



# The Highball

Official Publication of  
**Railroad Workers United**

## *Scapegoated Railroad Workers Acquitted in Lac-Mégantic Trial*

The attempt to blame railroad workers Tom Harding and Richard Labrie for the tragic 2013 Lac-Mégantic, Québec train wreck came to a close January 19th. After nine days of deliberation, the jury acquitted the defendants on the charge of *Criminal Negligence Resulting in Death* and other lesser charges. Supervisor Jean DeMaire was also acquitted.

"This is the right verdict, but it does not close the case. It is just one step towards real rail safety," said veteran engineer and RWU special envoy Fritz Edler, speaking for the Harding and Labrie Defense Committee, which helped coordinate support for the rail workers throughout North America. "We have been waiting over three years for an official government inquiry into the causes of this tragedy and for steps to make sure it doesn't happen again."

Rail safety and environmental activists in Canada and the United States have been making the point since the wreck that holding a criminal trial of rail workers before examining all the factors that led to the crash amounts to a cover-up. "A criminal trial is the absolute worst way to uncover all of the

actions and policies that contributed to this crash," said Edler. "The report from the Canadian Transport Safety Board had 18 factors, and Harding and Labrie had no part in at least 16 of them. These factors must be addressed."

The Harding and Labrie Defense Committee has worked with groups from Lac-Mégantic, Montreal and across the US, organizing the existing broad consensus that the wrong people were on trial and working to combat the disinformation campaign by politicians and their rail industry sponsors. It has delivered thousands of petition signatures from Québec and elsewhere to the Crown prosecutors and raised money for the political defense of the rail workers.

At the time of the wreck in 2013, Railroad Workers United (RWU) spoke out quickly, releasing a statement within a week condemning the reckless practices on the rail carrier – the Montreal, Maine and Atlantic (MM&A) – and its renegade CEO Ed Burkhart. RWU has consistently defended the railroad workers, denying that they in any way should be charged with

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## *Amtrak #501 Derails in DuPont, WA - Yet Another Avoidable Wreck*

In the days after the wreck of Amtrak Train #501, derailed on a curve outside of DuPont, WA on Monday, December 18<sup>th</sup>, killing 3 and injuring scores of others, the National Transportation Safety Board (NTSB) announced that the train was exceeding the proscribed speed limit for the curve, rated at 30 mph. Coming on the heels of at least five major passenger train wrecks in the U.S. over the course of the last decade, this latest wreck begs the question, why do these tragedies continue to occur?

Train wrecks are no different than most disasters in that they are often the result of a constellation of factors, many hidden from view, and often years in the making. We miss the point when we simply pinpoint the worker who "screwed up" and fail to further scrutinize the situation. Most – if not all – of these factors are sometimes hidden from view of the individual worker, who usually has little or no control over any of them. These factors have to do with corporate and government policy, and include, but are not limited to: poor work schedules, chronic fatigue, limited time off work, inadequate staffing, lack of training, lack of adequate qualifying, task overload, deferred maintenance, antiquated infrastructure, failure to implement available safety technology, and the list goes on and on. It is almost *never* just one of these, but some very



*The destroyed lead locomotive of Amtrak Train #501 is hauled away following yet another needless tragedy. RWU maintains that all of the major passenger train wrecks in the last decade in the U.S. could have easily been avoided through a combination of adequate train staffing, proper training and qualification, train control technology, and reasonable work schedules.*

complex array of procedural and policy failures that – when taken together – can result in disaster.

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# RWU Happenings

## ***All Members Invited to the 6th Biennial RWU Convention in Chicago April 5th - 6th***

Railroad Workers United will conduct our 6th Biennial Convention on April 5th & 6th, 2018. It will be our tenth anniversary! All RWU members in good standing are invited to attend the two-day event, planned at the Hyatt Regency O'Hare, a short drive west of Chicago and very close to the airport.

