

Transportation Communications Union/IAM

International Association of Machinists and Aerospace Workers



Arthur P. Maratea
National President



BEFORE THE SURFACE TRANSPORTATION BOARD

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

April 26-27, 2022

Written Statement of

Matt Hollis
National Vice President & Special Assistant to the President
Transportation Communications Union (TCU/IAM)

Dear Chairman Oberman and Members of the Board:

Thank you for holding this hearing on Urgent Issues in Freight Rail Service, and for the opportunity to submit comments.

My name is Matt Hollis, and I'm a 2nd generation, 18-year railroader currently serving as National Vice President & Special Assistant to the President of the Transportation Communications Union (TCU). In this capacity, I am a part of our bargaining team with the freight rail carriers in national negotiations, which have sadly been stalled for the last three years.

For reference, TCU represents many different employees across the rail industry, including:

- Clerical – which itself is an umbrella term for many different job classifications, such as payroll and bill clerks, crew callers and crew haulers, bridge tenders, storekeepers, customer operations, warehouse, stevedores, shipping terminal, intermodal equipment operators, deck foreman and cargo coordinators, operators and operator foremen, IT employees, and others.
- Carmen - Employees who inspect, maintain, and repair rail cars.
- Supervisors - Employees who oversee all different types of crafts on the railroad.

♦ 3 Research Place ♦ Rockville, Maryland 20850-3279 ♦ Email - marateaa@tcunion.org ♦
Phone - 301-840-8701 ♦ Fax - 301-948-1369 ♦ Website - www.tcunion.org ♦



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- Yardmasters (at Union Pacific) – those that oversee and coordinate yard operations (think air traffic control, but for the rail yards).
- Many others.

I'm also testifying today on behalf of our Machinists brothers and sisters, represented by International Association of Machinists (IAM) District Lodge 19. These shop mechanical employees inspect, maintain and repair locomotives and track maintenance equipment. TCU and IAM District Lodge 19 combined make up the IAM's Railroad Division.

I'd like to preface my testimony today by saying upfront that some of my comments will be related to traditional labor matters like wages and working conditions, including safety. So while we understand that the STB is the economic regulator, it is a fact that the *service provided by the railroads* is inextricably linked to the *conditions of the railroads*. This includes the conditions of the rolling stock, infrastructure, and – most important – the conditions of the workforce.

From my position at TCU, I have had a front row seat to the complete and utter degradation of our nation's Class 1 railroads over the past 6-7 years. I've watched as private equity firms have acquired controlling stakes in railroads only to use their power to deploy business models that extract as much wealth as possible, to the detriment of the railroads' workers, their customers, and ultimately, the public interest.

The Class 1 railroads have each deployed their own variations of the Precision Scheduled Railroading (PSR) business model – a misnomer, as any real railroader would tell you that PSR is neither precise nor well-scheduled, and hardly resembles what they would call “railroading.” A more accurate description would be doing “less with less” – or, moving fewer carloads with drastically fewer employees.

Under this approach, the railroads forego long-term investments in favor of short-term gains. They have degraded labor relations and the careers of rail workers. They've applied various pressures to make the railroads less safe for workers and communities. And, important to the Board, they've made a career on the railroad that was once a pathway to the middle and upper middle class, to a career that is hostile and unappealing – taking what were once considered highly-desired and competitive positions to what you're seeing today: a labor shortage where people refuse recall or outright resign their positions. There is even a Facebook group called “Railroad Resignation Letters,” that was started a little over a month ago. It already has 400+ members.¹

All of this is due to the railroads' persistent pursuit of their almighty Operating Ratio; or, as I call it, their “false profit.” Their singular goal has been to reduce costs to the railroads – in salaries for workers, headcounts, and services for customers – to reduce the operating ratio and massively boost profits.

For freight customers, it's been a mess. Many of our members who work in intermodal and clerical report a shifting dynamic – from one where our members and customers worked in a

¹ <https://www.facebook.com/groups/2216303101866176>

constructive and collegial manner, to what is now a hostile atmosphere as our members are asked to enforce demurrage schemes to tack on petty penalties, stack containers several rows deep – delaying pickups, and sometimes outright denying service to customers unless they meet minimum carloads or abide by the railroads’ new restrictive scheduling practices.

Rail workers in the mechanical crafts have seen negative effects as well. Our Machinist and Carmen members consistently report being pressured NOT to “shop” cars and locomotives (send them to the shops for repairs). For those unfamiliar, that means that our members – journeymen positions who have been trained to inspect and repair rail cars and locomotives according to federal regulations and AAR standards – are being pressured to “overlook” defects on rolling stock so that trains can get out the door.

Likewise, our Machinists members, who inspect and repair locomotives, have been cut so drastically that railroads are often relying on less-trained, less-qualified employees to perform inspections.²

For our testimony, we’ve decided to highlight three specific crafts that we believe tell the story of PSR’s impact on the workforce and best highlight current issues with freight rail service, but rest assured that the same or similar dynamics have been playing out throughout TCU and IAM’s represented crafts, as well as the rest of the workforce, as you’ve likely heard from others.

Intermodal Equipment Operators (IEOs)

TCU’s intermodal workers have been at the forefront of our nation’s supply chain crisis during the past couple of years. For background, these employees load and unload intermodal trains using cranes, side-loading vehicles, and drayage trucks. They rely on their equipment being in top-working order, but most important they rely on each other. Unloading (or grounding) intermodal containers is a choreographed dance that requires skilled movements to be done in concert and coordination with your coworkers. Unfortunately, that is often not the case in today’s intermodal environment. Our members often report that their equipment is broken or in sad states of disrepair, further compounding the work onto fewer cranes, loaders and trucks. The minimum time to be trained to operate equipment is 6 months. Therefore, even if railroads were successful in bringing in new hires, which they are not, they wouldn’t be fully qualified at the outset.

To make matters worse, our intermodal facilities have become dangerously understaffed. At CSX, intermodal headcounts have been reduced from 623 in 2018 to 437 today – a 30% decrease. Even in the past two years, during the height of the intermodal boom, CSX intermodal employees dropped by 50. Many of these losses have been due to resignations as IEOs have been exhausted by the increasing workloads and demands from management. CSX



Photo 1 - CSX Intermodal Equipment Operator

² See Attachment A - IAM Letters to FRA on NCFO laborers performing locomotive inspections

Intermodal employees have the lowest rate of pay amongst their peers. Current new hires start and cap out at \$20.06 an hour, as it's been since 2018. No new efforts from management to incentivize new hires have been made, despite pleas from local managers, supervisors, and union officials. While CSX has experienced record profits and record workloads, requests to increase pay, or provide incentive bonuses or payouts are being refused due to the stalled round of bargaining.

I ask the Board to put yourselves in our members shoes: if you were asked to work throughout COVID, performing forced overtime, mandated 12-hour shifts, 6-days a week, while your company reaped record gains, would you ask for a raise? A bonus perhaps? A lot of rhetoric has been thrown around in the COVID era thanking frontline workers for their efforts, but never is that gratitude backed up in any material way, at least not in our industry.

Unfortunately, the sad reality is that despite their statements, CSX in particular isn't interested in giving any of our crafts any help – including intermodal. CSX CEO Jim Foote said himself last week on their quarterly earnings call that, other than conductors and engineers, they don't need any more people: “We don't need a lot -- we don't need more people fixing the track and laying rail. They are doing a great job out there. We need more engineers and conductors, and that's it...”³

I'd ask the Board to consider that statement after what I've told you today, and whether or not you think that it is at all possible that the only employees CSX needs are more conductors and engineers. Indeed, I would challenge Mr. Foote to come to any intermodal yard or mechanical shop, and tell that to our members' faces.

