PIERCe ADDRESSES CONGRESS

Dennis Pierce, National President of the Brotherhood of Locomotive Engineers and Trainmen (BLET) and President of the Teamsters Rail Conference, urged members of Congress to support a national two-person crew law and asked them to block Mexican train crews from operating in the United States during a hearing before the U.S. House of Representatives on June 20, 2019.

Testifying before the House Subcommittee on Railroads, Pipelines, and Hazardous Materials at a hearing titled "The State of the Rail Workforce," President Pierce also strongly condemned the practice of Precision Scheduled Railroading (PSR) and the negative impact it has on railroad worker safety. Throughout his testimony, President Pierce was highly critical of the Federal Railroad Administration's failure to regulate railroad companies which has led to the industry becoming less safe than it should be.

Just seven days later after President Pierce's powerful testimony was delivered, the United States Senate acted by introducing a two-person crew bill. The Senate's "Safe Freight Act," a companion bill to H.R. 1748 in the U.S. House of Representatives, would promote railroader safety by mandating at least two-person crews on all freight trains in the United States. The bill was introduced by Senators Edward J. Markey (D-Mass.) and Ron Wyden (D-Ore.).

SENATE TWO-PERSON CREW BILL

According to a press release from Senator Marky's office: "The bill is designed to correct the Federal Railroad Administration's recent rollback of a proposed rule that would have established these necessary safety standards. The Safe Freight Act will specifically require that all freight trains have at least one certified conductor and one certified engineer on board, who can then work together to protect the safety of both the train and people living near the tracks."

Other Senators co-sponsoring the Safe Freight Act are Senators Richard Blumenthal (D-Conn.), Angus King (I-Maine), Elizabeth Warren (D-Mass.), Tina Smith (D-Minn.), Amy Klobuchar (D-Minn.), Sherrod Brown (D-Ohio), Dianne Feinstein (D-Calif.), and Jeff Merkley (D-Ore.).

"The FRA abdicated its responsibility under the moniker of Precision Scheduled Railroading (PSR)."

— DENNIS PIERCE,
IN HIS TESTIMONY TO CONGRESS ON JUNE 20, 2019

Two-person crew bills become law in CO & NV

The BLET scored major victories for railroad worker safety as two-person crew bills were signed into law in Colorado and Nevada. Colorado Governor Jared S. Polis signed his state's two-person crew bill into law on March 21, while Nevada Governor Steve Sisolak signed a similar measure in Nevada on May 15.

Shortly after passage of the Nevada two-person crew bill, the Federal Railroad Administration (FRA) withdrew its 2016 Notice of Proposed Rulemaking (NPRM) that would have established a minimum crew size of two members on most railroad operations. The FRA also contends that the withdrawal preempts all minimum crew size laws at the state level. In a joint statement with SMART TD on May 24, BLET National President Dennis Pierce said the FRA's actions would not go unchallenged.

These two-person crew laws represent significant legislative victories for all railroaders, especially our hard working engineers and train crews," President Pierce said. "In the event of an emergency situation, a lone crew member cannot properly assess the situation, secure the train, notify all necessary emergency responders and take other steps to mitigate the emergency in a timely manner."

President Pierce thanked Colorado State Legislative Board Chairman Paul Pearson and Nevada State Legislative Board Chairman Matt Parker for their hard work in testifying in favor of these bills and lobbying for their passage. "Brother Pearson and Brother Parker have performed admirably in their work to secure passage of these bills, which will make railroads safer places to work," President Pierce said. "I hope other state governments will follow their lead in adopting similar railroad safety laws."

COLORADO TWO-PERSON CREW BILL

The Colorado bill reads in part: "The general assembly hereby finds, determines, and declares that it is in the public interest to require that a common carrier engaged in the transportation of freight by railroad have multiple crew members aboard a railroad train or light engine in order to help ensure the public safety of citizens of this state and the safety of the state's waterways and natural environment."

According to Chairman Pearson, House Bill 19-1034 was introduced in the Colorado House of Representatives on January 4, 2019, shortly after the opening of the first regular session of the 72nd Colorado General Assembly. Prime sponsors of the bill were Representatives Tom Pedigo and Aneéce Peterson, with the bill being assigned to the Committee on Transportation. On February 27, the bill returned from a hearing in committee with a hearing held on March 4.