In addition to standard business including bylaws amendments, nominations, and elections of the Steering Committee and discussion of resolutions and policies, the Convention will host numerous workshops, presentations and panel discussions. And when the Convention adjourns Friday evening, there

will no doubt be plenty of time for socializing, as we join 2500 labor activists from across the country and around the world for the Labor Notes Conference. Traditionally, many of the RWU Convention participants stay on for this one-of-a-kind labor education conference that features over 100 workshops on just about every imaginable subject of concern to working people and their labor organizations.

To register for the RWU Convention and/or the Labor Notes Conference, see the RWU website Home Page and click on the banner across the top of the page.

## ***RWU Takes Part in the Worker Solidarity Action Network***

*Shelly Burke, RWU Solidarity Member*

RWU Member Mark Burrows and I officially represented RWU at a conference in Chicago on October 6 - 8th. The conference included representatives from various industries, both domestic and international. At the conclusion of the weekend, the Worker Solidarity Action Network (WSAN) was initiated. The common theme uniting the group is "An injury to one is an injury to all." WSAN has adopted various boycotts, including Driscoll Berries which has refused to bargain and pay a living

wage to berry pickers in Mexico and taken stands in solidarity with a number of key workers' struggles including those fired by the Chicago Transit Authority (CTA) and striking workers at Strom Engineering. Of special significance for railroad workers is the WSAN endorsement of the RWU campaign in support of the scapegoated Canadian railroad workers. WSAN assisted RWU is putting together a series of pickets at Canadian consulates at key cities across the U.S. in early January (see Article on Page 1).

## ***"Union Officer Salaries & Expense Report" Published by RWU***

Ever wonder just how much money your top union officials make? Well, RWU has put together a comprehensive listing of all rail union officer salaries and expenses for the last fiscal year from all of the rail unions in the United States. The information comes courtesy of the U.S. Department of Labor (DoL) and is public information, available to anyone by simply check-

ing the DOL website. But for convenience sake, we thought we would compile the complete listing and put it all in one nice, neat package for railroad workers to take a look at. It is on our website at [www.railroadworkersunited.org](http://www.railroadworkersunited.org).

Too much? Too little? Just about right? You be the judge.

### **Railroad Workers United**

*Railroad Workers United was organized in April 2008 at a Founding Convention in Dearborn, MI. RWU grew out of decades of struggle within the craft unions for unity, solidarity, and democracy. We are carrying on a tradition of rank & file activity which dates back to the 1890s and the time of Eugene V. Debs.*

*RWU is a cross-craft inter-union caucus of rail labor activists across North America. All rail workers of all crafts from all carriers who support our Statement of Principles are welcome to join in our efforts. Please write, call, or email. See the contact information below.*

### **Statement of Principles**

- Unity of All Rail Crafts***
- An End to Inter-Union Conflict***
- Rank-and-File Democracy***
- Membership Participation & Action***
- Solidarity Among All Railroaders***
- No to Concessionary Bargaining***

### **International Steering Committee**

- Ross Grooters**, BLET #778, UP, Des Moines, IA
- Ron Kaminkow**, BLET #51, Amtrak, Reno, NV
- Bernie Mahoney**, BRS #16, CSX, Point St Lucie, FL
- Paul Matchett**, WSOR, IBT #344, Janesville, WI
- Hugh Sawyer**, BLET #316, NS, Atlanta, GA
- Cameron Slick**, UTU #911, CP, St Paul, MN
- Daniel Stroup**, BLET #188, CN, Superior, WI
- John Vitaska**, NCFD #395, CP, Chicago, IL
- James Wallace**, UTU #305, BNSF, Lincoln, NE
- Andrew Weir**, TCRC #240, CN, Sarnia, ON
- John Wright**, BLET #78, CSX, Louisville, KY

#### **Alternates**

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

[www.railroadworkersunited.org](http://www.railroadworkersunited.org) ● [info@railroadworkersunited.org](mailto:info@railroadworkersunited.org) ● 202-798-3327 or 202-RWU-DEBS  
RWU P.O. Box 2131 Reno, NV 89505



## ***RWU builds Bridges with the Rail Advocacy Community***

Railroad workers have many potential allies in the greater society, as RWU has leaned over the course of the last few years. These allies include various sectors of the workforce (e.g. longshoremens, truckers); trackside communities concerned about rail safety, environmental activists, shippers, and passengers. In 2017, in the face of threats to dismantle Amtrak, RWU sought to reach out to various passenger rail advocacy groups.