Unfortunately, CSX is not alone in neglecting its intermodal workers. At BNSF Intermodal facilities, conditions are similar. And while wages may seem slightly better, they are often in higher cost of living areas. At BNSF's Cicero and Corwith intermodal facilities in Chicago, full wage rates average around \$26/hr. In Memphis, TN, full wage rates are around \$23/hr. And in Seattle, the average full wage rate is \$25.79/hr, while the starting rate is \$22.58/hr – hardly an attractive wage in such an expensive city. BNSF's attempts at incentivizing new hires has largely failed, despite offering bonuses to new hires of \$5,000-\$7500 (albeit with a three year commitment). In Seattle, they are still 30 IEOs short of their target.

At Union Pacific (UP), TCU represents members in Chicago and at UP's large Intermodal Container Transfer Facility (ICTF) in Los Angeles, where the average full wage rate is \$26.94/hr. Our members are still short-staffed, overworked, and feel increasingly underpaid as cost of living has skyrocketed.

It's the same sad story at all these intermodal facilities: nobody wants to work the job the way it's being offered. Mandatory 12-hour shifts, 6-days a week, on your feet all day, hustling as fast as possible. I'd leave too if there were comparable jobs that let me spend more time with my family.

³ CSX Transportation (April 20, 2022). [CEO Jim Foote on Q1 2022 Results - Earnings Call Transcript](https://www.seekingalpha.com). www.seekingalpha.com

Carmen

The Carman craft includes employees that inspect, repair, and maintain freight rail cars. They assemble trains in yards and perform Class 1 brake tests prior to departure. More specifically, they inspect wheels, axles, drafting gears and yokes, couplers, brakes and brake assemblies, hand holds, and many other safety-related points on a rail car. In total, there are approximately 90 inspection points per-car, per-side (180 in total) depending on the type of car.

Carmen perform repairs, both on the RIP (repair-in-place) track as well as more comprehensive repairs in car shops. Their skillset is an apprentice-track position, meaning that you're hired into the Carman craft as an apprentice, and spend 732 working days (6 different 122-day phases) to become a journeyman. During this time, a Carman becomes highly skilled at inspecting and repairing rail cars. Often times these jobs carry specialized skills that our members can utilize outside the industry, such as welding and metal work.

Unfortunately, the Carman career, like other crafts, has undergone a transformation in the PSR era. What was once a tough but good living has transformed into a hostile environment where our members are constantly harassed and pressured by local management to work faster, to skip inspections, and allow "Bad Order" cars to leave the yard.

Outgoing trains are supposed to undergo pre-departure inspections, where – as mentioned – Carmen inspect up to 90 individual points per side (~180 in total) on each and every rail car. Carmen used to be provided up to three minutes per-car. Now they are expected to perform these same inspections in less than a minute.⁴ This is impossible without cutting corners. Carmen used to get underneath the cars, touching, grabbing, and banging various components, but now they only get a brief visual inspection.

As some Carmen like to say, "this is the only job where they train you to do a job, and then fire you for doing it." During the onset of PSR, Carmen were repeatedly threatened by local management that if they didn't improve speeds, that management would close their yard. Because of manpower shortages (much of which the railroads caused themselves), the remaining Carmen are forced to work massive amounts of overtime, sometimes 16-hour shifts, several days in a row. Some sleep in their cars rather than waste time commuting home, just so they can sleep for an extra hour or two. Our members often reference the joke pirate flag: "the beatings will continue until morale improves." Nothing more accurately describes the current state of a Carman career.



As a result of this worsening environment, and combined with aforementioned stagnant wages and constant forced overtime, the Carman craft is experiencing record resignations.

The following are some relevant statistics. I apologize for the inconsistency of the date ranges of these statistics, but unfortunately the railroads do not often provide us with complete data sets:

⁴ See Attachment B – "Union Pacific Proviso Yard Memo to Car Foreman, June 9th, 2019"

- Since January 1st, 2019, CSX has had 157 resignations from the Carman craft.
- Since January 1st, 2021, Norfolk Southern has had 144 resignations from the Carman craft.
- Since January 1st, 2019, Union Pacific has seen 271 resignations or refuse recall from the Carman craft.
- Since March, 2021, BNSF has seen 143 resignations in the Carman craft.
- Since March, 2021, CN has seen 24 resignations in the Carman craft.

We have provided a number of resignation letters and testimonials from both Carmen and Machinists in the attachments.⁵

I cannot stress this enough: this is NOT normal in the rail industry. As I've mentioned, these jobs were once prized positions. You commonly "had to know someone" to get a job on the railroad. Today, not only can they not hire, but as evidenced, the railroads are struggling to retain existing employees.

Machinists

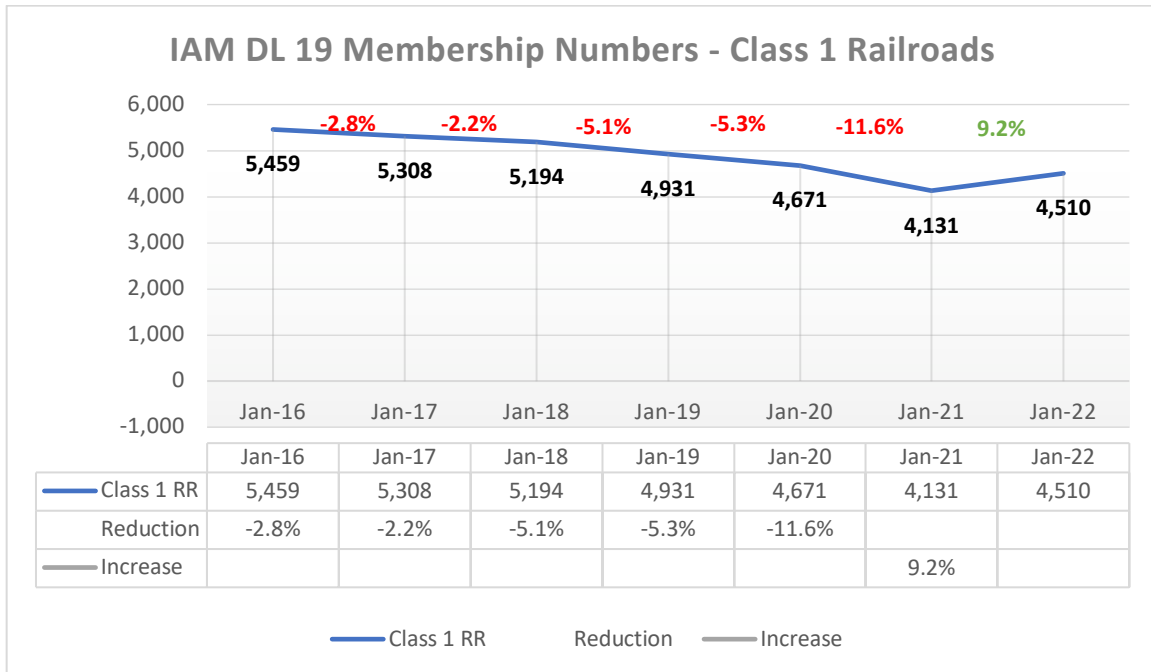
The IAM District Lodge 19 represents the Machinist craft on the railroads. A Machinist is a shop craft whose primary function is to repair, overhaul, maintain and inspect locomotives and track maintenance equipment. These are highly specialized craft skills trained by the railroad, and often unique to the railroad. These skills include working with complex pneumatic systems, machining parts with extremely small tolerances, rebuilding airbrakes and truck assemblies, and many other tasks.



