP, Des Moines, IA  
Ron Kaminkow, BLET 51, AMTK, Reno, NV  
Paul Matchett, WSOR, Janesville, WI  
Hugh Sawyer, BLET 316, NS, Atlanta, GA  
Cameron Slick, UTU 911, CP, Saint Paul, MN  
Jim Thomason, UTU 1292, CN, Two Harbors, MN

John Vitaska, NCFD 395, CP, Chicago, IL  
James Wallace, UTU 305, BNSF, Lincoln, NE  
Jen Wallis, BLET 238, BNSF, Seattle, WA  
Andrew Weir, TCRC-CTY 240, CN, Sarnia, ON  
John Wright, BLET 78, CSX, Louisville, KY

### RWU Steering Committee Alternates

Brian Clark, TCU 3060, CN, Champaign, IL  
Robert Hill, UTU 556, BNSF, Tacoma, WA  
Alan Thompson, UTU 316, UP, Clinton, IA



## RWU Facebook Page

The RWU Facebook Page continued to grow and expand in 2016, albeit at a slower pace than the previous three years. As of 1/24/17, we had 9,105 followers. The Page continues to be controversial, as the myriad members and non-members alike have differing expectations and desires for what the Page could and should be. The Facebook Committee and the Steering Committee continue to grapple with the complexities of providing the best possible Facebook Page to serve both RWU and railroad workers in general.

Check out the RWU Facebook Page at <https://www.facebook.com/groups/Railroadworkersunited/>. If you have comments, concerns or see a railroad manager trolling the Page, contact Andy Weir at [tcrc.cty.240@gmail.com](mailto:tcrc.cty.240@gmail.com).

## The RWU Store

The RWU Store continues to offer a full line of items. All proceeds from the Store benefit RWU. This past year we continued to offer most of our previous items, plus we added a knit hat for the winter with full-color embroidered logo.

We continued to use the "Store Envy" platform, which is very user-friendly and can accept Pay Pal or Stripe credit/debit card payments online.

Rails and non-rails alike ordered shirts, hats, stickers, bumper stickers, pins and more throughout 2016. In addition, members of the general public, various organizations and unions, attorneys and others are free to make purchases from the Store, and often do so, providing RWU with much needed funding, publicity, and good public relations. After a number of years as Store Keeper, John Wright has stepped down and was recently replaced by Mark Burrows.

## Official Website

Towards the end of the year, the RWU Website got a complete facelift. With lots more up-to-date information, links and news items, the website is a great resource for rails and non-rails alike to learn more about RWU, our ideas and actions, rail labor and the rail industry. The website also acts as the archives for all RWU newsletters, articles, resolutions, previous leadership, and more. And it makes it easy to join, renew membership, donate, submit articles, questions or inquires to RWU.



# Annual Report of Railroad Workers United

2016

## RWU Continues to Lead the Fight Against Single Employee Crews

One of our initial fights dating back a decade now has been to resist the rail carriers' drive to operate trains with a single employee. That struggle took a new turn in March of 2016 when the Federal Railroad Administration (FRA) announced a Proposed Rule for Train Crew Staffing. The unions got excited, but RWU analyzed that in fact, the Rule in its proposed form, while providing guidelines and restrictions, actually opened the door and provided a road map for any rail carrier to implement single employee operations. In April, we mobilized our network and the number of online comments to the FRA jumped from around 300 to an unprecedented 1411 by the time the commented period was finally closed later in the spring. RWU submitted its own critique of the Proposed Rule and was present at the hearing in Washington, D.C. in July for the oral comment period as well. While the FRA stated that they expected to promulgate the Final Rule by year's end, that never happened. As this *Annual Report* heads to the printer, the FRA has not

uttered a word, and it is likely that either: A - the Final Rule will contain all of the failings of the initial Proposed Rule; or B - the whole thing will now be dropped altogether.