Historically, rail unions and passenger advocacy groups have had almost no contact with one another. This is unfortunate as it should be obvious to both that an alliance between them could be highly advantageous to both in achieving their respective goals. Passengers and their advocacy groups are concerned with expanded service, on-time performance, modernized equipment, and quality transportation. Likewise, rail workers and their unions share these concerns, as improved and expanded passenger service translates into expanded employment opportunities and an enhanced workplace experience.

After a few years of contact with the group Rail Users Network (RUN), RWU affiliated with this organization over the summer. A loose amalgamation of various state and local groups, RUN works to build passenger service mostly in the east. The organization has adopted a position against single employee operations of trains, and has published an article in their newsletter about RWU. In the fall, RWU joined the largest and oldest of the advocacy groups, the National Association of Railroad Pas-

sengers (NARP). As an affiliate member organization, each RWU member in good standing will receive email posts on a regular basis from NARP. And when RWU delegates attended the NARP 50<sup>th</sup> anniversary conference in Chicago in November, we were invited to host a literature and merchandise table. We were able to disseminate RWU leaflets and flyers, put forward a railroad worker presence on the floor, and made valuable connections at this event.

In addition to our overture to RUN and NARP, we also have made connection with RailPAC of California and Nevada, a grassroots style advocacy group with a focus on passengers. Tentative plans are in the works for a series of conferences in Northern California in 2018 that will revolve around questions of rail safety and other issues of mutual concern to rail workers, advocates, communities and environmentalists.

All RWU members are encouraged to individually join one (or more) of these or other advocacy groups. The important thing is that railroad workers come out of the shadows and take our rightful place in these valuable organizations. We have a lot to add, a lot of valuable information to share, and can influence these organizations to become more aware of and sensitive to our interests. See the websites to learn more and/or join: [www.run.org](http://www.run.org); [www.narprail.org](http://www.narprail.org); [www.railpac.org](http://www.railpac.org).

RWU is hopeful that the rail unions will likewise seek out mutually beneficial relationships with these organizations.

## ***Track Workers Take the Lead in Protesting the Rail Carriers' Greed!***

**Tom Modica, BMWED #1532**

On November 8<sup>th</sup>, members of the Brotherhood of Maintenance of Way Employees Division (BMWED), a division of the International Brotherhood of Teamsters (IBT), participated in a national Informational Picket, or as some were calling it, a "practice strike". Joined by various other crafts, this action was in response to the railroads' unwillingness to bargain in good faith and their refusal to negotiate fair wage increases and healthcare benefits for the membership, despite the evidence of a union proposal which included potential savings of over \$100 to the healthcare plan. For the last two years, the union has been building membership participation and action in the fight for a fair contract, with the help of its Communication Action Team (CAT), made up of rank & file members across the nation.

I had the honor to organize the picket at Calumet Yard in Chicago and assisted with various other pickets in Chicagoland and Northern Indiana. While picketing, I came to the realization that our action was taking place in the same neighborhood of the Pullman Strike of 1894, led by Eugene V. Debs, founder of the American Railway Union (ARU). While it would be insane to compare the picket to the deadly wildcat strike that swept across the nation involving 250,000 workers in 27 states, and causing \$80 million in damage, I cannot help but find a few similarities in the struggles of today's rail unions.

The Pullman Company, a manufacturer of railway cars, thought it would be a good idea to have a company town and require the workers to live there, while also charging them rent to boost the company's profits. It was referred to as a "model community", filled with contented and well-paid workers. It all went to hell when Pullman - in response to a deep recession -

imposed massive layoffs and wage cuts while maintaining the high rents. A committee of workers tried to negotiate wages, rent, the poor living conditions, and a decrease in the hated 16-hour workdays. Pullman refused to meet with them and instead fired a few of the committee members. Immediately following, the workers voted to strike. The company refused to receive any communication from the newly formed American Railway Union, that had agreed to take up the cause of the strikers. The strike spread and eventually federal troops were brought in to crush the rebellion. During the course of the strike, 30 strikers were killed and 57 were wounded.