Continued on page 7

Colorado News Flash Corruption and Fraud

The BLET scored a major victory in the fight against corruption as a BLET member was convicted of fraud.

Off-Duty Tragedy

BLET member killed in Ohio car crash

The BLET scored a major victory in the fight against corruption as a BLET member was convicted of fraud.

Off-Duty Tragedy

BLET member killed in Ohio car crash
The State of the Rail Workforce

FRA NEEDS TO DO ITS JOB, PSR AND LONGER TRAINS A DANGER TO WORKERS, PUBLIC

BLET President’s Message by Dennis R. Pierce

Good morning, Chairman Lipinskis, Ranking Member Graves, and Sub-committee Members. I appreciate the opportunity to appear this morning, and thank Chairman DeFazio for inviting me to testify, and for his and Ranking Member Graves’s leadership of the T&I Committee. My name is Dennis Pierce. I am proud to be the National President of the oldest union in North America — the Brotherhood of Locomotive Engineers and Trainmen — and the President of the Teamsters Rail Conference.

What is The State of the Rail Workforce? I unfortunately must report to you that — while rail worker productivity has never been better and Class I railroads have enjoyed multi-billion-dollar profits for many years — employment levels are headed in the other direction, with hundreds — if not thousands — of furloughs. Some of this may be due to a modest downturn in traffic headed in the other direction, with hundreds — if not thousands — of furloughs.

Equally concerning is FRA’s mandated fatigue mitigation programs in 2008 — but FRA still hasn’t finalized that regulation. This Committee should act to ensure that meaningful steps are taken to mitigate fatigue as Congress commanded 11 years ago. Equal to the problem is FRA’s refusal to address the longer trains that are a cornerstone of PSR. With the increased use of Distributed Power locomotives — extra locomotives in the middle and rear of trains, controlling and operating trains that are several miles long. This push for longer trains with fewer crews has reached a breaking point. The limits of telemetry that allows an engineer to control the rear of a train from the head end are being exceeded, and in-train communications losses are becoming commonplace. A blockage in a train’s brake system and a communications loss can have catastrophic results, yet FRA does nothing to address the situation.

At the forefront of the public debate today is train crew size. The industry argues that technology has made the two-person crew obsolete, and a job should be eliminated. No technology is designed to prevent all accidents, particularly low speed collisions, or most highway crossing accidents. And there is no technology that can replace the safety benefits of having two crew members on a train during operations, or in the event of a derailment, accident or breakdown.

The previous Administration initiated a rulemaking to require two crew members on certain freight trains, but the current Administration just discontinued the proceeding and is attempting to override all State crew size laws. To ensure the safety of rail workers and the general public, we urge you to pass H.R. 1748 — The Safe Freight Act of 2019 — which has been sponsored by Congressmen Young and has over six dozen bipartisan cosponsors.

Finally, I want to talk about a front-burner issue involving BLET members in Laredo, Texas, that threatens to extend well beyond that area. Beginning in 1920 American crews picked up and delivered international freight traffic at the U.S.–Mexico Border on the International Bridge. Last July, our crews were replaced by Mexican crews employed by a Mexican carrier in the operation between the Bridge and Laredo Yard.

This is a very complex dispute, which has been and is being contested in a number of forums. For your purposes, it is important to understand that Mexican law, preserved in NAFTA, requires that in rail operations in Mexico, all “railway crew members must be Mexican nationals.” When our crews were replaced, we asked the White House to intercede; we’ve yet to receive a response. We also requested that U.S. Trade Representative Lighthizer insist on a reciprocal provision in the pending USMCA; he didn’t do so.

This Congress can do what the Administration hasn’t — protect the jobs and safety of American workers. We seek legislation that mirrors the protection Mexican workers enjoy in their country … a law that says: “Trains originating in Mexico may only be operated by crews comprised entirely of citizens or nationals of the United States.”

Despite the difficulties I have talked about today, America’s rail workforce provides the best railroad transportation in the world. The data is in my written testimony, as are greater details of what I’ve highlighted this morning.

Thank you for your time and attention.

