

Civil Court Trials Set for Railroad Workers in Canada and the U.S.

When Summer is winding down this September, two very important trials of railroad workers will be gearing up. All railroad workers in North America should sit up and take note. The railroad workers in question are all good railroaders, all of whom got caught up in situations which were largely beyond their control. What happened to them could happen to each and every one of us, any day, any time. None of us is perfect, and more importantly, none of us sets policy and procedure and is *legally responsible* for providing a safe workplace. These are the bailiwick of the rail carrier, and in the case of both train wrecks that these brothers were involved in, the company came up short. In both cases, the carrier failed to provide that safe workplace, and as a result, citizens, passengers and workers are all paying the price.

The state has decided that the worker(s) in question - not the carrier - is at fault and should be subject to a civil penalty. If the outcome of either trial results in a conviction, it will send a chill down the spine of every railroad worker in North America, and will set an ugly precedent that no matter how irresponsible and reckless the rail carrier may be, no matter how bad the safety record, no matter the failings of corporate and government policy and procedure - including disrespect for the

law - it will still be the *individual worker or workers* involved who bear the blame for whatever might have gone wrong.

Railroad Workers United takes both of these cases very seriously and understands the severe ramifications for all rails. These sorts of trumped up charges against workers are becoming more and more commonplace - not just on the railroad but across industry - as union power continues to erode while corporations endeavor to shift the blame for accidents, injuries, fatalities and disasters away from the company and onto the individual worker. This trend is a dangerous escalation of the ideology of so-called "behavior based safety", taken to an extreme degree. Taken to its illogical conclusion, all accidents, all injuries, and fatalities and all disasters are simply explainable by pointing the finger at the worker who is the culprit, and disciplining, firing, fining and imprisoning him/her, exonerating the company and the industry from blame in the process.

Neither Amtrak's Brandon Bostian nor the Montreal, Maine & Atlantic's Tom Harding and Richard Labrie deserve to go to prison. They are not criminals. Their fellow railroad workers are their best allies. They need and deserve your support.

See Pages 4 and 5 for further information and commentary