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***The All Rail Crafts Coalition stands united in Kansas City on November 8th. As railroad workers come to see the existing craft unions as hopelessly divided and ineffective, groups like ARCC are popping up and attracting members of the different crafts and unions to come together as one in an effort to win.***



# Railroad Safety

## The Latest in Railroad Recklessness & Irresponsibility: The "Super Pool"

John Maynard Keynes once said, "Capitalism is the astounding belief that the most wickedest of men will do the most wickedest of things for the greatest good of everyone." When we go to the ridiculous extremes that Keynes foresaw, we end up where we are now, at an "extinction-level" capitalism that will not only eventually destroy those unfortunate enough to be targeted, but will eventually take down the very people that have decided to use this philosophy. There is no better example of this than the BNSF creating what they have called Super Pools. The Super Pool concept is nothing more than another way to use fewer employees to run trains so the carrier can make a bit more money, and safety be damned for the employees and the general public.

A Super Pool puts together different pools originating from the same terminal, but traversing different territories to create one giant pool. Everyone that previously worked one of these pools will be expected to work every other pool designated for that terminal. You will not know what pool you will work until you're called. An example of this is the Super Pool created in Galesburg, Illinois. It encompasses six different pools, traverses over 1600 miles, and takes in different modes of operations on each territory. These pools now operate with significantly fewer employees than were required prior to the consolidation of these pools. There are approximately one hundred and sixty engineer turns and the same number of conductor turns with extra boards also covering this Super Pool. So what you have is approximately four hundred workers not knowing when they are going to work, where they are going to work, and often times very little knowledge of the territory that they are going to be working on. As anyone that has worked any amount of time in train and engine service can tell you, this is a prescription for disaster. Local Chairmen are already reporting an uptick in discipline and rules violations. It's only a matter of time, according to those forced in to this pool and union officers affected by the creation of this monstrosity, before some tragedy occurs.

These pools have come about because of a provision known as Article 9. It is a BN agreement signed in 1985, that allows the carrier to combine working pools, with the objective being to use fewer employees to staff these pools. The problem is

*"It's only a matter of time ... before some tragedy occurs."*

that conditions have changed dramatically. Where there were 4 or 5 people on a crew back then, there are now only 2 and those 2 work more trips and longer hours. Trains were shorter and lighter and there was far less traffic. In 1985 there were far fewer rules and regulations than there are now. Basically, 1985 was a whole different railroading universe than 2017.

The BNSF also uses the argument that they have created these Super Pools all over the system and nothing bad has happened. That interpretation is up for debate. Discipline and rules violations have increased where these pools have been created. It is just pure luck that these infractions have resulted in nothing worse than someone losing their job. And why wouldn't there be more rules violations? Every pool has



**BNSF is leading the pack on the unsafe implementation of so-called "super pools" whereby trainmen and engineers are expected to be qualified on more than a thousand miles of territory, while given just a handful of qualifying trips on each segment.**

its own set of rules and its specific interpretations. It is simply impossible to keep track of all the GCOR, the Federal Code of Regulations, General Manager Notices, Superintendent Notices, General Track Bulletins, etc. Besides, using the fact that you are doing something dangerously stupid and justifying it because nothing catastrophic has happened yet, is frighteningly immature behavior. It's like saying there is no danger in "Driving Under the Influence" because I'm 60 years old, I've done it at least once a week since I've been 16 and nothing bad has happened yet. We try to steer our children away from this type of behavior so they don't end up in a rehabilitation facility or a prison when they grow up. Yet, we let a corporation that is responsible for trains that run through populated areas that have the potential to kill hundreds, if not thousands of people in the event of a derailment, to use this type of justification for creating these pools.