Photo 2 - A railroad machinist

As you can surmise, the Machinist craft has been hit hard during the PSR era as well:

⁵ Attachment C – "Testimonials and Resignation Letters from Carmen and Machinists"



In 2015, Norfolk Southern employed approximately 1,129 Machinists. In 2021, they had 476. At one shop, eight Machinists resigned in one month alone due to forced overtime on every shift, every day. At NS' Chattanooga shop, they recently recalled 28 furloughed Machinists – many did not return, eliminating nearly 100+ combined years of experience.

At Union Pacific, 378 Machinists are currently furloughed across the system. At UP's North Platte shop, there used to be 351 machinists, including 21 apprentices. Today there are 248 machinists, and zero apprentices. 17 machinists resigned to seek out better employment opportunities, citing UP's toxic work environment, dehumanizing treatment from management, or unrealistic expectations as a result of operation changes brought on by PSR.

At BNSF, 367 machinists have resigned since 2015, while an additional 383 have been furloughed. At CSX, the trends are the same.

Just like in the Carmen and other shop crafts, the remaining Machinists have faced the same pressures not to inspect or repair locomotives: limited time frames, reduced manpower forcing the remaining work onto the hands to too few. As one Machinist from NS put it in his resignation letter: "the culture changed from caring about safety to just getting engines out the door, whether they were fixed or not." He went on to say:

"My personal nail in the coffin of my tenure at NS came at the cost of a very amazing human being. His name was Stuart Riggs, a great guy who'd lend anyone a hand, was great at his job. While his accident was definitely a freak one, the shop area where it happened had been reported numerous times for being in disrepair...But I later learned not 6 hours later when I returned, that things were...business as usual...I took a \$15/hour pay cut to leave. I still do not regret this as my new employer actually cares about safety,

and even in the current working climate [they aren't] hammering workers with overtime due to being understaffed..."⁶

In addition to safety being degraded, the quality of a Machinist career has deteriorated as well. Due to PSR job cuts, employees are often forced to transfer all over the country in order to keep their jobs. For example, a CSX Machinist with 20+ years of service was repeatedly furloughed and forced to move his family from Corbin, KY to Huntington, WV, to Russell, KY, all in a short time frame. Another CSX Machinist with 10+ years of service was forced to transfer from Atlanta, GA to Nashville, TN then to Evansville, IN, bringing his family in tow, before finally resigning once he found more secure employment. I wish these were rare occurrences, but unfortunately they have become commonplace. This forced job-hopping happens constantly, all across the Class 1 railroads, amongst all of the crafts.

The sad result of this new business model has been fairly obvious: a lack of serviceable locomotives and a lack of employees to service them. Today, while Union Pacific complains about lack of locomotive power available, they currently have 2,024 locomotives in sitting in storage. Unfortunately, nobody knows what kind of state those locomotives are in because all of the railroads have made a habit of cannibalizing stored locomotives for parts, further proof of PSR's destructive business model that's left our railroad network unable to respond to the times. As mentioned above, many of the railroads are scrambling to put locomotives on the tracks: the only problem is they don't have enough machinists to prep them, or enough crews to run them. They cut them all.

These are the perils of running a railroad so lean in an attempt to appease shareholders, who are reaping record gains. It's fine if your sole mission is profit, but it comes at the cost to America's freight commerce and the public interest as our customers divert to other modes of transportation that are less-efficient, more carbon-heavy, but perhaps more convenient or accessible versus the current freight rail model.

The common themes I've discussed today – and they are by no means limited to the crafts we represent – are as follows:

- Massive cuts to the workforce over the past 6 years – anywhere from 20%-35%, depending on craft, and the resulting workloads being placed onto the remaining few.
- New pressures applied to our members NOT to inspect and identify or even repair faulty rolling stock and equipment.
- Degradation of the overall quality of the jobs, both from working conditions and wage levels.

All of this has contributed to a labor shortage that is of the railroads own making. I've seen railroads often deflect on these matters by blaming broader labor market shortages. The evidence I've supplied today, as well as that of my fellow labor colleagues, hopefully proves otherwise.

⁶ Alan Zook Testimonial, Resigned October, 2021; Written April 19th, 2022

Because while the railroads are surely impacted by broader labor market issues, one must only look at the railroads' actions – both past and present – to understand how we got here.

National Negotiations

Most companies, if faced with broad resignations and inability to higher, would attempt to fix these issues with common-sense solutions. One such avenue, which has been suggested by President Biden from time to time: “Pay them more money.” Unfortunately, that has not been the case on the railroads. For the past three years we’ve been part of an excruciatingly slow bargaining process with the carriers and their National Carriers Conference Committee (NCCC).

It is quite clear that we are being intentionally slow-walked by the railroads in an attempt to better their chances at a more favorable outcome. For those unaware, the end of Railway Labor Act (RLA) bargaining process culminates in a Presidential Emergency Board (PEB), a panel of three arbitrators selected by the President of the United States. Towards the end of mediation, the arbitrators ask both parties to make their best-and-final offers and then select whichever they find more reasonable. This selection is non-binding, however. So the true end-of-the-road has historically fallen to Congress, who traditionally has taken the PEB recommendation and legislated the contract into law. The other option is for the National Mediation Board (NMB) to release the parties to conduct work stoppages (i.e. lockout or strike).

We hope the NMB, a Presidential Emergency Board, and Congress fully understand the dynamics at play: that for three years we’ve been in negotiations with the railroads; for three years we have seen a pandemic, a boom in shipments, massively increased workloads, record railroad profits, and now a dramatic rise in inflation.

All of these things have had a huge impact on railroad workers, and working people in general. And all during this time, the railroads have clung to their purse-strings, refusing to offer any wage increases or hardship bonuses, or anything else towards making a career on the railroad an attractive endeavor.

This past week, CSX announced they are offering to provide an \$600/month for seven months advance to its workforce, for the first time acknowledging the tough conditions its employees are facing in these inflationary times. CSX’s offer, while a nice gesture, is interesting for two reasons: (1) it is an advance on back-pay that CSX presumes our members will get when a contract settles (to be clear, an advance is not a bonus); and, (2) this is in direct contradiction to NCCC’s current bargaining stance where they have thus far refused to include back-pay as part of a contract.

On that note, the absence of back pay in any contract would set an awful precedent by providing an incentive to employers to forever drag their feet, as the longer they delay a contract the more money they save. Second, I’m mentioning this to both counter any notion that what CSX is offering is a bonus (again, an advance is not a bonus), but also to demonstrate how unserious these negotiations with the NCCC have become.

The carriers aren't diligently working towards a contract. In fact, in national negotiations last week, we spent 90 minutes discussing whether to cover vasectomies in the healthcare plan, and the railroads wanting to form a "subcommittee" to explore that matter – all while wage increases remain unaddressed. The railroads are simply playing games to waste time and drag out the process. And during these "negotiations," wages continue to remain flat and labor shortages persist.

Recommendations and Actions

Our members are absolutely furious that the railroads continue to drag their feet at the bargaining table while amassing record profits. And though there are pros and cons of the Railway Labor Act (RLA), one of its restrictions is that it's very difficult to strike. But make no mistake: if striking were a viable option, our members would have walked out long ago. The net result of the RLA's bargaining process is unfortunately one where wage increases are not very responsive to the times. While workers in other industries have struck in order to seek better wages and conditions, railroaders have been stuck treading water for three years straight.

Therefore, it should come as no surprise that first suggestion for the railroads to alleviate workforce shortages and resulting service issues is this: give us a contract. Making a job on the railroad attractive largely begins and ends with offering attractive wages. The more attractive the job, the more applicants you get, the more new hires, fewer resignations, etc. In addition, the more employees we have, the less work is piled onto the hands of a few, the less pressure is applied to cut corners. All leading to better and safer rail operations that best serve the public interest. This is obvious to everyone in the rail industry, including local management, just not to the C-Suite executives or their private equity benefactors.

