‘Dear National Carriers Conference Committee and AAR’

The following is an abridged version of an open letter response to PEB #250, written by UP locomotive engineer, Michael Paul Lindsey II, that originally was published as a commentary in Railway Age, dated Aug. 24, 2022.

My name is Michael Paul Lindsey II. I am a 17-year employee of Union Pacific in Pocatello, Idaho. I would like to humbly contribute my opinion on the recommendations of Presidential Emergency Board #250, and to also thank you for clarifying a few critical industry stances that employees and regulators will use when they inevitably bring your industry to heel in the upcoming months and years.

Your organizations seem to completely miss several much larger points that I intend to expose. This dispute has never been an issue of simply dollars and cents, or one that can be resolved by a financial bribe to labor in the correct percentage amount.

A quote from page 32 of the PEB report states that, “investment and risk are the reasons for their profits, not any contributions by labor.”

In an attempt to justify this blatant insult, your organizations stated further that we are adequately paid and “do not share in the downside risks if the operations are less profitable, and have no claim to share in the upside either.” In an attempt to verify this claim, I have to ask what in the world I was doing when I left my home in California at the request of the railroad. Traffic was slow in 2007 and my seniority was not good. However, the railroad was hurting for employees in Pocatello and enticed me to permanently give up my seniority in Roseville and move to Idaho. When I took this risk, I had never even been to the state of Idaho, let alone the city. When I arrived at the beautiful red brick depot to serve the company, it was also my first view of the place that would become my permanent home. However, making such a leap of faith is not considered adequate risk, according to your statements to the PEB.

If I have no downside risk during less profitable times, what exactly was I doing when I was then furloughed for the better part of two years after the financial crisis of 2008? Apparently, making $7,000 during the entire year of 2009 at the Union Pacific wasn’t sharing in the downside risk enough.

What was I doing when I slept in my truck in railroad terminals in Nevada, Idaho and Utah, or rented a one-bedroom apartment in Grand Junction to work a local while my young wife stayed back at home? These were my downside risks during the most recent financial crisis, and the stories are repeated over and over again across all crafts and all of the railroads in countless states and terminals across the country. Your organizations are “too big to fail,” and we are not? So, I must ask, how much downside risk do you truly think you have? I would say that it is not really as big as you think. Labor has been the one group to make continuous and faithful sacrifices to support your downside risk, and by callously ignoring us, you have lost the loyalty of an entire generation of skilled, experienced workers.

Your organizations think that the PEB results are “fair and appropriate.” Money is all that matters to you. Humanity, families and community mean nothing. A fair and appropriate contract would address what matters to us: quality of life. At the end of the day, quality of life was the goal of this contract, not a 24% taxable pay increase that actually lowers our pay by 2% when adjusted for inflation.

Your employees are leaving because you don’t own us, and we are the largest stakeholders making a profit for your companies. We don’t invest bailout money and preferential loans given to your companies by the Federal Reserve. We invest our lives, our health and our only life on this world. We invest the childhood of our sons and daughters. We invest the youthful years of our spouses. We invest our years of good health to ensure that your trains move, that customers receive their cars, that your tracks are maintained, that the signal systems function, that locomotives, and rolling stock are safe and operational and that yards and territories are fluid and profitable. If that doesn’t represent a people worthy of reward for their investment, then you truly are lost.

We wanted a resolution to the oppressive attendance policies that force employees to show up to work sick and fatigued. The PEB remained silent and your organizations believe this is fair and appropriate. We wanted some sort of predictability to work/rest cycles. Yet this has not even been attempted. Instead, most railroaders’ work schedules are less predictable than ever as turns are dropped and employee shortages force us to sacrifice even more of our limited time. The PEB remained silent, and your organizations believe this is fair and appropriate.

The pay increase of 24% over 5 years is entirely taxable, and after adjusted for inflation represents a 2% loss in actual purchasing power. This also assumes that the inflation numbers are accurate.

But there is good news. If Congress goes ahead and imposes the results of the PEB upon us with zero quality of life improvements, rest assured that many thousands of our ranks will accept your back pay and then leave you to focus on your risk and investment profits. There seems to be nothing more quintessentially American than involuntary servitude, and therefore Congress thinks that it can impose it by legislative decree. But let me warn them that we are not indentured servants. We are not tied to the land or your railroad or your neo-feudal lords. The industry and regulators still seem to be tone-deaf to the fact that the game has changed. We can and will walk away permanently if our upcoming strike is not respected as the free market solution that it is.

Just think of it as an Embargo. Union Pacific should know all about embargoes, considering how often they embargo poor shippers for violating arbitrary standards. We are exercising our free market, capitalist right to embargo you. If you don’t like it, fire us, and go make your risk and investment profits.

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