To combat this dangerous creation of the BNSF it is essential to document, document, document. When there is an increase in discipline, make that fact known to everyone. No one in their right mind would believe that all infractions are because lazy employees don't care about their jobs, their safety, or the safety of those people who live along the right-of-way. Any correspondence sent in opposition to these Super Pools should be copied to local union officers, state and federal representatives, any safety agencies that are involved in railroad safety and anyone else you can think of that might have any influence. Spread the word to your brothers and sisters. If enough of us take the time to document and help collect evidence against these Super Pools, we have a chance to bring some sanity back in to our workplaces.

**Jeff Kurtz was a locomotive engineer first on the Santa Fe, and later with the BNSF for 41 years. He was a union officer for most of his career and was the BLET's Iowa State Legislative Board Chairman from 2004 to 2014. He retired from active service with the BNSF in 2014. He is a member of RWU.**





## ***Scapegoated Railroad Workers Acquitted in Lac-Megantic Trial***

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a criminal offense, demanding that the charges be dropped, and that the Crown charge the real criminals – the MM&A bosses and the government regulators who had turned a blind eye to their irresponsible actions regarding safety.

Once the workers were arrested in May of 2014, RWU took part in protest actions, assisted with organizing a defense committee, began raising funds for the defense, and attempted to raise awareness of the issue on both sides of the border. Despite the overwhelming evidence of company recklessness and irresponsibility, the Crown refused to drop the charges, and proceeded onward to the trial which finally commenced – more than four years after the event – in September 2017.

While the prosecution focused throughout the trial largely on a single event – the alleged failure of the locomotive engineer to tie enough handbrakes, they were tripped up at every turn by their own witnesses – government, company, “expert”, and otherwise – who, by their testimony, incriminated the company and the government regulators rather than the defendants.

All told over the course of four months, the jury gained a picture of a railroad company that was oblivious to safety concerns, one far more interested in making money than in the safety of its workers or trackside communities. While RWU applauds the jury’s verdict and sees the acquittal as a victory – not just for the MM&A railroad workers but for all railroad workers – we must remain vigilant. Railroad carriers in the U.S., Canada and elsewhere are intent on criminalizing employees, pointing the finger at them when something goes wrong, as a means of deflecting attention away from their

own failures, whether it be inadequate training, lack of qualifying time, chronic crew fatigue, deferred maintenance, dangerously long and heavy trains, inadequate staffing and more. Railroad workers must be ready, willing and able to come to one another’s defense to prevent the rail carriers and the state from criminalizing our behavior while they – the real criminals – get off Scott free.



***Locomotive engineer leaves the courtroom after being acquitted of all charges against him for the wreck of an oil train in 2013 that killed 47 people. The jury’s finding represents a major victory for railroad workers and rail safety in North America. In recent years, big rail corporations appear eager to not only blame the worker for all accidents and injuries, deflecting attention away from their failures, they are more and more likely to attempt criminal prosecution of workers involved. Railroaders must come together and defend one another against these dastardly and cowardly attacks.***

## ***Track Workers Lead the Fight in the Struggle for a Good Contract***

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Things that I find interesting 123 years later are:

- Railroads are still firing and laying off workers and destroying families to boost profits.
- With record profits, railroads are still trying to charge workers more for benefits.
- The railroads still refuse to bargain in good faith.
- Wage increases do not keep up with inflation or the costs of benefit increases.
- The railroads have effectively pitted unions against each other.
- Some union officials wine and dine, golf, and accept gifts from the railroads as if they are best buddies.
- During the Pullman strike, all crafts joined together to boycott Pullman Cars. Rail unions seldom join together in such fashion today.
- Many rail union members no longer stick together.
- Today, some union members will cross a picket line without inquiring as to who is picketing and why.
- One union has called another union “anti-union.” I can’t even comprehend the hypocrisy of this statement.