For the Board, I would offer the following set of questions and suggestions:

- Have *all* the changes that the railroads have made in the name of PSR actually been made to be more efficient? And how does this efficiency impact the broader obligations the railroads have to their customers and America's freight commerce network to deliver freight reliably and safely?
- What are the knock-on effects of PSR on customers, both at micro and macroeconomic levels? Does America become less economically competitive if access to rail transportation becomes more difficult and inaccessible and/or more expensive?
- America's freight rail network today is rigid and fragile, unable to respond to market shifts like the uptick in volumes during the pandemic. What new framework could the Board create to better analyze the impacts of PSR on the rail industry? In the past, the STB, its predecessor, and Congress have devised myriad cost calculations and determinants to measure and document whether the railroads are proper stewards of their important national position. Will the Board use today's lessons to rethink those metrics and/or incentivize the industry to take better care of itself, its workforce, its customers, and therefore the public interest?

- The Board should seek greater enforcement of the railroads' common carrier obligation. Much of what we've seen in the PSR era has been detrimental to the concept of offering access to rail service for those customers that want or need it. For example, if a small, low-margin scrap recycler was built in a location specifically to access cheaper freight rail transportation, and then the railroad suddenly alters their business model to either deny or severely restrict access, does that run afoul of the railroads' obligation to provide service? To that end, if the Board believes it lacks the requisite authority to properly regulate the railroads, we believe the Board should ask Congress for greater authority.

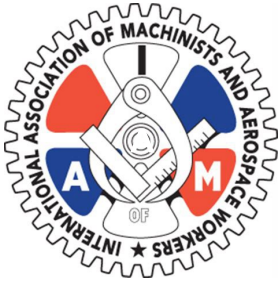
In closing, my comments today are not meant to air grievances before the Board in an effort to alter the outcome of national negotiations, or to punish the railroads for their draconian business practices these past few years. Rather, my testimony today is meant to highlight and expose the realities of what careers on the railroads have become, and to demonstrate to the Board the challenges our workforce faces in trying to serve the rail customers.

As a second-generation railroader, my heritage is not uncommon. Many of those who worked or continue to work on the rails are second-, third-, and fourth generation railroaders. This is our industry and our passion. Rail labor itself has a vested interest in having railroads be a safe, stable, viable, and profitable industry for decades to come, but that runs counter to the rent-seeking and extractive efforts by private equity and Wall Street these past few years.

The question is: where will the Board side? Will it side with those that want this industry to grow and thrive? To advance and expand into new markets? To bring more business to the rails rather than less? Or will it side with the forces that have degraded the industry to such an extent that we find ourselves having this hearing today?

I believe my comments, those of my labor colleagues, and indeed many of the shippers can be summarized as such: We must save the railroads from themselves.

Thank you for the opportunity to speak before the Board today. I look forward to your questions.



INTERNATIONAL ASSOCIATION OF MACHINISTS
AND AEROSPACE WORKERS
DISTRICT LODGE 19

OFFICE OF GENERAL CHAIRMAN: KENNETH KRAUSE

March 9, 2022

Sent Via Email & Standard Mail

Mr. Karl Alexy
Chief Safety Officer
Federal Railroad Administration
1200 New Jersey Avenue, SE
RRD-10 Mail Stop 25
Washington, DC 20590

Subject: Union Pacific Railroad FRA Daily Mechanical Locomotive Inspection

Dear Karl Alexy

The International Association of Machinists and Aerospace Workers (known as the IAM) is a labor Organization that provides collective bargaining representation on behalf of the active and retired members. There are approximately 10,000 IAM members who are employed by railroad carriers that are subject to the oversight of the Federal Railroad Administration (FRA). IAM railroad members work as locomotive Machinists, facility maintenance, vehicle maintenance, and on track maintenance.

The IAM is contacting your office regarding a very serious safety concern with respect to Union Pacific's cost cutting measures of using unskilled, untrained, and unqualified National Conference of Fireman and Oilers (NCFO) to perform critical FRA Daily Mechanical Locomotive Inspection, Maintenance and Repair on their locomotives, otherwise recognized as the LMI9414 form. Under 49 CFR § 229.21, Union Pacific Railroad must do the following:

49 CFR § 229.21 Daily Inspection

- (a) *Except for MU locomotives, each locomotive in use shall be inspected at least once during each calendar day. A written report of the inspection shall be made. This report shall contain the name of the carrier; the initials and number of the locomotive; the place, date and time of the inspection; a description of the non-complying conditions disclosed by the inspection; and the signature of the employee making the inspection. Except as provided in § 229.9, 229.137, and 229.139, any conditions that constitute non-compliance with any requirement of this part shall be repaired before the locomotive is used. Except with respect to conditions that do not comply with § 229.137 or 229.139, a notation shall be made on the report indicating the nature of the repairs that have been made. Repairs made for conditions that do not comply with § 229.137 or § 229.139 may be noted on the report, or in electronic form. The person making the repairs shall sign the report. The report shall be filed and retained for at least 92 days in the office of the carrier at the terminal at which the*

1208 N Davis Rd Independence MO 64056 • OFFICE: 816-982-1218 • FAX: 865-269-4611 •
KKRAUSE@DISTRICTLODGE19.COM

locomotive is cared for. A record shall be maintained on each locomotive showing the place, date and time of the previous inspection.

- (b) Each MU locomotive in use shall be inspected at least once during each calendar day and a written report of the inspection shall be made. This report may be part of a single master report covering an entire group of MU's. If any non-complying conditions are found, a separate, individual report shall be made containing the name of the carrier; the initials and number of the locomotive; the place, date, and time of the inspection; the non-complying conditions found; and the signature of the inspector. Except as provided in § 229.9, 229.137, and 229.139, any conditions that constitute non-compliance with any requirement of this part shall be repaired before the locomotive is used. Except with respect to conditions that do not comply with § 229.137 or § 229.139, a notation shall be made on the report indicating the nature of the repairs that have been made. Repairs made for conditions that do not comply with § 229.137 or § 229.139 may be noted on the report, or in electronic form. A notation shall be made on the report indicating the nature of the repairs that have been made. The person making the repairs shall sign the report. The report shall be filed in the office of the carrier at the place where the inspection is made or at one central location and retained for at least 92 days.*
- (c) Each carrier shall designate qualified persons to make the inspections required by this section.*

It has recently come to our attention that at the North Little Rock Arkansas Service Track facility, the Union Pacific Railroad abolished all of IAM represented Mechanical Federal Inspector positions whose work encompassed the Daily Mechanical Locomotive Inspection Maintenance (LMI9414). On January 24, 2022, Union Pacific readvertised the same positions and awarded them to NCFO Labors who are now assigned to perform the LMI9414 and other Machinist's work associated with this inspection/repair, at the Carrier's North Little Rock facility. Our understanding is that the Carrier intends to expand such practice to additional locomotive service locations throughout the Union Pacific system.