Dennis R. Pierce
BLET National President

The following is a transcript of the oral testimony delivered by BLET National President Dennis R. Pierce before the House’s Subcommittee on Railroads, Pipelines, and Hazardous Materials at a hearing titled “The State of the Rail Workforce” on June 20, 2019.

BLET Editor’s Note:

Official communications between BLET members and the National Division require a hard copy of the correspondence, bearing a signature, being received by the National President to be considered an “official communication.” This is to provide that the actual question(s) are addressed, and ensures that when official interpretations are made they have reference to a specific request and can be used in future correspondence.

The volume of e-mails received makes it impossible for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National President will be reviewed and forwarded to the appropriate officer or staff for a timely response; however, an e-mail message is not considered an official communication.

Moreover, anonymous e-mails and e-mails that do not provide sufficient information concerning the sender to enable National Division staff to confirm the sender’s membership status will not receive any reply or acknowledgement. This policy is intended to allow the National President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member’s unofficial communication, if a response is necessary, without needlessly expending limited BLET resources.

Adopted at Cleveland, Ohio on July 22, 2008.
The Teamsters know a little something about infrastructure. Approximately 600,000 of our members drive the nation’s roadways as part of their job. And we have thousands of members who work on railroads and aircrafts delivering passengers and goods to their final destinations.

These same workers have witnessed firsthand the decline of the nation’s transportation network. Crumbling roadways and bridges, cracked rails and overcrowded airports and public transit systems plague travelers and commuters from coast to coast, endangering the lives and livelihoods of millions of Americans. The U.S. economy suffers because of it.

For years, the Teamsters have led the charge in the call for a substantial increase in infrastructure investment. So this union was encouraged earlier this year when President Trump, House Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer announced a preliminary $2 trillion agreement to do just that. But we also know there is still plenty of work to do to get it done. This is a problem that can no longer be ignored. The American Road & Transportation Builders Association (ARTBA) last month released its annual report on the state of America’s bridges, showing that slightly more than 47,000 of the nation’s 616,000 spans were rated structurally deficient and are in need of urgent repairs. It also showed that the pace of repairs fell last year, resulting in only a 1 percent reduction of deficient bridges. It’s a continuation of a trend that began five years ago, when the pace of bridge improvements began to slow down. Incredibly, at this point, it would take more than 80 years to make the significant repairs needed to these structures.

But the nation’s transportation ailments go beyond bridges. The most recent American Society of Civil Engineers infrastructure report rated it a D+, with roads and public transit pulling up the rear with D and D- grades, respectively. These are the challenges that President Trump and congressional leaders are going to have to come together to solve when they meet again in the days to come. More funds will be necessary to get it done. The importance of doing so, however, cannot be dismissed. The gains from making such investments go beyond the better infrastructure. Rebuilding, repairing and reinvestment is also about rebuilding and re-pairing the trust between government and workers by reinvesting in the people that have and can continue to make this nation great. Better pay will lead to more spending and improve our quality of life. That way everyone wins.

There was a time when building roads and rails weren’t just political issues — they were American values, something everyone could support. The leadership in Washington, D.C. has an opportunity to return to that era right now. It’s an opportunity to break political gridlock.

Take it from the Teamsters’ membership — transportation needs elected officials’ immediate attention! Now it’s time to finally make it happen.

Fraternally,

James P. Hoffa
Teamsters General President

Fack reelected Oklahoma State Legislative Board Chairman

Brotber D. Craig Fack, a member of BLE Division 578 (Tulsa, Okla.), was reelected Chairman of the Oklahoma State Legislative Board during its quadrennial meeting held April 25-26, 2019. A BNSF Railway locomotive engineer, Brother Fack has held continuous membership in the BLE since 2006. He began serving the Oklahoma State Legislative Board as Secretary-Treasurer in 2009.

Brother Lonnie G. Pitner of BLET Division 523 (Chickasha, Okla.) was reelected Secretary-Treasurer, a position he has held since 2012. A Union Pacific locomotive engineer, Brother Pitner has held continuous membership in the BLE since 1996. Elected to serve as trustees were: Chad A. Gambel, Division 604 (Maddill, Okla.); B. Shane Wooten, Division 569 (Hewitt, Okla.); and Ryan D. Ray, Division 141 (Oklahoma City, Okla.).

