

Lac Mégantic Update: Two Fronts in the Fight for Rail Safety

Fritz Edler, RWU Member, BLET #482, Retired

Three years ago, on July 6, 2013, a small town in Quebec became a symbol of the need for greater focus on rail safety throughout North America. A runaway train of Bakken crude oil exploded and burned in the downtown. Forty-seven people were killed immediately and another three have since taken their own lives in the last three years in the devastating aftermath which has left a legacy of destruction and environmental damage which may never be truly overcome.

The Lac-Mégantic tragedy is once again back in the news as we approach its three year anniversary. The Citizens Coalition in Lac-Mégantic has called for July 6th to be a day of remembrance for the victims of the crash and a day to recommit to greater rail safety. Railroad workers, environmental activists, and other community groups concerned about railroad safety will express their solidarity by answering that call and take time out on July 6th to say *No More Lac-Mégantics!* RWU will join with others in Chicago to be part of that response (see article below). Actions are underway in other cities as well.

This commemoration will come just two weeks after the latest events in a legal battle that should have ended long ago – the drive to scapegoat railroad workers and turn a blind eye to unsafe railroad policies and practices.

While all parties have wished to know who and what were responsible, the complex situation called for a complete and thorough investigation to determine the facts and the guilty parties. However, before this would happen, the Canadian government jumped the gun and theatrically charged the engineer, Tom Harding, and the dispatcher, Richard Labrie, with 47 counts of criminal negligence resulting in death.

Ultimately, investigation by the Canadian Transportation Safety Board and courageous investigative reporters turned up serious evidence that laid the responsibility for the crash at the feet of the railroad company, the Montreal, Maine & Atlantic Railway (MMA) and its policies and decisions. The company's recklessness had been ignored or even endorsed by the government regulators – Transport Canada (TC) – responsible for overseeing rail safety. The evidence is now very clear. If the MMA had not imposed unsafe procedures on its train crews - with TC looking the other way - there would not have been a runaway train and resultant fiery explosion in Lac-Mégantic.

The MMA was not the only party taking shortcuts. On June

20th of this year, the Canadian government's rush to judgement has forced Harding's lawyer to go to court to address Crown Prosecutors who have used loopholes to avoid holding a Preliminary Hearing, which would have given the defendants an opportunity to challenge the supposed evidence and preview the theory of the prosecution. A Preliminary Hearing would have been protocol in most proceedings of this kind. Harding's lawyer is now forced to present a motion for "Disclosure", as well as a motion to "Stay the Proceedings", based in part on the denial of Harding's right to a Preliminary Hearing. Even if the Court grants Harding's defense motions (the Crown has filed motions to "quash" them), it will not be the end of the need for us to use every means to get out the word about this wrongful prosecution going forward.



If attempting to railroad Tom Harding and Richard Labrie to prison wasn't bad enough, the Canadian government has blocked the efforts of the Citizens Coalition of Lac-Mégantic to move the railroad tracks from the center of town and to make real rail safety a top priority. The government wants to narrow the issue to oil trains and declare the danger over. But rail safety is not just about unsafe cargo. The people who live by the tracks and those who run the trains must be party to determining whether safe conditions are maintained.

The Canadian government must cease its prosecution of railroad workers for a tragedy they did not cause, and – together with the U.S. government – must speed up addressing unsafe railroad practices and conditions, not just in Lac-Mégantic but across the continent. Every railroad worker has a stake in the outcome of this. We all need to keep abreast of the court proceedings in the coming months and be prepared to stand up for rail safety on July 6th.

Drop the Charges – No More Lac-Mégantics!