On the legislative side of things, RWU has continued to support the *Safe Freight Act at the national level* as well as legislation at the state level to outlaw single crew operations.

Whatever happens on these fronts, these are not the main theatres in which we fight against single crew operations. While these spheres provided us with a worthwhile exercise within which to raise the issue, mobilize the RWU network, and show our strength and determination to the government, the carriers and the unions, the battle will no doubt play out in the years ahead in contract negotiations, not unlike the spat with the BNSF in 2014. RWU members - and all railroaders - should therefore prepare for the showdown at the bargaining table and out on the property in the not too distant future.

## RWU Steps Up Defense of Scapegoated Canadian Railroad Workers

On July 6th, 2013, an oil train rolled away down a steep grade, derailed and exploded, killing 47 people in a small Canadian town in Quebec. The railroad - the Montreal, Maine & Atlantic (MM&A) - had a terrible safety record, was headed by notorious union-buster and renegade CEO Ed Burkhart, employed single crew operations, had deferred maintenance on track and rolling stock, and instructed crews to leave trains on a steep mainline grade without making use of the automatic (train) brakes. Despite all of this and more, the Canadian government continues to scapegoat the train's engineer and train director (dispatcher) rather than hold the carrier and the regulatory agency (Transport Canada) responsible.

RWU has consistently condemned the actions of the MM&A and the Canadian government, and in 2016, dramatically step-

ped up our actions in defense of the scapegoated rail workers. We have publicized the case in the pages of our newsletter and elsewhere, and have written letters to various newspapers. We were able to back down and force a retraction by the head of the Railway Association of Canada when he irresponsibly defended the lack of train brakes to secure trains. RWU promoted a petition that garnered more than 3000 signatures of US and Canadian citizens demanding that the charges be dropped, and sent a special envoy to attend various rallies, court hearing and conferences across Quebec.

RWU believes this is a major safety issue for all railroad workers and that the defense of these workers is crucial in defending all of us from the reckless and irresponsible actions of the rail carriers who put profits above our lives, then blame us when something goes wrong.

## RWU Organizes in Defense of Railroad Worker Whistleblowers

Railroaders - like other workers - are legally covered by so-called "whistleblower laws" that are ostensibly designed to protect us from retaliation by the employer in the event of accident or injury, reporting such an event, bringing attention to a safety hazard, etc. And while hundreds of railroad whistleblowers have filed and won cases at the OSHA level, the rail carrier simply appeals each and every case as a matter of course, delaying and in most cases denying justice to aggrieved rails.

RWU believes that the way to change this situation - like any other - is for the workers to organize, to share information, and to build a network of whistleblowers who can fight back. While each case must be fought individually, those workers who file a

Whistleblower case and go through the process should not be left to struggle all alone. By building a network, we can assist each worker to more effectively confront the system.

In April of 2016, RWU mounted a fundraiser and was able to send a group of rail whistleblower activists to Washington, DC to testify before OSHA's field managers as well as the Whistleblower Protection Advisory Committee (WPAC) in order to provide first-hand information as to how and why the system as currently constructed is actually obstructing railroad workers in their efforts to win justice when their rights under the whistleblower laws are violated. Plans are in the works to possibly engage in similar efforts in the coming year.




# Newsletter

RWU's quarterly newsletter *The Highball*, is possibly the best rank & file union newsletter in North America. Our network of contributors, writers, and distributors continues to expand. Some members choose to receive a bundle of the newsletter (generally 25 to 50 copies) each issue, while others make their own copies at home, work, or the copy shop. Thousands of copies get distributed each issue now. In addition, the newsletter is available online as a pdf on the website, Facebook and through the list serve for our on-line readers. All members are encouraged to help distribute *The Highball*. If you are interested in helping to spread the word, email secretary@railroadworkersunited.org.