BLET Vice President and National Legislative Representative John Tolman represented the BLE National Division at the meeting. Additional BLE guests included: General Chairman Jeff Thurman, BNSF (former STL-SF) General Committee of Adjustment (GCA); General Chairman David Spradlin, Kansas City Southern GCA; and 3rd Vice General Chairman Kyle King, BNSF (former STL-SF) GCA.

“Congratulations to Brother Fack and all officers of the Oklahoma State Legislative Board,” BLE National President Dennis R. Pierce said. “I thank them for their service to our Brotherhood, and I have every confidence they will do an excellent job representing the interests of our Brothers and Sisters in the proud state of Oklahoma.”

The BLE’s Oklahoma State Legislative Board represents approximately 900 active and retired members from six BLE Divisions.
Gary Pedigo re-elected Texas State Legislative Board Chairman

The BLET's Texas State Legislative Board held its 15th quadrennial meeting from April 7-11, 2019, in Austin, Texas. Brother Gary R. Pedigo, BLET Division 177 (Denton, Texas), was reelected to his second term as Chairman. Brother Pedigo was elected Second Vice Chairman of the Texas State Legislative Board's 15th quadrennial meeting in 2011, and then Chairman at the 14th quadrennial meeting in 2015. A Union Pacific locomotive engineer, Brother Pedigo has held continuous membership in the BLET since January 1, 1979. According to the Texas SLB Bylaws, terms of office for all newly elected officers begin on June 1.

Brother Benjamin L. Wright, Division 189 (Fort Worth, Texas), was elected to his second term as 1st Vice Chairman. Brother Larry J. Williams, Division 944 (Dallas, Texas), was elected to his first term as 2nd Vice Chairman. Brother Scott J. Pinkarski, Division 601 (Fort Worth, Texas), was elected to his third consecutive term as Secretary-Treasurer. Elected to serve as alternate officers were: Alternate 2nd Vice Chairman W.B. (Bryce) Dondero, Division 573 (Greenville, Texas); and Alternate Secretary-Treasurer J.T. (Tye) Airthart, Division 944 (Dallas, Texas).

Elected to serve as Trustees were: Ryan F. Melconian, Division 62 (Houston, Texas); Joseph A. Walker, Division 775 (Victoria, Texas); and Guadalupe V. Rodriguez, Division 566 (Del Rio, Texas).

Representing the BLET National Division at the meeting were: National President Dennis R. Pierce; First Vice President E. Lee Pruitt; Vice President & National Legislative Representative John P. Tolman; National Vice President Michael D. Priester; National Vice President J. Alan Helder; Director of Regulator Affairs Vincent S. Verna; and Director of Political and Legislative Affairs Robert F. Hagan.

On behalf of the National Division, I congratulate Brother Pedigo and all officers of the Texas State Legislative Board, and President Pierce said. “I also thank them for their service to our Brotherhood.”

Guests included General Chairmen who represent Texas BLET members, including: Jeff Thurman, BNSF (former STL-SF); Dana Marlow, Union Pacific-Southern Region GCA; and First Vice President E. Lee Pruitt; General Chairman GCA; and David Spradlin, Kansas City Southern GCA; and David Spradlin, Kansas City Southern GCA.

Chairmen of neighboring State Legislative Boards were also in attendance, including Arlin Todd, Louisiana State Legislative Board Chairman; Wayne Denson, Arkansas State Legislative Board Chairman; and Craig Fack, Oklahoma State Legislative Board Chairman.

On April 11, members of the Texas State Legislative Board lobbied on behalf of the state's two-person crew bill, H.B. 742, at the State Capitol in Austin. Texas AFL-CIO President Rick Levy and SMART TD State Director Kammron Saunders addressed the group before the start of the lobbying effort to discuss issues affecting railroad workers.

The Texas State Legislative Board represents more than 3,200 active and 1,600 retired members in 41 Divisions.

TWO-PERSON CREW

Continued from page 1

Sullivan and Danaya Egger, both strong friends of labor and both endorsed by the BLET Colorado State Legislative Board. After second and third readings on the House floor, the bill was passed from the Colorado House to the Senate, where it was assigned by Senate President Leroy Garcia to the Transportation and Energy Committee. Senator Garcia was the sponsor of similar rail safety legislation in 2016, and he has been endorsed by the BLET Colorado SLB many times over the years. Senator Jesse Daniels was the prime sponsor of the Bill in the Senate. Brother Pearson testified in favor of the bill before both House and Senate Committee hearings, and it was approved for the Governor's signature on March 11.

