



Railroad Workers United

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The Rank & File in Action!

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Press Release

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Railroad Workers United Supports a Strong Two-Person Train Crew Rule

The cross-craft rail group Railroad Workers United (RWU) commends the Federal Railroad Administration (FRA) and the Department of Transportation (DOT) for issuing a Proposed Rule on July 27th, 2022, requiring a minimum of two train crewmembers for over-the-road railroad operations. FRA Administrator Amit Bose stated, "In cases where railroads wish to operate with fewer than two crewmembers, we propose that they perform a rigorous, thorough, and transparent risk assessment and hazard analysis, and FRA will provide an opportunity for public comment on these submissions."

According to RWU Co-Chair Ross Grooters, "While we applaud FRA's Proposed Rulemaking on this important question, we have concerns that the rail carriers will be able to exploit the Rule as currently proposed, enabling them to operate numerous trains with a lone employee. We will encourage our members, railroad workers, and their families to utilize the public comment period between now and September 26th to make our concerns known. We want a strong two-person crew rule that is at least as definitive as what the various states have adopted legislatively."

Six years ago, FRA under Joe Szabo promulgated a similar Proposed Rulemaking on minimum train crew size. RWU campaigned vigorously to get rank and file railroad workers – not just engineers and trainmen but workers of all crafts – to publicly comment to FRA in support of a strong rule that would make two-person minimums the law of the land. The Agency received an overwhelming number of comments, with the vast majority in favor of a two-person train crew minimum. Unfortunately, before a rule could be initiated, a new Administration came to power, and FRA – under the administration of a former rail corporation CEO – then scrapped any proposal to set a minimum train crew size.

"We have had an additional six years since the last go around to organize and prepare for this moment," says Jason Doering, General Secretary of RWU and the Nevada State Legislative Director for SMART-TD, the rail union that represents most conductors and is the largest of the dozen or more U.S. rail unions. "Since then, the momentum for minimum train crew size has built up among the rank & file and the general public. No fewer than eight states have two-person minimum train crew laws on the books, while others are considering such legislation."

RWU has strenuously campaigned for a minimum of two-person train crews since the organization was founded in 2008. According to RWU Organizer Ron Kaminkow, “The rail carriers first proposed running trains with a single worker in 2004. Having just replaced countless yard engineers with Remote Control Operations (RCO), the Class One carriers were also intent on eliminating the Road Conductor. The battle lines have been drawn since then, with the fight manifesting at the bargaining table and on the political and regulatory fronts. Hopefully, the announcement by FRA can represent a turning point culminating in victory for railroad workers.”

On the bargaining front, in 2014, Class One carrier BNSF attempted to bargain a contract behind closed doors with a division of the SMART-TD union. The Tentative Agreement that was announced provided for single-person operations of trains. RWU mounted a successful campaign to urge a NO vote by the workers on the former BN property of BNSF Railway. Every craft in every terminal voted against the proposed contract, resulting in a lopsided victory for the workers, who voted 5-to-1 to reject it.

“We won that battle eight years ago, but we knew the war was not over, according to Kaminkow. “The rail carriers – despite making record profits yearly since then – are relentless in their drive to cut employment rolls. The road conductor has been in their sights for a generation now, and they continue to push for the elimination of the position, hoping to replace thousands of onboard conductors with a handful of ground-based ‘utility’ conductors. We say no way!”

In recent years, the unions of the operating crafts have put aside past differences and appear united in their efforts to save the two-person train crew. Here are some of the safety, efficiency, and quality-of-work-life concerns of engineers and conductors, their unions, and Railroad Workers United if trains were to be operated with a single employee:

- The remaining employee will be forced to carry out the duties of both engineer and conductor. Positive Train Control (PTC) is prone to failure, and the protection it can afford is gone.
- Even when operational, PTC does not protect against all instances (e.g., “restricted speed,” hot and cold weather speed restrictions, flash flood warnings, etc.)
- No conductor will be readily available to assist in the very common event of grade crossing collisions/pedestrian strikes.
- In the event of illness or injury, the lone employee will have no immediate support whatsoever. An injury could easily become fatal if the employee is on the ground and away from radio contact with the dispatcher or other trains.
- Working alone in isolation for up to 12+ hours at a stretch is unhealthy for human beings, mentally and physically.
- All restroom breaks and all “unforeseen” orders would result in trains having to be brought to a stop, resulting in delays to that train and potentially others.
- A lone operator would not be able to dismount to get a coffee, food, or any other amenities without securing his/her train, which could take a substantial amount of time.
- Backup moves would not be possible until the “utility” conductor arrives.
- Mechanical failures; e.g., broken knuckles, busted air hoses, stuck vent valves, EOT no coms, sticking brakes, hot bearings, dragging equipment, shifted loads, hot wheels, flat wheels, etc. would have to be dealt with by the utility conductor who is not at the scene but must drive to the site and then be able to access the disabled train, creating long delays easily.
- The ability to “team nap,” which is now the norm, would be lost, as no other crew member is present to stay awake while the other naps, creating additional fatigue.
- The ability for one crew to assist another train’s crew would be lost, as the lone operator would not be allowed by rule to leave his/her train “unattended” to assist.
- The prospects for crime against train crews – known to be all alone – will increase.
- Mentoring, learning from one another, comparing notes, and honing skills would all be lost with single-person train operations.

RWU will urge all railroad workers and their families to comment on this important subject. “Politicians, bureaucrats, railroad CEOs, stockholders, and the general public are all largely unaware of the conditions that Train & Engine workers are subject to on an average tour-of-duty, said Doering. “These folks need to hear it loud and clear from rail workers and our families in the public comments to FRA – ‘No Single Person Train Crews!’”