It is High Time that North American Railroads be Taken into Public Control/Occupancy

In the Spring 2020 issue of this newsletter (see The Highball, Volume 12 Number 2 - Is it Time for U.S. Rail Workers to Consider Railroad Nationalization?), we suggested that it might possibly be time for railroad workers, and society in general, to consider the prospects of public ownership as a solution to the problems we face on the railroad. If we were not sure at that time three years ago, today we are certain: It is time for the railroads to be taken into public ownership and managed in conjunction with the workers themselves to the benefit of all, not just a handful of wealthy stockholders, hedge funds, and Wall Street elites.

A lot has happened since we penned that Editorial at the outset of the pandemic. Precision Scheduled Railroading (PSR) was taking hold on most all of the Class Ones and jobs in all crafts on all major carriers were being decimated. The pandemic would see the rail carriers cynically apply for - and receive from the Federal Railroad Administration (FRA) with multiple extensions - waivers of more than a dozen long-standing federal safety regulations, on the pretext that Covid created labor shortages could put movement of the nation's freight at risk. This while thousands of freight rail workers were in furlough status due to PSR cuts.

The railroad workers and the citizenry at large are fed up! There is an emerging consensus that something must be done to reign in the big railroads. Unions, community groups, political parties, environmental activists and rail advocacy groups are coming together to demand a solution, one that has been in hibernation for decades - public ownership of the railroads. It has been more than 100 years since "The Plumb Plan" advocated for government and worker control of the rail industry. Endorsed by the Railway Labor Act (RLA).

Then on February 3rd, a rail disaster of major proportion took place in East Palestine, Ohio, and the country was once again focused on the rail industry. The nation would soon learn even more about short staffing, lack of maintenance and maintenance personnel, the half-assed inspections of track and equipment, exhausted workers, and the unsafe conditions, practices, and procedures of the Class One carriers - all the stuff that railroad workers had warned about a few months earlier during the protracted national contract fight.

The citizenry would also learn more about the drawbacks of PSR, the failure to employ electropneumatic (ECP) braking, the record profits of the last 20+ years, the massive stock buybacks, the lack of capital investment, the "fetish of the Operating Ratio (OR)", the obstacles to Amtrak and passenger rail development and expansion, and perhaps most telling, the decline in freight traffic of the Class Ones - 21% less carloads moved in 2022 than in 2006! We would also learn about the long history of hundreds of millions of dollars in donations to politicians, along with the carriers' efforts to forestall or nix any and every attempt at federal regulation of the industry.

We have seen a decline in safety as the numbers of accidents and derailments has climbed - this in spite of the fact that there are now 30% fewer workers to be hurt on the job, there are less trains plying the rails to derail, and less freight is being moved. To add insult to injury, the rail carriers launched a series of attacks against its workforce due to its own self-inflicted staffing shortages, first in the form of NS working engineers out of work as conductors, and then in the form of the new BNSF “Hi-Viz” draconian attendance policy. In both instances, rail unions conducted strike votes of their membership but were enjoined from striking by federal judges citing both as “minor” disputes under the Railway Labor Act (RLA).

And all of this was just the warmup. Throughout this time period, the carriers made it clear that they had no intention of continuing to bargain once the Presidential Emergency Board (PEB) #250 had made its recommendations. Refusing to give in to not one paid day of sick leave, the big railroads played a game of brinksmanship with the unions and threatened to bring the freight rail system to a standstill rather than fork over sick time to its workforce. Bowing to the immense power of the Class Ones, federal elected reps of all political persuasions then blocked a strike by rail workers, clarifying who actually runs the government in the USA.

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