Here are a few principles that as rail union members we should strive to abide by. As rail union members we should be calling for the unity of all rail crafts and an end to inter-union conflicts. This inter-union fighting has gone far enough. When the unions

fight one another, the railroads win. There are 32 railroads in one coalition (the NCCC) and 13 unions in 3 coalitions. I wonder who’s going to win that one? A better example for railroad workers and their unions to follow is the *All Rail Craft Coalition* (ARCC) in Kansas City, that is putting aside craft differences to join together to build power within rail labor. You guys rock!

We should be building membership participation and action. Sadly, the average union member has remained uninformed, uninterested and uninvolved. In order to effectively stand up to the carriers, we must overcome this cynicism, apathy and despair of the ranks, and build in its place a union of inspired, educated, and active members who are willing to take action on the job in defense of our jobs and our unions.

At the November 8<sup>th</sup> picket we had only one rail worker stop to see what it was all about, as he wouldn’t cross our line until we assured him that it was informational, and went on to explain our purpose. My understanding is that informational picketing of this nature was common practice 20 years ago. It is referred to as SOLIDARITY, the literal meaning of which is: “Unity or agreement of feeling or action, especially among individuals with a common interest; mutual support within a group”. It is time we returned to the labor standard of “An injury to One is an Injury to All!” Only when we stand up for each other, go to bat for each other, and take action on the job in defense of each other, will we have a strong union.



## Opinion & Commentary

### ***What Can the Rank & File do About the Sad State of Rail Labor?***

I've never been much of a social media person, but a few months ago I began to venture out into that brave new world of the RWU Facebook (FB) page. WOW! That was smack dab in the middle of the raging debate over, what at the time was, the tentative "national" agreement. There was a lot going on there and I'd like to weigh in on the major recurring themes. Even though the final vote totals could imply otherwise, judging by the discussion on our FB page, it's fair to say that very few rails were jumping up and down, urinating in their pants with unrestrained excitement over this agreement. Most of those advocating for a "yes" vote were doing so because they didn't want to roll the dice on the usual gun-to-the-head threat of a Presidential Emergency Board (PEB), that has accompanied every round of national bargaining since I started paying attention in the early 1980's. The scripted proclamation by our union leaders whenever a tentative agreement is reached generally goes something like this: "It's not as good as we would like, but it's the best we can get at this time. We strongly recommend a "yes" vote because we don't want to take our chances with a third party (arbitration) or a PEB." At the risk of plagiarizing myself, it sounds like a parrot with a limited attention span that's trapped in a room with a broken record. I've heard that so often I can repeat it in my sleep, 100 times over, blindfolded with both hands tied behind my back!

I'm going to try to say this loud enough to cut thru the noise that dominated our FB page, with the "yays" vs "nays" and liberal Democratic @#\$\$ vs. Trump loving Republican @#\$\$ yelling at each other. Without the right to withhold our labor when all else fails, what is commonly referred to as "collective bargaining" is, in reality, nothing more than "collective begging". In defending the status quo terms of engagement which include, but are not limited to, the infamous Railway Labor Act (RLA), the union leaders common refrain is, "That's just the way it is". Despite its limited attention span, the parrot knows that saying also. Our union leaders revere the sanctity of the RLA as if it were proclaimed per executive fiat by God Almighty Himself. Some of the worst abuses known to the working class, such as chattel slavery, child labor, long hours in dangerous, non-union, sweatshop conditions for starvation wages have been abolished, at least in some parts of the world, because fighters from previous generations refused to accept, "That's just the way it is". As rough as it can be out there, imagine what it might be like if previous generations had just accepted the status quo without any resistance. The best way to honor fighters from the past, some of whom gave their very lives in struggle for a more dignified existence, is to emulate their examples of resistance. It turns my stomach (and those martyrs most likely turn in their graves) when workers lie down like docile lambs willingly being led to slaughter, wasting our forefathers' past courageous sacrifices.

