



Railroad Workers United

Solidarity • Unity • Democracy

The Rank & File in Action!

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RWU Official Statement on PEB #250

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On August 16th, Presidential Emergency Board #250 released its official Report and Recommendation for a negotiated settlement to the ongoing dispute between the United Rail Unions and the National Carriers Conference Committee. The next day, the rail carriers wasted no time in proclaiming it a “fair and equitable” basis for an Agreement with the various unions. Within a few days, the rail unions responded by announcing their discontent yet began the arduous process of packaging a TA that the members would vote for, extolling the “positive side” of the PEB #250 to the membership.

Meanwhile, as the news filtered out and rank & file workers began to process the contents of the PEB Report, emotions ran the gamut from betrayal and sadness to letdown, frustration, anger, and resentment. One thing that unites all rail workers is the feeling of deflation after hopes had been flying high for a favorable PEB that might right some of the wrongs that rail workers have endured for decades.

What most railroaders are so upset about regarding the PEB is not so much what the PEB is recommending in terms of wage increases (although most workers appear not too jubilant about that), but rather, what the PEB simply chose to ignore. This year was supposed to be our time when rank & file rail workers could hold their heads high, value their jobs, be proud once again to be part of the rail industry, look forward to the coming years, and ultimately, to their retirement from the industry. Unfortunately, the PEB Report has cast a long shadow upon those hopes and expectations.

The PEB's failure to address much of the rank & file's concerns about conditions of employment has left the membership feeling vacant, unappreciated, and led down the garden path. The unions – optimistic about the outcome of a PEB – had pushed this course of action as the solution to the carriers' intransigence in bargaining.

Not only is the PEB's failure to address work rules and conditions a slap on the face to working railroaders, but that failure also betrays shippers, passengers, and the nation as a whole who have been hoping to see an end to the ongoing rail service crisis. By not addressing these issues and this discontent among the workforce, the PEB has acted irresponsibly, their recommendations doing little to nothing to stem the tide of discontent nor address the ongoing mass exodus of workers from the industry.

In the last few years, a scenario unfolded like no other that any working railroader had ever seen. What makes the PEB such a bitter pill to swallow for so many working rail workers is that we were poised to win this time. This time we had the carriers on the ropes. It increasingly appeared that history was on our side, that objective conditions and forces were at play that mitigated in our favor, right up until this summer and when the PEB issued its Report. Let's consider these conditions:

- A sizable coalition of unions (10) emerged early in the bargaining process. This phenomenon had been building the previous few bargaining rounds. This time the Coordinated Bargaining Coalition (CBC) included both unions of the operating crafts as well as the dispatchers, signal maintainers, and most of the shop crafts. Then in the spring of 2022, the smaller coalition of two unions found itself in the same boat and opted to merge with the larger coalition. All rail unions – for the first time in U.S. history – now stood united and proclaimed themselves the “United Rail Unions.”

- While our forces were becoming increasingly united and determined, the rail carriers were floundering. Shippers, passengers, communities, and regulatory agencies became more disillusioned and hostile to the Class One carriers throughout the months of bargain-

ing. All these potential allies now had their axe to grind with the rail carriers concerning delayed trains, unfair pricing and demurrage practices, equipment shortages, first/last mile delays, misrouted carloads, clogged terminals, and an overall deterioration of service. The operating model of favor among most U.S. carriers – “Precision Scheduled Railroading” – was increasingly becoming the subject of ridicule. Not only were rail workers naming it as the culprit, but shippers, rail passenger advocates, communities, and the government itself were all raising objections to how the Class One railroads were failing us. The carriers are on the ropes, their favored operating model discredited.

- Supply chains during this period have become congested and backed up, threatening the ability to expedite the movement of raw materials and finished products, driving inflation and injuring the economic recovery. Railroads have made front page headlines for their role in bungling up these essential supply chains, with a general recognition that a lack of workers – due mainly to the industry’s actions – has been the root cause of this crisis.
- Throughout this time – including the pandemic, the Class One rail carrier continued to rake in hefty profits, often breaking records in many of their quarterly reports to shareholders. They cannot plead poverty or the inability to afford our basic requests for improving the quality of our work lives.
- The world has changed since the last strike. Both conductors and engineers are federally certified, subject to drug testing and arduous hiring processes. The railroad is not in a position to hire replacement workers to break a strike. The ranks of managers have thinned to the point where using managers to do the work is not an option.
- The labor movement is enjoying a resurgence, which has not been seen in decades. Workers in previously unionized industries have been striking and winning, and workers in traditionally non-union sectors have been organizing. These workers are in support of railroad workers and our struggle.
- In the meantime, opinion polls show that organized labor commands a higher level of support and respect than it has in decades. Support for unions and the concept of unionization is looked upon favorably by most Americans, whether Republicans, Democrats, or Independents. Once again, this bodes well for rail workers and our fight.
- President Joe Biden vowed to be the “most pro-labor President you ever had.” He has pledged support for workers’ rights to strike and organize. He has proclaimed support for railroad workers, specifically in the form of support for a minimum of two workers on every train crew.
- The development of communications has allowed rail workers to compare notes, listen to one another’s accounts and opinions, and more easily conclude what they want, what they believe, and what course of action to take. Also, communication development has allowed rank & file workers to get their stories and opinions out there to the general public, gaining sympathy and solidarity from the greater labor movement, society in general, and from among our ranks across crafts and union jurisdiction.
- Due to a myriad of factors outlined above, railroad workers objectively have more power than we have had in a long time. Rail workers have said enough is enough and, like many U.S. workers, are voting with their feet, leaving the industry in unprecedented numbers, resulting in a crisis of staffing shortages – particularly in the Train & Engine ranks - causing delayed trains, constipated mainlines, lost freight traffic, clogged ports, and terminals, etc.

Railroad workers have correctly concluded that this historical moment should be our time. The PEB comes along and suggests otherwise. Suppose the PEB recommendations for a settlement are the best we can do. Can any rail worker realistically have hopes that conditions will be more favorable in the next bargaining round?

RWU believes that our time is now, for all the reasons outlined above. We have our best chance to win better working conditions in this round of bargaining. We have the motivation, the justification, the allies, and public support; we have the moral high ground. We should continue building solidarity and unity, our commitment to win, and pushing to the limit. RWU sees any contract simply based on the PEB recommendation as concessionary, especially considering the favorable conditions we have found ourselves in this round of bargaining. When RWU adopted its *Statement of Principles* at our Founding Convention in 2008, we proclaimed that:

“After decades of concessionary bargaining, rail workers have practically expected lousy contracts. If the union cannot at least maintain the current standard of living and working conditions for its members, it will become increasingly irrelevant in their lives. We say NO! to further give-backs at the bargaining table. We are committed to a coordinated bargaining strategy for all rail unions. We pledge ourselves to oppose any concessions at the bargaining table and pledge to build a fighting movement of rank-and-filers that includes all railroad crafts to take the necessary action to defend our jobs, our livelihoods, our rights, and our union!”

Therefore, RWU must support this fundamental principle and state our unequivocal opposition to any Tentative Agreement (TA) that refuses to transcend the narrow recommendations of PEB #250. If any proposal is simply a re-packaging of the PEB without any substantial add-ons – especially regarding work rules – then RWU is compelled to oppose such a Tentative Agreement. In the coming weeks/months, the unions and the carriers will at some point reach a TA, at which time RWU will carefully consider the proposed contract and state our position accordingly.

Adopted by the RWU Steering Committee 8/30/2022