Two-Person Train Crews Legislation Advances in Numerous States

As this issue of The Highball goes to press (early April), the prospects for two-person train crew legislation at the state level are encouraging. With the rail unions of the operating crafts working together on this important issue, legislation in a number of states now appears promising.

Currently, there are now five states with legislation or regulation that requires trains that operate within the state to have a minimum of a 2-person crew: Wisconsin, California, West Virginia, and Arizona, and as of March 21st, Colorado.

States where a two-person crew bill has been introduced include: Maine, Massachusetts, North Carolina, Pennsylvania, Kentucky, Indiana, Missouri, Iowa, Kansas, Utah, Idaho and Nevada (12). Committee Hearings have been scheduled on pending legislation in Washington, Oregon, Nebraska, Texas, Minnesota, Illinois, Georgia and Maryland (8). All told, bills have been adopted, been introduced, or are advancing in fully one half of the states of the union.

Meanwhile at the national level, both unions of the operating crafts fully back the Safe Freight Act, HR1748. While it stands a chance of passage in the House, adoption in the Senate appears unlikely at this time. Even if adopted by both chambers, it seems likely that a Presidential veto would be inevitable. Nevertheless, momentum towards eventual passage appears to be building.

Meanwhile, the rail carriers will no doubt attempt to bargain a reduction in train crew size in the coming year or so. Should the Senate and the White House fall to control of the Democrats in 2020, the carriers might just see their dreams of single employee crews stymied. We expect a full court press in bargaining by the Class I carriers to achieve single employee train crew operations, whether in national handling or in “on-property” agreements in the next 18 months or so. If the resolve of the workers on both the BNSF and the W&LE are anything to go by, the rail carriers will certainly have a fight on their hands.

All railroad workers are encouraged to get on board with the effort in your respective states to get legislation passed. The more states we can win, the better chance we have to prevail at the national level when the time comes. Check out the RWU website for more information as we attempt to keep abreast of developments across the country during this legislative session.
Trainmen and Engineers Win Contract, Maintain Two-Person Crews at W&LE

In January, engineers and trainmen of the Wheeling & Lake Erie – members of BLET #292 - voted to approve a hard-fought for Tentative Agreement that was years in the making. For seven long years – and all told for more than a decade, members of both crafts have fought valiantly against the employer’s desire to implement single employee train crews. Their struggle attracted the support of RWU when both crafts struck the W&LE in October of 2013 (see The Highball, Fall 2013).

While the workers did not get all that they deserve, the contract represents a victory for rail labor. Running single-person trains was the pet issue of W&LE management for years, and in the face of determined resistance to the proposal by engineers and trainmen, the rail carrier backed down. A 79% majority of voting members ratified the engineers contract, with 80% of voting members voting in favor of the trainman contract. The overwhelming majority of workers in both crafts cast a ballot.

For seven long years the workers held out for this contract, having exchanged Section 6 notices way back in early January of 2012. The agreements for both crafts extend for seven years - until 2026 - and govern work rules, rates of pay, and health & welfare issues for the roughly 75 engineers and 130 trainmen.

BLET President Dennis Pierce acknowledged the contract vote, stating, “This is a significant victory for our members and for our Brotherhood.” Curiously however, in both the email communiqué from the BLET and the article in the Locomotive Engineer & Trainmen News, he failed to reference the centrality of the single employee crew issue in their struggle.

The W&LE is one of the larger “regional railroads” in North America, running trains on 840 miles of track in Ohio, Pennsylvania, West Virginia, and Maryland. The W&LE handles more than 140,000 carloads annually and interchanges with three Class I railroads (CSX, Canadian National and Norfolk Southern) and numerous smaller roads.

The significance of this victory cannot be underestimated. Due to their efforts, together with those of the trainmen on the BNSF (members of SMART GO-001) the rail carriers, large and small, have come up empty handed in their war on the two-person train crew. While we have managed to stave off the scourge of single employee crews for more than a decade, the rail carriers have not given up. Now with PTC coming online, we expect a full-frontal assault by the Class I carriers in the coming months and years. All railroaders should take courage from the heroic actions of our brothers on the Wheeling & Lake Erie. Their struggle has been our struggle. Now it is up to the rest of us!