We try to keep the newsletter topical and focused on issues that matter to railroad workers today. In addition, the newsletter covers RWU efforts, and it functions as a mouthpiece for the organization. Topics covered in 2016 included: the single employee crew fight; the campaign on behalf of scapegoated Canadian rail workers; whistleblower organizing; the NTSB report on Amtrak #188; crew fatigue; the decline of coal traffic; rail furloughs; the CSX shopmen's contract fight; PTC and fuel conservation tech, and other safety issues.

Finally, the newsletter provides a progressive analysis of events and developments. We criticize the carriers and union officials alike, providing alternative solutions. We refrain from frivolous "feel-good" topics (e.g., golf tournaments, scholarship funds, officer re-elections, etc.) and provide a much needed source of information and inspiration for a workforce that is demoralized and often starved for information from a perspective that they can relate to.

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**FRA Proposed Rule on Train Crew Staffing Draws a Few Comments**

On June 1, 2016, the Federal Railroad Administration (FRA) released a proposed rule on train crew staffing. The rule would require a minimum of two crew members on all freight trains, regardless of length or weight. This rule would effectively eliminate the single employee crew (SEC) on many freight lines. The rule is expected to be finalized in the next few months. The FRA is also considering other rule changes related to train crew staffing, including the use of remote control technology and the use of self-driving trains. The FRA is currently soliciting comments on these proposed rules. The FRA is also considering other rule changes related to train crew staffing, including the use of remote control technology and the use of self-driving trains. The FRA is currently soliciting comments on these proposed rules.

**RWU Delegation Attends Whistleblower Meeting in Washington, DC**

In April, RWU sent a delegation to Washington, DC to speak with and provide testimony to the Whistleblower Protection Advisory Committee (WPAC) of the Occupational Safety & Health Administration (OSHA). The body was established to advise, consult with and make recommendations to the Secretary of Labor and the Assistant Secretary of OSHA on workplace whistleblower issues. The delegation included RWU members and representatives from other labor organizations. The delegation met with WPAC members and provided testimony on the importance of whistleblower protection for railroad workers. The delegation also met with other labor organizations and discussed ways to strengthen whistleblower protection for all workers.

# Railroad Workers United Conducts 5th Biennial Convention in April, 2016

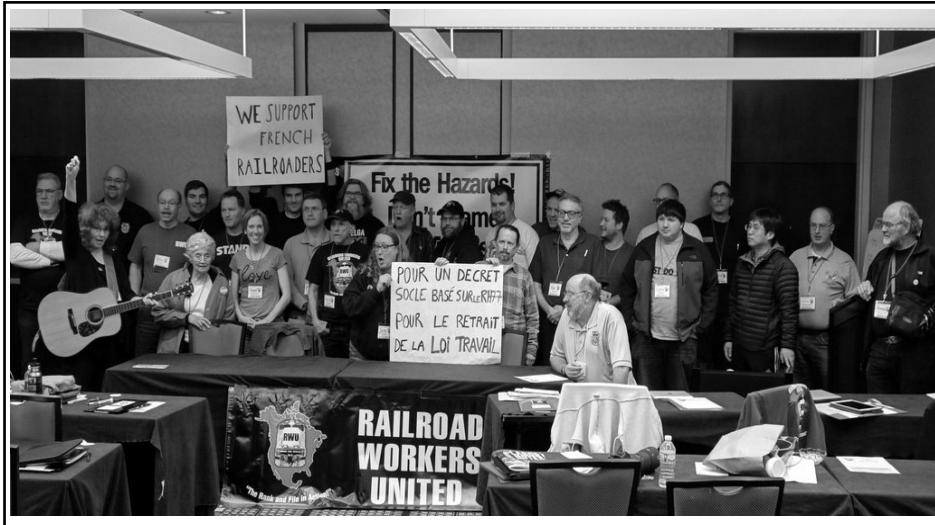
On March 31st & April 1st, Railroad Workers United conducted our 5th Biennial Convention in Chicago, IL. Nine new resolutions were adopted on a wide array of subjects of concern to the organization and to railroad workers in general. A dozen minor Bylaws Amendments recommended by the Steering Committee were approved. And there was ample time for socializing and networking among members and friends following each day's floor session.