Another major problem with this recently concluded round of national negotiations was that as usual, rail labor was divided. It could be argued that the 3 bargaining coalitions signify some kind of progress vs 13 different unions negotiating individually, but that's simply BS. Anything less than one united bargaining coalition, of ALL of our unions, negotiating as one solid entity, on the principle that not one union settles until ALL unions settle, lacks even a shred of legitimacy. There isn't

one union leader who can look you in the eye and declare he/she is fighting for your best interests as long as they accept these established terms of engagement. RWU has called for such a national united bargaining coalition from our inception 10 years ago. It's a pretty simple and straight forward concept, and anything less than that is a sham and a fraud. I don't call it a joke because it's no laughing matter. Any union leader/official who does not utilize his/her bully pulpit and publicly demand that ALL rail unions unite to act as one, NOW, from this day forward, is not operating in good faith, in relation to the unions' publicly stated mission to effectively fight for our best interests. This is an indisputable fact, Jack! Railroad workers who continue to willingly accept this fraud, are guilty of aiding and abetting it. "Boo hoo hoo, the company's so mean to us, boo hoo hoo, the unions' not doing anything" isn't going to cut it. It is the responsibility and the duty for every rank & file rail union member to demand that our leadership unite and form a single, indivisible, and powerful coordinated bargaining coalition immediately!

As for all of the vitriol between rails who support the Democratic Party vs those who support the Republican Party, at our 2016 convention, RWU adopted the following resolution covering the controversial topic of electoral politics, which updated a previous resolution from 2012: RWU Resolution on the 2016 Elections – "Whereas, the current two major political parties in the U.S. - the Democrats and the Republicans - are closely aligned with big business, corporations and the wealthy as to be almost indistinguishable from one another; and...Whereas, as a result, organized labor - including rail labor - has few reliable friends in the U.S. government that can be counted on to actually stand up for working people and unions; and...Whereas, each election cycle, workers are all too often reduced to voting for "the lesser of two evils" as a result of this two-party corporate monopoly of our political system; Therefore, Be it Resolved that RWU calls for working people and their organizations - together with community groups, environmental organizations, consumer advocates, and others - to break with the two-party corporate dominated political system and explore other avenues, including, but not limited to, the founding of a new political party in order to achieve our goals.

Having debated pro-Democratic and pro-Republican co-workers since I first became aware of the need to break from the two-party con game back in 1980, I am more convinced than ever that far more unites us than divides us. We must decisively reject the narrative of the bosses, the politicians, and at times, the union leaders, as divisive and counterproductive if not fraudulent, and get on with the task of effectively crafting the unity and solidarity that is so urgently needed now, more than ever.

**Mark Burrows has served as Organizer and Co-Chair for Railroad Workers United. He recently retired after hiring out in 1974, working as an engineer for a combined total of 37 years for Chicago North Western and the Soo Line/Canadian Pacific in Chicago, Illinois. He continues to be an active member of RWU .**





## Editorial

### *Like Others since Chatsworth, CA, the Wreck of Amtrak #501 was Easily Avoidable*

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#### **Training, Rest, Qualifying**

The first place to look to better understand what might have gone wrong is to see if the train's crew was properly trained, and had in their grasp the "technical proficiency" to carry out the job safely and efficiently. Was the train crew provided with a schedule that ensured adequate rest and time off the job? Finally, is the question of "qualification." All conductors and engineers must – by law and company policy – be "qualified" on the physical characteristics over which they operate their trains. Once technically "qualified" – and this is crucial – crews should now be "familiar" with this territory. From what we have learned from preliminary reports, the crews were "group" qualified in a very unprofessional and slipshod manner which failed to render crews "familiar." John Risch, the national Legislative Director for the SMART Transportation Division, a rail union made up of engineers and trainmen, including Amtrak conductors, believes that, "All the railroads in the country, including Amtrak, do not require training like they should. Time and time again we have urged the railroads to allow more training trips before they go out, and they will say one or two trips is enough. It's a cost issue ... That's something that has been a problem."