Unilaterally reassigning this work to the untrained NCFO Laborers is directly contrary to the Carrier's obligation under 49 CFR § 229.21 (C) to designate qualified persons to inspect the following: Locomotive handrails and grab-irons, steps & safety chains, platforms & walkways, Handbrake, Fire Extinguisher, Horn & Bell, Protective Guards & Covers, FRA Windows, Required Stencils, Water Leaks, Oil Leaks, Fuel Leaks, Exhaust Leaks, Governor Lube oil (if equipped), Air Compressor oil and function, Cooling System, Truck & Underframe Overall Condition, Main Reservoirs, Blowdown Drains, Mu Cut-out Cocks/Locks, Brake Shoe and Rigging, Air Dryer Function and Humidity Indicator, Traction Motors, and Journals & Wheels. These inspections have been conducted by the skilled and trained Machinist's workforce represented by the IAM for decades. Removing these supremely qualified individuals from the work of the FRA daily inspection and replacing them with others puts the workers and the public at risk, not to mention it is also contradicting the CFR § 229.5- Definitions as the NCFO are not and have never been a Qualified Mechanical Inspector:

Qualified mechanical inspector means a person who has received instruction and training that includes "hands-on" experience (under appropriate supervision or apprenticeship) in one or more of the following functions: troubleshooting, inspection, testing, maintenance or repair of the specific locomotive equipment for which the person is assigned responsibility. This person shall also possess a current understanding of what is required to properly repair and maintain the locomotive equipment for which the person is assigned responsibility. Further, the qualified mechanical inspector shall be a person whose primary responsibility includes work generally consistent with the functions listed in this definition.

As the FRA is aware, Union Pacific has joined all other Class I Railroads in the practice of furloughing thousands of its highly qualified employees across all crafts, including the IAM Machinists, who are skilled Mechanical mechanics. Union Pacific Railroad has irresponsibly opted to transfer the federal inspection work

to unqualified NCFO workers. Due to the freight sector's new business model Precision Scheduled Railroading, Union Pacific Railroad continues to cut and compress the workforce to do more with less, thus putting workers and the public safety at risk.

We share the FRA goal of the continued safe operations of this railroad. If Union Pacific is permitted to proceed with the reassignment of the Federal Inspection work at this facility and others, it will significantly undermine safety. Thank you for your consideration of this critical issue.

Sincerely,

Kenneth Krause

Kenneth Krause
IAM&AW District Lodge 19
General Chairman
816-982-1218

J. Michael Perry

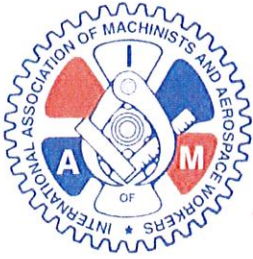
J. Michael Perry
IAM&AW District Lodge 19
President Directing General Chairman

Kyle K Loos

Kyle K Loos
IAM&AW District Lodge 19
Assistant President Directing General Chairman

Cc. File

1208 N Davis Rd Independence MO 64056 • OFFICE: 816-982-1218 • FAX: 865-269-4611 •
KKRAUSE@DISTRICTLODGE19.COM



INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS DISTRICT LODGE 19

OFFICE OF GENERAL CHAIRMAN: JAMES B. ORWAN

April 14, 2022

Sent Via Email & Standard Mail

Mr. Karl Alexy
Chief Safety Officer
Federal Railroad Administration
1200 New Jersey Avenue,
SE RRD-10 Mail Stop 25
Washington, DC 20590

Subject: Norfolk Southern Railroad FRA Daily Mechanical Locomotive Inspection

Dear Mr. Alexy,

The International Association of Machinists and Aerospace Workers (known as the IAM) is a labor Organization that provides collective bargaining representation on behalf of the active and retired members. There are approximately 10,000 IAM members who are employed by railroad carriers that are subject to the oversight of the Federal Railroad Administration (FRA). IAM railroad members work as locomotive Machinists, facility maintenance, vehicle maintenance, and on track maintenance.

The IAM is contacting your office regarding a very serious safety concern with respect to Union Pacific's cost cutting measures of using unskilled, untrained, and unqualified National Conference of Fireman and Oilers (NCFO) to perform critical FRA Daily Mechanical Locomotive Inspection, Maintenance and Repair on their locomotives, otherwise recognized as the LMI9414 form. Under 49 CFR § 229.21, Union Pacific Railroad must do the following:

49 CFR § 229.21 Daily Inspection

(a) Except for MU locomotives, each locomotive in use shall be inspected at least once during each calendar day. A written report of the inspection shall be made. This report shall

contain the name of the carrier; the initials and number of the locomotive; the place, date and time of the inspection; a description of the non-complying conditions disclosed by the inspection; and the signature of the employee making the inspection. Except as provided in § 229.9, 229.137, and 229.139, any conditions that constitute non-compliance with any requirement of this part shall be repaired before the locomotive is used. Except with respect to conditions that do not comply with § 229.137 or 229.139, a notation shall be made on the report indicating the nature of the repairs that have been made. Repairs made for conditions that do not comply with § 229.137 or § 229.139 may be noted on the report, or in electronic form. The person making the repairs shall sign the report. The report shall be filed and retained for at least 92 days in the office of the carrier at the terminal at which the locomotive is cared for. A record shall be maintained on each locomotive showing the place, date, and time of the previous inspection.

(b) Each MU locomotive in use shall be inspected at least once during each calendar day and a written report of the inspection shall be made. This report may be part of a single master report covering an entire group of MU's. If any non-complying conditions are found, a separate, individual report shall be made containing the name of the carrier; the initials and number of the locomotive; the place, date, and time of the inspection; the non-complying conditions found; and the signature of the inspector. Except as provided in § 229.9, 229.137, and 229.139, any conditions that constitute non-compliance with any requirement of this part shall be repaired before the locomotive is used. Except with respect to conditions that do not comply with § 229.137 or § 229.139, a notation shall be made on the report indicating the nature of the repairs that have been made. Repairs made for conditions that do not comply with § 229.137 or § 229.139 may be noted on the report, or in electronic form. A notation shall be made on the report indicating the nature of the repairs that have been made. The person making the repairs shall sign the report. The report shall be filed in the office of the carrier at the place where the inspection is made or at one central location and retained for at least 92 days.

(c) Each carrier shall designate qualified persons to make the inspections required by this section.

It has recently come to our attention that at the Elkhart, Indiana Locomotive Shop Main-line fuel pad and service track facility, the Norfolk Southern Railroad abolished all of IAM represented Mechanical Federal Inspector positions whose work encompassed the Locomotive Calendar Day Inspections (LCDI). Norfolk Southern readvertised the same positions and awarded them to NCFO Labors who are now assigned to perform the ME-65 and LCDI forms and other Machinist's work associated with this inspection/repair, at the Carrier's Elkhart, Indiana facility. Our understanding is that the Carrier intends to expand such practice to additional locomotive service locations throughout the Norfolk Southern system, including

Enola, PA, Lambert's Point, VA, Chicago, IL, Chattanooga, TN, Decatur, IL, and Kansas City, MO.

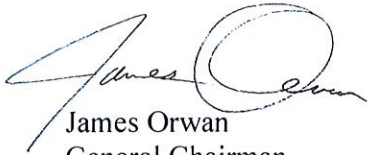
Unilaterally reassigning this work to the untrained NCFO Laborers is directly contrary to the Carrier's obligation under 49 CFR § 229.21 (C) to designate qualified persons to inspect the following: Locomotive handrails and grab-irons, steps & safety chains, platforms & walkways, Handbrake, Fire Extinguisher, Horn & Bell, Protective Guards & Covers, FRA Windows, Required Stencils, Water Leaks, Oil Leaks, Fuel Leaks, Exhaust Leaks, Governor Lube oil (if equipped), Air Compressor oil and function, Cooling System, Truck & Underframe Overall Condition, Main Reservoirs, Blowdown Drains, Mu Cut-out Cocks/Locks, Brake Shoe and Rigging, Air Dryer Function and Humidity Indicator, Traction Motors, and Journals & Wheels. These inspections have been conducted by the skilled and trained Machinist's workforce represented by the IAM for decades. Removing these supremely qualified individuals from the work of the FRA daily inspection and replacing them with others puts the workers and the public at risk, not to mention it is also contradicting the CFR § 229.5- Definitions as the NCFO are not and have never been a Qualified Mechanical Inspector:

Qualified mechanical inspector means a person who has received instruction and training that includes "hands-on" experience (under appropriate supervision or apprenticeship) in one or more of the following functions: troubleshooting, inspection, testing, maintenance or repair of the specific locomotive equipment for which the person is assigned responsibility. This person shall also possess a current understanding of what is required to properly repair and maintain the locomotive equipment for which the person is assigned responsibility. Further, the qualified mechanical inspector shall be a person whose primary responsibility includes work generally consistent with the functions listed in this definition.

