

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 DeMaître 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

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.