#### **Adequate and Proper Staffing**

The major passenger train wrecks in the past decade in the United States include Metrolink #111 at Chatsworth, CA (2008); Metro-North #816 at Spuyten Duyvil, NY (2013); Amtrak #188 at Frankford Junction, PA (2015); New Jersey Transit Train #1614 at Hoboken, NJ (2016); and now this week's crash of Amtrak #501 at DuPont, WA (2017). Worthy of note in all five crashes is the fact that there was a lone operator in the cab of the locomotive. (Note: In addition, the worst freight train disaster in the history of Canada – MM&A Train #2 at Lac-Mégantic, QC in 2013 – was likewise in the charge of a single crew member). While the rail industry and its allies may discount this fact, it obviously is a question worthy of further consideration and investigation. Passenger jet airliners have two qualified and certified operators in the cockpit. Is it not time to consider that passenger trains might also require such staffing? (Note: In the case of the recent crash in Washington state, there was a second employee in the cab. But ironically, not only was this employee *not* a crew member and *not* qualified on the physical characteristics and therefore *not* aware of the upcoming speed restriction, his presence in the cab was potentially distracting to an engineer who himself was apparently poorly qualified and unfamiliar with the territory).

#### **Train Control Technology**

Following the Chatsworth wreck in 2008, Congress passed the Rail Safety Improvement Act (RSIA) which among other things, mandated that a sizable percentage of US rail trackage – including those tracks which were used by passenger trains – must be protected by a technology known as Positive Train Control (PTC) by the end of 2015. While the rail carriers dragged their feet on implementation, the number of potentially preventable wrecks have added up in recent years. Then in December of 2015, the rail carriers literally threatened to shut

down operations (and hence the country) if they were not granted an extension. Congress acted, and extended the deadline to the end of 2018, with possible extensions for yet another two years! Could many, most, or all of these wrecks have been prevented had PTC been in place? There is of course no way to know, but given the consensus on its capabilities, quite likely. But ironically, with or without PTC, off-the-shelf technologies known collectively as Automatic Train Control (ATC) has existed for a century, and is very effective at preventing such accidents like the one at DuPont, WA. In bygone days, it protected thousands of miles of mainline trackage in the U.S. but in recent decades has mostly been ripped out by rail carriers as a "cost-saving" measure.

#### **Lack of Infrastructural Commitment**

Today, railroads around the world have been making significant advances in efficiency, safety, and general infrastructure. Not so in the U.S. Railroads mostly continue to operate on gradients laid in the 19<sup>th</sup> century, full of curvature, steep grades, and other impediments to safe and fast operation. When upgrades are made, they are often inadequately funded, leading to unsafe conditions for employees, passengers and those living trackside. Unless and until this nation can make a commitment to advancing modern passenger train transportation through adequate and necessary funding, we will continue to lag behind the rest of the world, and continue to suffer tragedies like the one in DuPont, WA. One need only look to the example of the Japanese Bullet Train – the Shinkansen – which in its 50-plus year history, carrying over 10 billion passengers since 1964, has suffered no passenger fatalities due to derailments or collisions, even despite frequent earthquakes and typhoons.

#### **Conclusion**

The wreck on December 18<sup>th</sup> of Amtrak train #501 is yet another example of a needless tragedy, that has been – like others before it – in incubation, years in the making due to a myriad of irresponsible and reckless actions and attitudes on the part of the rail carriers, federal regulators, and Congress. While we might respect the expert analysis and conclusion of the NTSB, due in the coming months and years, we understand and appreciate the fact that the agency is limited to a tactical analysis of the latest wreck. Larger questions of ideology, policy, economics and politics generally do not enter that agency's equation when attempting to analyze the cause of this or that specific train wreck. But as railroad workers, we are free of those constraints, and as a result, have a more unobstructed view of the bigger picture. Rank & filers experience day-in-and-day-out the carriers' cynical view of safety, the push for profit, the demand for increased stock prices, the budget cutting, the recklessness, the total disregard for workers' lives. THIS is why Train #501 wrecked. THIS is why we continue to have Chatsworths, Lac-Mégantics, Frankford Junctions, and all the rest. It is time our society make a real commitment to modern, green, efficient, and safe rail transportation, and do what it takes to achieve it.



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Eugene V. Debs: “Industrial Unionism”, address at Grand Central Palace, New York City 12/10/1905

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