As the FRA is aware, Union Pacific has joined all other Class I Railroads in the practice of furloughing thousands of its highly qualified employees across all crafts, including the IAM Machinists, who are skilled Mechanical mechanics. Union Pacific Railroad has irresponsibly opted to transfer the federal inspection work to unqualified NCFO workers. Due to the freight sector's new business model Precision Scheduled Railroading, Norfolk Southern Railroad has cut and compressed its workforce to do more with less, thus putting workers' and the public's safety at risk.

We share the FRA goal of the continued safe operations of this railroad. If Norfolk Southern is permitted to proceed with the reassignment of the Federal Inspection work at this facility and others, it will significantly undermine safety. Thank you for your consideration of this critical issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Orwan". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "Orwan".

James Orwan
General Chairman
IAMAW District 19

A handwritten signature in blue ink, appearing to read "J. Michael Perry". The signature is written in a cursive style, with the first initial "J." and the last name "Perry" being the most distinct parts.

J. Michael Perry
President Directing General Chairman
IAMAW District 19

A handwritten signature in blue ink, appearing to read "Kyle K Loos". The signature is written in a cursive style, with the first name "Kyle" and the last name "Loos" being the most distinct parts.

Kyle K Loos
Assistant President Directing General Chairman
IAMAW District 19

Note:

IB = Inbound train

OB = Outbound train

G2 = Global 2



New Turnover Document - NO IB Turnover

Jeremy J. Parker to: PROVISO MECHANICAL CAR FOREMEN

06/09/2019 07:40 PM

Cc: Proviso Car Managers

From: Jeremy J. Parker/UPC
To: "PROVISO MECHANICAL CAR FOREMEN"
<PROVISO_MECHANICAL_CAR_FOREMEN@UP.COM>
Cc: Proviso Car Managers

All, everyone should have seen the abolishments on Saturday that will take effect 6/16 transitioning our team from an IB and OB foreman to a single foreman over all yard operations. I believe this will increase our resource productivity through one person directing operations. There is a lead man in Yard 9 - Utilize him. There will be a CD515 in the near future - utilize him. Hold your people accountable when they do not meet our performance expectations so you don't have to continually waste your time talking to people. You won't have time.

It is very clear:

1.5 minutes/car in the OB

1 minute/car in the IB

1 minute/car in G2

We already have the IB Leadman sending the information necessary for the turnover in yard 9 by scanning both of their forms. The IB Turnover will no longer be needed.

The attached form will be the new turnover document encompassing all yard operations.

NOTE THE NAME CHANGES:

Share View

> This PC > G1 (\\upcorp.ad.uprr.com\prvsg1) (G:) > PRVS CAR DEPT > Foreman > Yard Files

files ^	Name	Date modified	Type
COM	AIR COMPRESSOR FOLDER	4/23/2019 5:06 PM	File folder
ived	Archived	6/9/2019 7:31 PM	File folder
is of	Maps of Yards	6/9/2019 7:28 PM	File folder
in Ge	G2 Priority Train BOs.docx	6/7/2018 6:22 PM	Microsoft Office...
	IB Carmen Paperwork Rev 10-16-18.xls	10/16/2018 1:06 PM	Microsoft Office E...
1	YARD DAILY WORKSHEET.xlsx	4/16/2019 6:27 PM	Microsoft Office E...
in 1	YARD TURNOVER LOG.xlsx	6/9/2019 7:04 PM	Microsoft Office E...
	Proviso Truck Report.doc	5/29/2018 9:00 AM	Microsoft Office ...
	Radios.xlsx	1/28/2018 8:16 PM	Microsoft Office E...
' CEF	Yard Repair JC.xlsx	11/15/2016 1:26 PM	Microsoft Office E...
afety			

[Attachment C]

Testimonials and Resignation Letters from Carmen and Machinists

Submitted as attachments to TCU/IAM testimony before
the Surface Transportation Board (STB)

Resignation Letter from 10-year Machinist at Norfolk Southern

From: Jeremy Strawser [REDACTED]
Sent: Tuesday, April 19, 2022 7:39 PM
To: [REDACTED]
Subject:

My resignation from Norfolk Southern transpired from several different reasons. The main reason was the unpredictable work schedule. An example of an unpredictable work schedule is being left know that you have to stay at work for hours 4 hours longer with a 15 to 30 minute notice just before the end of the shift. Another big reason was the the hostile working environment management created by constantly looking for rule violations and putting service before safety. With these violations sometimes you didn't find out till 10-15 days later when you got a letter in the mail stating you violated a rule. Another reason was the constant job abolishments and restructuring up jobs due to the lack of manpower. Another reason is lack of weekend jobs. If the company would have never went down this path I would still most likely be employed by them. At one time I really enjoyed being employed there, but towards the end I dreaded going to work every day. It was a hard decision to cut my ties with the company after 10 years.

Jeremy Strawser

18-year CSX Machinist Resignation Letter – August, 2019

----- Original message -----

From: "Makowski, Paul" [REDACTED]

Date: 08/15/2019 08:07 (GMT-05:00)

To: Buffalo Mechanical Group

Cc: Buffalo Mechanical Managers, Buffalo Terminal Team, Buffalo Yardmasters

Subject: Resignation

My fellow coworkers,

As of today I am resigning my position with CSX. I started here in 2001 and have watched this company change, unfortunately not for the better. I cannot fathom how spending so much time and effort to take employees out of service is a good business practice. Managers put more obstacles in the way of getting the job done, that is amazing that anything even gets accomplished. It is frustrating to have to explain to trainmasters that we can't put a consist together due to lack of manpower. They know we can't do that and why, but yet they complain when we tell them so.

I will miss many of you that I have worked with. I wish you all luck and hope that everyone can weather the storm of stupidity that is blowing through the industry. It is a knowledgeable, well trained craft employee that is the most valuable tool this company has. Unfortunately, those in management don't value that ability and do everything they can to handcuff those that know how to do their job and do it well. It would be interesting to see how much freight would move if management had to do all the ground work.

To all those in management, most of you have obviously forgotten where you came from. The stories that have gone around about some of you over my 18 years here would have had you on the streets in a heartbeat if you even thought about that today. I don't understand how you can demand employees to respect you when you have absolutely no respect for any of them or their abilities. You are not true leaders, you are glorified slave drivers that believe you are better than those under you. Perhaps if you treat your employees with dignity and respect, you could boost morale and more work would be accomplished with better quality and efficiency. In the past month, Frontier Diesel has lost over 100 years of experience all to be left in the hands of one machinist with 10 months on the railroad.

I guess you are going to need to stock up on a butt-load of Non-Compliance Tags.

Farewell to all.

11/26/2021

To whom it may concern,

I have been a carman for Norfolk Southern for almost 15 years. I took pride in my work. I truly sought to provide the best of me to this corporation and our customers.