NEVADA TWO-PERSON CREW BILL

Brother Parker thanked the bill’s primary sponsors, Assemblywomen Susie Martinez and Maggie Carlton, as well as Assemblywoman Shea Backus, who is one of two co-sponsors. Brother Park- er noted that Assemblywoman Marti- nes is a fellow Teamster and member of Local 986, while Assemblywoman Backus is a private-practice attorney with knowledge of the Railway Labor Act. He also recognized Assemblyman Richard Carrillo for co-sponsoring the bill. Carrillo’s father was a career rail- road employee on the Santa Fe and has always been a great friend to the BLET regarding the union’s issues.

“Elections have consequences, and the support we received is definitely an example of electing the right people,” Brother Parker said. “Elections have consequences, and the support we received is definitely an example of electing the right people,” Brother Parker said.
Dave Brown reelected Minnesota State Legislative Board Chairman

David K. Brown was reelected by acclamation to his fourth term as Chairman of the Minnesota State Legislative Board at its 28th Quadrennial Meeting in Bloomington, Minn., April 28-May 1, 2019. Brother Brown is a member of Division 517 (St. Paul, Minn.) and has nearly 48 years of service with the BNSF Railway. He hired out with the BN in September 9, 1971, and first joined the Brotherhood on December 1, 2002. He was first elected to the office of Minnesota State Legislative Board Chairman in 2007, and was reelected by acclamation at subsequent meetings in 2011 and 2015.

Delegates also elected the following officers for four year terms: 1st Vice Chairman Joel Mueller, Division 9 (Waseca, Minn.); 2nd Vice Chairman John Toth, Division 517 (St. Paul, Minn.); Secretary-Treasurer Mark Anderson, Division 333 (St. Paul, Minn.); and Alternate Secretary-Treasurer Boyd Schernbeck, Division 357 (Minneapolis, Minn.).

Elected to serve as Trustees were: Tom Gassor, Division 369 (Minneapolis, Minn.); Tom Moder, Division 163 (Proc- tor, Minn.); and Boyd Schernbeck, Division 357 (Minneapolis, Minn.). Elected to serve as Alternate Trustees were: Jason Perkovich, Division 768 ( Thief River Falls, Minn.); Chad Roehrich, Division 27 (St. Cloud, Minn.); and Dan Haaschold, Division 202 (Dilworth, Minn.).

Representing the BLET National Division at the meeting were: Dennis R. Pierce, National President; E. Lee Pruitt, First Vice President; John P. Tolman, Vice President and National Legislative Representative; Dick Crow, National Division Trustee and General Chairman, Union Pacific-Northern Region GCA; Vince Verna, Director of Regulatory Affairs; and Bob Hagan, Director of Political and Legislative Affairs.

“I am happy to congratulate Brother Dave Brown and all officers of the Minnesota State Legislative Board and thank them for their service to our great Brotherhood,” President Pierce said. “Led by Brother Brown, these Brothers have done a great job of representing the interests of our membership in Minnesota, and have exerted a tremendous amount of effort over the last few years to secure a minimum train crew size requirement in the state legislature. I thank them for their perseverance and dedication.”

Numerous BLET State Legislative Board Chairmen were in attendance, including: B.J. Trumble, Michigan; Shane Hubbard, Indiana; Chuck Schultz, Wisconsin; Tyler Jones, Kansas; Calvin Groose, Missouri; and Pat Pfeifer, Nebraska. Also in attendance was Becky Schneider, who represented the BLET Auxiliary as National 3rd Trustee.

BLET State Legislative Board Chairmen and the BLET National Legislative Office at the 2019 Minnesota State Legislative Board quadrennial meeting.
Brother Patrick T. Driscoll was reelected as General Chairman of the Conrail SSA/CSXT-Northern District GCA. Driscoll, who represented Division 382 (Buffalo, N.Y.) and serves as Alternate Officer, was elected by acclamation during the Conrail SSA/CSXT-Northern District GCA’s quadrennial meeting in Buffalo, N.Y., May 19-21, 2019.