The general theme that ran through the Convention was one of building solidarity in ever larger and wider circles, among and between: (a) railroad workers of all crafts and all unions, regardless of carrier or contractor; (b) railroad workers of the U.S., Canada, Mexico and other nations; and (c) railroad workers, passengers, other worker and social movements, concerned communities, environmentalists and others. As RWU grows and develops, we have come to a deeper understanding that all of this solidarity and alliance building is critical in order for railroaders to achieve our goals and objectives.

While the RWU Convention did what most conventions do: adopt bylaws changes and resolutions, hear reports, take care of business, party and socialize, the focus of this Convention was a lot more than that. More than a dozen diverse workshops and presentations were offered up throughout the course of the two-day event. They are all posted in full on the RWU website and

include the following:

- Alternatives to Behavior Based Safety
- French Railway Workers Fight Privatization, presented by a French railway worker and SUD member;
- Just Hours and Safe, Sustainable Work Schedules, presented by an RWU member;
- W&LE Workers Resist Single Employee Train Crews, presented by the W&LE BLET local chairman;
- Advancing the Fight for the Two-Person Crew, presented by an RWU member;
- Building Solidarity with Railroad Crew Van Drivers, presented by three Renzenberger drivers;
- Supply Chain Research: International Solidarity, presented by an RWU Solidarity Member;
- Building the Labor - Community Alliance, co-presented by an RWU switchman and an RWU Solidarity Member;
- If you Care About Railroad Safety, Support Tom Harding, presented by an RWU member;
- Building Solidarity with Railroad Workers Around the World, presented by various international railway workers;
- Reviving the Strike, presented by the author of a book by that title;
- Railroad Workers and a "Just Transition", presented by a leader of the Labor Network for Sustainability;



- Railroads Hold the Key to the Green Future, presented by a recently retired Amtrak engineer and RWU member.

## Resolutions

The Convention delegates assembled opted to table two resolutions that were submitted. One has since been taken up and adopted by the ISC this Fall. The other remains to be considered. Those that were adopted as submitted or were adopted as amended from the floor include:

- 1 - Opposition to CP Takeover of NS
- 2 - Support for a \$15/hour minimum wage
- 3 - Support for a "Just Transition"
- 4 - Insistence Upon RWU's Independence and Autonomy
- 5 - Opposition to the Trans-Pacific Partnership
- 6 - Support for Railroad Worker Whistleblowers
- 7 - Support for a Worker - Passenger Alliance
- 8 - Solidarity with Other Worker & Social Movements
- 9 - Position on the U.S. 2016 Elections

A new Steering Committee of 11 plus three Alternates was elected at the Convention. To see who was seated, see the Steering Committee entry on the back page of this Report.

In addition to all the hard work and dedication, there were dinners, parties, music and celebrations each evening where RWU members, friends and allies were able to reconnect and get to know one another. Many stayed on for the weekend and took part in the full array of activities at the Labor Notes conference.

# Organizing

While RWU continued to reach out to different sectors of the railroad workforce, the number of rails actually joining declined in 2016 from the previous two years. This can be accounted for partly because of the lower profile of activity last year (no conferences, no contract fights) and might also be the result of the decline in freight traffic and resultant furloughs, insecurity and demoralization in the industry. As in the past, the majority of the new members were drawn from the operating crafts, but we also saw a number of new members join RWU from the ranks of the "non-ops" as well. In addition, a number of workers from related industries joined as "Solidarity Members".

While some rails join through the mail, the vast majority of new members now join RWU on-line. This trend is expected to continue, greatly simplifying and streamlining the membership process.