Being a carman was as challenging as it was rewarding and provided well for my family. It is under duress and with great sadness I am formally resigning from Norfolk Southern. The safety conditions are absurd. The amount of hours demanded from me and my coworkers is beyond dangerous. We are forced to cut corners and to not properly do our jobs. Your policies and focus on driving up the stock price is putting the general public in grave danger. Management is leaving this company as fast if not faster than agreement employees. Make no mistake we are leaving because of the heavy handed discipline, unsustainable goals and complete disregard to safety. Our customers aren't being given the service they deserve and there is no future for Norfolk Southern unless drastic measures are taken. I hope for those hanging on there that changes will be made allowing them to take pride again in their work and the security to know they have a safe place to work. This is my two weeks notice.

Aaron Mattingly
Employee ID 0194454

From: Alan Zook [REDACTED]
Sent: Tuesday, April 19, 2022 3:46 PM
Subject: Letter details of Resignation

To James and others it may concern,

My name is Alan Zook, prior NS Employee #0332514. Hire date was July, 2008; Resigned in October of 2021.

There were many ups and downs at this job, but in the beginning of my 13 year career safety was king, and cooperation between management and workers was overall very smooth. As a previous Mechanic and having been trained by NS to do the job they wanted, it felt good to have a company be concerned about my wellbeing, and going home safely. There was pride in our work, and the time taken to do it properly.

Soon though, many things would change. With the removal of Ernie as our Shop Manager, and the installation of Pat Johnson, it seemed the whole culture of our shop was about to change. The first year or so was absolutely fine, and management still got along. Shortly after that our Vacation calendar got completely flipped, and many of the workers being only about halfway down the roster started to lose even a shot at a decent week of vacation, and days off they might need, due to new stipulations that seemed to do absolutely nothing for manpower. This was the early start of people leaving our shop.

Not long after, NS started to want to only appease their shareholders and became obsessed with only "Running Trains on Time." This also meant repairs went by the wayside, both on locomotives, and on simple things in our shop. More workers left.

The largest loss of manpower came when Brandon Heilig was appointed as shop manager. He would sit on a chair, on the shop floor, seemingly unaware that his dress shoes were not proper footwear governed by our working rules, and harass workers as they went about their day to day. Soon, the layoffs came along with suspensions as such for things that were seemingly never an issue before.

The culture changed from caring about safety to just getting engines out the door, whether they were fixed or not, or had glaring safety issues spelled what seemed like the end of getting engines out the door, fixed properly for Enola Diesel. More workers left.

Then Covid-19 happened, and the company many of us had worked for, for years, had an excuse to lay off our brothers, and force those of us left on seemingly endless amounts of overtime. I myself had many weeks with 2 and 3 days of 12 hours, with no advance warning or preparation; nor any chance at understanding why or how. Lots of work or a little less than usual, we were going to be forced extra hours, and also forced to do the jobs of many extra people, whether it was in our craft or not.

My personal nail in the coffin of my tenure at NS came at the cost of a very amazing human being. His name was Stuart Riggs, a great guy who'd lend anyone a hand was great at his job. While his accident was definitely a freak one, the shop area where it happened had been reported numerous times for being in disrepair. I wasn't there the night it happened as I was on my rest days. But I later learned not 6 hours later and when I returned, that things were "as normal," again and it was supposedly business as usual. Norfolk Southern did nothing for my coworkers, especially the one who watched his accident happen, a woman who had worked

with him for years, got little more than a couple days of leave. Our own and other unions were the only ones to step up and offer help to the workers who might have been feeling all different ways due to said accident.

I can only hope, and I do have serious confidence in both Brad Kirk and Robbie Hall being in the upper levels of Management at Enola Diesel, that some things can be turned around. I worked with both these men for some time, and they always tried to do the right thing.

This all being said, I took a \$15/hour pay cut to leave. I still do not regret this as my new employer does actually care about safety, and even in the current working climate isn't hammering its workers with overtime due to being understaffed. Sure, there's some, but they understand that taking as many volunteers as they can and only forcing the absolute minimum they need works better.

I certainly wish all my Union Brothers and Sisters the absolute best, and while holding no hatred for the people I knew from Norfolk Southern, I will NEVER return to any place of employment with "NS" in its logo, whether I'm allowed to or not.

Regards,
Alan Zook

Notice of Resignation

chad newsom <newsom1868@gmail.com>
To: chad newsom <newsom1868@gmail.com>

Wed, Aug 4, 9:06 PM

To Whom It may concern,

I, Chad Newsom, would like to provide this notice as my formal resignation from my position as Carman in Portsmouth (Ohio). I would like to request that my vacation that is due to me for the remainder of 2021 and 2022 be paid out as soon as possible.

Norfolk Southern was a dream job for me when I was hired July 6th 2007 and I appreciate the opportunity that NS has provided me during my time with the RR. The past couple years have been incredibly challenging, the mindset of the company is hurting the employees and families. Based on the amount of cutbacks of employees and upper management that no longer cares for the safety of the people doing the work for them has contributed to an unsafe workplace. I feel for my former coworkers who still to this day have to tolerate the abuse in fear for their livelihood.

One day I hope that the company that I gave my heart and soul to for 14 years realizes why veteran employees are walking away. I sincerely hope that this resignation letter does not fall on deaf ears.

Formally one of your most dedicated employees,
Chad R Newsom Employee ID # 019963

 8-8-2021

Letter from NS Carman Gary Phelps to NS CEO. Gary sent this on November 8th, 2021. He resigned two weeks later.

PHELPS, GARY

This company has sent out messages through force. Saying that a well rested work force with an appropriate work life balance, is a more productive work force, and a happier one. On the ground with the employees whom actually move freight we do not see an appropriate work life balance we do not see the appropriate amount of rest needed to be at our best. So maybe there is a disconnect between what is going on at the corporate office in Atlanta to what is going on across the system. We our continuously force to work 12, 14, or 16 hr shifts. many times by ourselves. This is a recipe for disaster. When are you going to hire the appropriate work force needed to accomplish our jobs, without being rushed to complete our work. we use to have a motto "No job so important, No service so Urgent, that we cannot take the time to do our job safely." I was told by management that is not a "thing" anymore. not since PSR. It is sad to see what this once leader in safety, the Harriman award winner 20yrs in a row, so often that they discontinued the award. To the rushed, hurried, disgrace this railroad has become. So Again, when will NS start practicing what it preaches, Hire enough on the ground employees to accomplish our jobs safely, have an appropriate work life balance, and quit running the employees into the ground in attempts to gain another .10 cents on the share.

From: jameson McKnight [REDACTED]
Sent: Wednesday, November 3, 2021 7:05 PM
To: [REDACTED]; Todd Osborn
Cc: James Ramey; Korey Jones
Subject: Official Resignation

It has been an honor to work for Norfolk Southern. When I was hired in, December 2010, I wanted to make this my final job. Over my career, I have learned to adapt and change with company policy to meet business needs. The railroad is a volatile changing industry, but over the last two-three years the company has shifted its focus to something absolutely foreign to me. Everything we do now completely goes against the principles and procedures that we've been taught and trained to do. We used to be a company of safety, quality, and productivity. Those were the main focus points and tackled in that order. Now, we work under constant threat of our jobs. Discipline over education. Minimum workforce with maximum workload. "Urgency" is a term that's constantly thrown in our faces. Urgency will get someone killed. The complacency to safety training/educational workshops and the constant rush to get the work done are not worth our lives and limbs. This is my official resignation. I've given this company 11 years of safe, quality, and productive work. I hope Norfolk Southern can make the necessary changes, and return to the great workplace that I once loved.

Jameson McKnight

T. McNery
3570 W. 111th Street
Chicago IL, 60655

August 17, 2021

Union Pacific Railroad
Mr. J. Parker
Mechanical Department.
Proviso Yard
Chicago IL.