In his second term as General Chairman of the Conrail SSA/CSXT-Northern District GCA, Driscoll will serve as General Chairman for the Conrail SSA/CSXT-Northern District GCA’s quadrennial meeting in Buffalo, N.Y., May 20-21, 2019.

In 2015, Brother Driscoll was elected to his first full term as General Chairman. In 2015, Driscoll was elected by acclamation to serve as Fifth National Vice President, a position that he held from January 1, 2015, following the election of former General Chairman James P. Louise to the office of National Vice President. He was elected to his first full term as General Chairman at the GCA’s quadrennial meeting in May of 2015. In 2018, Brother Driscoll was elected by acclamation to serve as Fifth National Vice President at the BLET’s Fourth National Convention in Las Vegas.

Also elected by acclamation were: Secretary-Treasurer Christopher R. Eleczko, Division 106 (Syracuse, N.Y.); 2nd Vice General Chairman Michael T. McCrorey II, Division 382 (Buffalo, N.Y.); and 3rd Vice General Chairman Mark S. Krajezki, Division 46 (Albany, N.Y.). Elected to serve as alternate officers were: Alternate Vice General Chairman F. “Phil” Burgos Jr., Division 601 (Newark, N.J.); and Alternate Secretary-Treasurer Thomas R. Fay, Division 382 (Buffalo, N.Y.).

Appointed to serve as Trustees were: Phil Burgos, Division 601; Mike McCrorey, Division 382; and Erin S. Patterson, Division 3 (Cleveland, Ohio). Representing the BLET National Divisions at the GCA’s quadrennial meeting were: National President Dennis R. Pierce; National Vice President Jim Louis; National Vice President Alan Holdcraft; Director of Bylaws Administration John Fink; Special Representative and Director of Mobilization Eastern Region Matt Kronyak; and Special Representative Rich Bartela. Brothers Fink, Kronyak and Bartela are members of BLET Divisions belonging to the Conrail SSA/CSXT-Northern District GCA.

“I am proud to congratulate Brother Driscoll and all officers of the Conrail GCA,” President Pierce said. “I thank these Brothers for continuing to serve our Brotherhood and I have every confidence they will do an excellent job of protecting the rights and interests of our members.”

Brother Driscoll has been an officer of Division 382 since 2000. He was elected Local Chairman in 2006, 2009 and 2012. He has served the GCA as Vice General Chairman and Alternate General Chairman. In 2014, he served the National Division as a member of the Bylaws Committee at the Third National Convention in 2014, and as a member of the Arrangements Committee at the Fourth National Convention in 2018. Brother Driscoll also serves as Secretary-Treasurer of the BLET’s Eastern General Chairmen’s Association.

The Conrail SSA/CSXT-Northern District GCA is comprised of 13 different BLET Local Divisions on two properties (Conrail Shared Assets and CSXT Northern District) and represents approximately 1,400 active and retired members.
its planned two-person crew rule makes no sense, especially in light of recent rail accidents,” said Senator Wyden. “This is a matter of safety and security for rail crew and the public, and experts agree. It’s now up to Congress to step in and require freight trains have the staffing required to keep folks safe.”

PIERCE CONDEMNS PSR

Even though railroad workers are more productive and efficient than ever before, an increasing number are being furloughed as the rail industry cuts to the bone and compromises safety in order to pursue increased profit margins under the moniker of Precision Scheduling (PSR).

“What is The State of the Rail Workforce? I unfortunately must report to you that — while rail worker productivity has never been better and Class I railroads have done multi-billion-dollar profits for many years — employment levels are headed in the other direction, with hundreds — if not thousands — of furloughs,” President Pierce said.

The PSR management style is neither precise nor scheduled, as President Pierce pointed out. It is impossible for railroad workers to receive scheduled on-duty times or accurate train lineups that predict work start times, which contributes to fatigue.

“(Unfortunately, the quality of many Class I train lineups has become another victim of the PSR mentality,” President Pierce testified. “As a result, train crews are routinely called to go to work, unable to obtain meaningful rest, all because the employer-provided prediction for their next work shift was completely inaccurate. Put yourself in this proverbial Catch-22 — if I tell them I am too tired to work safely, I could be terminated. The days of this treatment must come to an end.”