In addition to new members, RWU developed scores of new "contacts" with railroad workers and others, who - while they have not yet decided to join - support the organization and have taken an interest in our efforts. Many of them signed up for the Google Groups list serve and/or have become active on the RWU Facebook Page. Others have bought RWU merchandise, offered to hand out information, or regularly look over our Facebook Page. Whenever a future crisis may hit, we hope to count on these folks to join and become active.

# Ongoing Campaigns

Three of our ongoing campaigns are highlighted on the front cover of this Report. In addition to these, RWU continues to promote a whole series of campaigns. Here is a listing of the current campaigns that RWU is actively involved in promoting among rail workers:

- Opposition to Single Employee Crews.
- Defense of the Scapegoated Canadian Rail Workers of Lac Megantic.
- Defense of Railroad Worker Whistleblowers.
- Coordinated Bargaining of Rail Labor.
- Opposition to Behavior Based Safety Programs.
- Opposition to Excessively Long and Heavy Trains.
- The Fight Against Chronic Fatigue.
- Support for a "Just Transition".

Flyers, resolutions, press releases and other information is available for each of the above campaigns at the RWU website on the *Campaigns* Page.

# New Resolutions Adopted in 2016

Another five Resolutions were adopted by the RWU Steering Committee throughout the remainder of 2016, in addition to those adopted at the Convention in April (for a list of those Resolutions, see above under the heading "RWU Conducts 5th Biennial Convention in April"). These resolutions can be found along with all previous resolutions on the RWU website at the *Resolutions* Page. They are:

- 1- Resolution in Support of Striking Verizon Workers** attempting to win a decent contract from the country's number one telecommunications company.
- 2 - Resolution in Support for Universal Unionization of the Working Class** so that all workers may enjoy the benefits of union membership.
- 3 - Solidarity with UK Railroad workers** in their fight against single employee train-crews on various carriers.

**4 - Resolution In Support of Doro Chiba and the KTCU,** labor organizations in Japan and Korea respectively that RWU has close ties with;

**5 - Resolution Against the Dakota Access Pipeline,** standing in solidarity with communities, other unions, and native activists against the fossil fuels industry.

We are under no illusion that these resolutions will change the world. They are largely symbolic statements of support of - or in opposition to - a specific issue, event, struggle, organization, etc. But these Resolutions outline the trajectory of the organization, give it depth and principle, and stand as testament to what we as RWU believe and stand for. We make it clear who our friends and allies are, and also who our adversaries are. If you are a railroader and find yourself in agreement with many, most, or all of our basic Resolutions, then perhaps it is time for you to join RWU!

# Finances

At the January 2016 meeting of the Steering Committee, RWU reported a combined total of \$17,411.62 in the bank. By the December meeting it was reported that we had \$14,683.31.

Throughout 2016, our assets ranged between the above figures. The vast majority of this came in the form of membership dues from new members along with membership renewals. Sales of merchandise (see RWU Store), along with donations account for the remainder. While these sources provide support, membership dues continues to be far and away our number one source of income.

We have yet to make full use of our sister organization, the Railroad Workers Education & Legal Defense Foundation (RWF), a 501c3 non-profit tax-exempt organization. While we have solicited donations to it, no concerted fundraising campaign to date has taken place. Plans are afoot to do more fundraising in 2017.

# Solidarity Actions

Throughout 2016, RWU continued to promote the struggles, battles and strikes of other workers, unions and communities in their efforts to win justice (see the list of Resolutions adopted in this Annual Report under New Resolutions and the Fifth Biennial Convention).

We continue to make token financial donations to our friends and allies at both *Labor Beat*, *Workers Independent News*, and to other worthy efforts on behalf of the working class.

In November, two members of RWU visited both Japan and South Korea, invited to each country by a union that RWU has close ties with. They took part in rallies and demonstrations, and brought firsthand greetings of solidarity from U.S. railroad workers. This led to the RWU ISC voting to add a position called "RWU International Solidarity Liaison" as the year drew to a close.