



Brotherhood of Locomotive Engineers and Trainmen Denounce One-Person Train Operations; Rail Companies Put Cost-Cutting Ahead of Public Safety

Official Statement of BLET National President Dennis R. Pierce

CLEVELAND, July 19 — The following is the official statement from Dennis R. Pierce, National President of the Brotherhood of Locomotive Engineers and Trainmen regarding the danger to public safety that one-train operations represent.

“As the residents of Lac-Megantic, Quebec begin to rebuild their lives and their town in the aftermath of the horrific catastrophe that occurred on July 6, the Brotherhood of Locomotive Engineers and Trainmen (BLET) extends our most heartfelt sympathy to those who are now enduring something that is, unfortunately, all too familiar to the membership of the BLET. Out of respect for those grieving, we have withheld formal public comment on this tragedy up to now.

“However, because the attention of the media has turned to various issues that may have contributed to the tragedy in an effort to make sense out of the senseless, I can no longer be silent. To be clear, the BLET represents train and engine service employees on the Montreal, Maine & Atlantic Short Line Railroad (MMA) in the United States only. Although nearly all of MMA’s employees were laid off due to the interruption of rail traffic following the horrific accident, this mass layoff is not the reason I am commenting today.

“Furthermore, consistent with our organization’s long-standing policy regarding open accident investigations, I will not comment on the accident itself nor will I speculate on the actions that may have contributed to that terrible tragedy. However, I am compelled to clearly state our organization’s position regarding one-person train operations, our ongoing struggle to prevent its spread, and why this issue matters to everyone.

“Over a 25- to 30-year period that began in the late 1960s the size of over-the-road freight train crews on Class I Railroads was reduced from five or six to two, primarily due to the introduction of new technologies. Today’s Class I two-person freight train crew, comprised of an engineer and a conductor, work as a finely-coordinated team; each having clearly defined responsibilities that ensure their safety and that of the public.

“During the past 20 years, numerous railroads, both Class I’s and short lines, have pursued the introduction of single-person operation of these trains. All of the safety advantages of the current crew consist — observation of both sides of trains for defects, dual-sided vigilance at road crossings, separating trains to maintain open road crossings, someone to stop the train should the en-

gineer become disabled — simply disappear in a single-person operation. A fair analogy would be if the airline industry wanted to remove the first officer from the cockpit because the captain has computer systems onboard to assist him or her in flying the aircraft.

“The Brotherhood of Locomotive Engineers and Trainmen, and its predecessor, the Brotherhood of Locomotive Engineers (BLE), has steadfastly opposed and condemned single-person operations as adverse to worker and public safety, and I reaffirm that condemnation now. That said, all involved must understand that as things stand today, there are only two ways to end one-person train operations, 1) federal laws or regulations that outlaw this dangerous practice, and, 2) collectively-bargained contract language that requires two crew members on every train.

“As just one example of the regulatory battle over crew size, in response to a March 4, 1996 derailment of a Wisconsin Central freight train in Weyauwega, Wis. — in which 14 derailed propane tanks forced the evacuation of 2,300 residents for 19 days within a two-mile radius of the crash — BLE became a primary sponsor of a law adopted unanimously by both chambers of the State Legislature that requires a two-person crew on all freight trains operating in the state (<http://www.ble-t.org/pr/archive/wisconsinlaw.html>). However, neither the Department of Transportation, the Federal Railroad Administration, nor any other branch of the federal government has been willing to impose any federal law or regulation that would protect the public from the dangers of trains crossing the country with only one crew member there to ensure their safety.

“On the contractual front, it is the nation’s short line railroads, such as the MMA, that are leading today’s charge towards one-person train operation. For example, in the bargaining round prior to the negotiations currently underway, BLET members on the Wheeling & Lake Erie Railway (WLE) were denied wage increases for eight years because of that carrier’s stubborn, and ultimately unsuccessful, insistence on a contractual ‘right’ to operate single-person operations at its whim (<http://www.ble-t.org/pr/news/newsflash.asp?id=4647>). Current negotiations are again at impasse due to the WLE again demanding this ‘right,’ and BLET’s refusal to grant it.

“And a similar situation exists today on the Western New York & Pennsylvania Railroad, (WNYP) where BLET is negotiating its first contract since gaining bargaining rights for the engineers and trainmen on that railroad. The parties have been at loggerheads over one-person operations for nearly five years (<http://www.ble-t.org/pr/news/newsflash.asp?id=5315>). Unfortunately, it is another government agency, the National Mediation Board, which stands in the way of public safety on the WNYP. BLET has officially requested to be released from the mediation required under the Railway Labor Act, and is willing to exercise the self-help provisions of the act, rather than agree to a contractual provision that allows unsafe one-person train crews to continue. However, the NMB has ignored those requests, and by doing so, is allowing the WNYP to continue to run one-person train crews they ran prior to BLET’s involvement.

“These are not anomalous situations. In fact, on several short line railroads where the BLET has stood firm on crew size, the carriers have taken to mass hiring of hand-picked people in an effort to stampede workers into decertifying the union as the collective bargaining representative.

“The industry will no doubt argue that our position is driven by our desire to preserve ‘unneeded’ jobs, but the reality is that — no matter how many members the BLET has — I have not succeeded at my job if I cannot get every BLET member home safely and ensure the public safety at the same time. Such a rejoinder also begs the question how we came to be in this position.

“In reality, the issue of freight train crew size is just one symptom of a much bigger problem: the inability or the unwillingness of government to regulate business in the interest of worker and public safety, and the unwillingness of government to allow the union to exercise of self help to resolve its contractual disputes. The answer to the question ‘Why was Ed Burkhardt operating trains with a single crew member?’ is ‘Because he can.’ The issue is no more complicated than that.

“The fact of the matter is that government is increasingly afraid of taking to take any action that some business, somewhere, will oppose, and this problem has become worse in this era of multinational corporations. When it comes to safety, this nation’s railroads are bound by federal regulations, but rarely do they go beyond those regulations when they would conflict with the bottom line.

“When a cross-border carrier finds a more corporate-friendly safety regulation in Canada than in the U.S. that railroad will petition the Federal Railroad Administration to apply the Canadian regulation, and vice versa, and the other railroads will later jump on the bandwagon for the sake of ‘regulatory consistency.’ When an issue — like freight train crew size — is completely unregulated at the federal level, then railroads will do whatever maximizes profit.

“This is not new; in 1883, when questioned by a reporter about the discontinuance of an express mail train that was popular with the public, New York Central Railroad magnate and Robber Baron William Henry Vanderbilt responded ‘The public be damned!’ One hundred thirty-three years later, the sentiment of Ed Burkhardt and much of big business is often no different.

“Viewed through the prism of regulatory timidity, the only difference between Lac-Megantic and the May collapse of the garment factory in Bangladesh that killed over 1,100 workers is that Lac-Megantic is much closer to home, and shares a common culture with us. We are doomed to endure more unnecessary tragedy in the future so long as government fails to fulfill its responsibility to the safety of workers and the public.

“I today call on the White House, the Congress, and any regulatory body of the federal government with the authority to do so to take action to protect the safety of railroad operating crews and the public by putting an end, once and for all, to the inherently unsafe single-person operation of freight trains.

“I also invite my counterparts in the International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers — formed by the merger of the United Transportation Union and the Sheet Metal Workers International Association — to join BLET in a nationwide effort to end single-person operations, be it through federal law or regulation, or collectively-bargained contract language. Whether we work alone or with others, BLET will continue its struggle on behalf of BLET members for their safety and that of the general public.”