President Pierce also condemned railroad company attendance policies, which are counterproductive to safety and health, and to mitigate employee fatigue. “And many Carriers have implemented draconian attendance policies, forcing employees to report to work even when not fully rested due to poor predictability. Forcing employees to work fatigued in order to avoid discipline endangers both the workforce and the general public,” he said.

FRA WON’T REGULATE

President Pierce said that the Rail Safety Improvement Act of 2008 mandated the FRA to implement fatigue mitigation regulations, but nothing has been done in that regard for more than a decade. Such fatigue mitigation regulations could have provided a useful tool in combating the Class I’s PSR mentality but the FRA still has not finalized a regulation on the RSIA mandate. President Pierce urged lawmakers to act instead.

“Trains originating in Mexico may only be operated in the United States by crews of the United States.”

President Pierce also commented on the FRA’s attempt to preempt State laws that make any railroad worker a bona fide employee of the United States. “The FRA has attempted to ‘negative pre-empt’ all State laws that make any railroad worker a bona fide employee of the United States.”

IN CONCLUSION

President Pierce concluded his testimony by praising all hard working locomotive engineers and trainmen throughout the United States. “Despite the difficulties I have talked about today, America’s railroad workforce provides the best railroad transportation in the world,” he said.

Peter DeFazio (D-OR) serves as Chair of the House Committee on Transportation, and Hazardous Materials.

Additional witnesses at the June 20 hearing included: John Previsich, President, SMART Transportation Division; Jerry C. Boles, President, Brotherhood of Railroad Signalmen; Andrew W. Sandberg, Assistant to the President, Directing General Foreman; Ian Jeffrey, Amtrak Police Fraternal Order of Police Labor Committee; Ronald L. Batter, Administrator, Federal Railroad Administration; and Ian Jef- feries, President & CEO, Association of American Railroads.

A copy of President Pierce’s testimony is available on the BLET website: www.blet.org/pr/pdf/ 2019-06-20_SR_Subcmte_BLET_ Pierce_FINAL.pdf

“Two-person crew training goals must be met by creation of two-person crew training programs, and the FRA must monitor and enforce the goals.”

Above: View from the guest gallery during the June 20 hearing. Below: Witnesses seated at the table, from left: President Pierce, SMART TD President John Previsich, and Brotherhood of Railroad Signallers President Jerry C. Boles. Observers in the background include Vince Verna, John Tolman and Bob Hogan of the BLE’s National Legislative Office.
BLET member killed in off-duty car collision

LEF Member David V. Sayson of Division 563 (Youngstown, Ohio) was killed in an off-duty automobile collision in Springfield Township, Ohio, on May 30, 2019. He was 48 years old.

According to police reports, a 20-year-old driver fell asleep at the wheel and traveled left of center, striking head-on with Brother Sayson's vehicle. The 20-year-old, survived, but Brother Sayson was rushed to the hospital and pronounced dead at an urban trauma center.

Brother Sayson hired with Conrail in 1994, then moved on to Norfolk Southern where he earned promotion to locomotive engineer. He held continuous membership in the Brotherhood since January 1, 2011.

According to Timothy M. Lavett, BLET's Penn- sylvania State Legislative Board Chairman, Board Member, Brother Sayson worked out of Con- way, Pa., for many years before he recently moved away to Youngstown.

"Brother Sayson leaves behind a lot of friends in Youngstown and at met- oniminal in Conway," Brother Lavett said. "He loved his job and was qualified in so many areas. He developed many loving and sup- portive friends with his railroad family over the 25 years of loyal service."

Brother Sayson is survived by his wife, body, and three children: sons Dominic and Dante, and daughter Olivia. He is also survived by his parents, Vincent and Shedda Sayson, his broth- er and one sister, and numerous inlaws, aunts, uncles, nieces, nephews and cousins.

Funeral arrangements will be held at the location on June 7.

"This is a heartbreaking tragedy and a ter- rible loss to all who knew and loved Brother Sayson," BLET National President Dennis Pierce said. "On behalf of the BLET National Division, extend our most heartfelt condolences to Broth- er Sayson's family and friends."