To Whom it may concern,

It was a pleasure and a privilege to once work for a Company like Union Pacific, but unfortunately with the new draconian approach from UP Management towards its employees is an absolute abuse of power, to where I can no longer look at this company as a safe place of employment. The extra work loads and expectations from Cutting all the jobs that I have known to be around for over 10 years, and then putting that extra workload on the remaining manpower through Forced Overtime is a complete disregard to our safety.

The new 'bully boy' attitude toward any manpower that is left, to just "get the job done at all costs" will not be at the cost of my life or limb. This constant forcing to work beyond reasonable safe hours, the never knowing how long I will have to work or when I can go home is a disgrace and unacceptable. UP Managements new expectations for us to look the other way, to cut corners, ignore defects, pull bad order cards, constantly on our backs to get the job done at all costs is totally unreasonable and unacceptable, this cannot or ever should be a condition for my employment.

I hope and pray that UP see a way back to a company where Safety is always a priority and not just a locker room poster or a saying and that UP will again recognize its work force are humans, brothers' sisters, fathers, and sons that need a better working quality of life with a place that is safe to work and not just corporate money mill.

With regrets,

A handwritten signature in black ink, appearing to read 'Tom McNery', with a stylized flourish extending from the end.

T. McNery

Norfolk Southern Machinist' Statement on how PSR has impacted their location

We have redacted this person's name to protect them against retaliation.

April 19th, 2022

To whom it may concern:

PSR and its effects on my location at NS.

PSR has made railroading just like any other job. When I started you got on & you stayed for your career. Now we have people leaving after 15 to 20 years of service due to the lack of man power, the expectations of NS and it's stock holders.

It's nothing new to be the only person on a shift to build consists and work in the shop, which is very unsafe if something were to happen while working. There is no management on 2nd or 3rd shift, so when you are by yourself you are it. There is no one to help if a problem arises.

They have treated people so bad in this process that, at our location, no one wants to come back after furlough, so that leaves us with 3 machinist 4 electrician & 2 Laborers (9 total) to run 24/hrs a day, 7 days a week.

We are expected to change traction motors with 1 person, which is definitely a safety concern since you can't see both sides to watch clearances. They have implemented forced overtime, so if you come to work there is a good chance you will be forced over to cover other shifts due to the lack of manpower, and that doesn't include if someone is sick or on vacation.

NS is out for one thing: their stockholders. Period. We run more broken engines with band aid fixes on them than any other railroad, and NS doesn't care as long as the train is on time and stock prices are where they want them at.

So hopefully at some point they will figure it out this doesn't work, and get back to being a safety-first railroad instead of a profit-first railroad before someone at my shop seriously gets injured or killed.

To Whom It May Concern:

The membership of this lodge includes: Minot, ND, Mandan, ND, Laurel, MT, Havre, MT, and Great falls, MT on the BNSF system, as well as Missoula, MT, Helena, MT, Livingston, MT, and Laurel, MT of the Montana Rail Link.

Our local lodge covers several areas that have been affected by the railroads cutting costs (and jobs) that might interest the STB in their hearing next week.

Glendive, Montana – The shop was closed 2 years ago, and less than half of the machinists furloughed there found other jobs within the BNSF railroad.

Havre, Montana - Three and a half years ago, there were 106 machinists on the roster in Havre. Today there are 79. We are under continuous threat of forced overtime if we cannot get enough volunteers to do overtime. The company Hasn't tried to hire more here until the last 2 months, but considering stagnated wages, increasing health insurance costs, and shift work not conducive to family life, it is hard to attract qualified applicants. Railroad seems to be no longer competitive in the labor market.

Minot, North Dakota and Mandan, North Dakota - Each shop is currently running a 24/7 service track with 7 machinists on location. The company has resisted all attempts to get them to hire someone for years, despite the fact that when anyone calls off sick, is put on leave of absence, takes their earned vacation, or gets sent out on a road trip, someone gets forced onto a 12 or 16-hour shift.

All of this goes on while the company continuously whittles down what they want checked or repaired on a locomotive. And management increasingly lets locomotives go down the tracks with defects we are fully capable of fixing because of constant pressure from corporate to release units for service.

Sincerely,

Michael Smith
Local Lodge 430
IAMAW

Subject: Regarding PSR with Class 1 Railroads

Date: Monday, April 18, 2022 at 7:35:44 PM Eastern Daylight Time

From: [REDACTED]

To: Arouca David

To whom it may concern,

Regarding to PSR amongst Class 1 Railroads, I believe has had a negative impact to every craft that ensures the railroad operates efficiently and most importantly safely. PSR has put an emphasis on more with less. Longer trains meanwhile cutting back on staff that maintains locomotives, freight cars and transportation employees. All which are essential to keeping America's freight running and is the backbone to this nation.

I work with Union Pacific and am a freight car Repairman for 12 years and a [REDACTED]. I have first hand experience of how Union Pacific operates since PSR has been implemented. I have been furloughed four times since 2008. I've only come back to this career because it used to be very competitive on wages and benefits. In December 2018 in the Salt Lake City Yard we had approximately 74 Carmen, then were struck with PSR leaving only 24 left. I barely hung onto my seniority. Through the Last couple of years we have operated at bare minimum staff wise and are force to cut corners on inspecting and fixing freight cars just to keep the trains moving. We are given one minute per car, this includes inspecting, fixing and air testing the train. On a 150 car train it typically takes 2 carmen, 2 1/2 hours to complete. To give you an example of how corners are cut, if the Federal Railroad Association (FRA) shows up to audit our train, Management would put 4 carmen on this train and it would take approximately 4 hours to complete. As soon as FRA leaves it back to how management want us to work.

Employees are also forced to work over anytime there is a vacancy even for non emergency's. Everything is considered and emergency now, even working on freight cars, not just trains that need a Class 1 air test. Union Pacific operates at bare minimum employees, so you can see employees are burnt out and tired also from overly aggressive attendance policies. There is no relief from even sick days thus resulting in a red mark. I imagine this is the direct result from operating short staffed, Union Pacific can not afford to have anyone off.

In regards to our Collective Bargaining Agreement, I see employees frustrated from not having received a pay raise in 3 years. This has been difficult because of inflation and just shows employees Union Pacific does not care about letting employees receive any reward for their hard work in the last couple of years even delivering during the pandemic and after Union Pacific continues to have record profits quarterly.

As the company tries to recall furloughed employees, I've seen several employees reject the recall, approximately 50%. It should also be noted our craft has had several employees quit in our service unit with years of experience. This would have never been the case before PSR. I believe it because Railroad jobs are getting less and less attractive since other jobs are getting competitive. This is why we need a new contract. To attract well qualified and skilled employees who want a better wage and to get into a field that was once considered a craft and not an ordinary job which PSR has turned into. If I was furloughed to this day and recalled in the next year I would decline with what PSR has done to our crafts. Thank you for your time.

Sincerely,

[REDACTED]
Freight Car Repairmen

Letter from Union Pacific Carman Kyle Berliner

Surface Transportation Board
395 E. Street Southwest
Washington D.C. 20423

Dear Chairman Oberman:

With the Precision Scheduled Railroading initiative commonly known as “PSR”, the Carman craft has lost an overwhelming number of members. These employees are skilled at the inbound and outbound inspections of rolling freight cars, the testing of the air brake systems, and any-and-all repairs associated with these freight cars. The loss of these skilled workers comes at a great price to the safety of the general public. These record furloughs have all been in the name of PSR profiteering. The Union Pacific locations I represent are: Pueblo, CO, Denver, CO, Cheyenne, WY, and North Platt, NE.

Pueblo, Colorado has (0) zero Carmen employed in that yard location where now train crews are expected to conduct their own inspections and air test. Where there were once around (18) eighteen employees to assist with high and wide measurements, air brake tests, inbound and outbound inspections as well as repairing set out cars bad ordered for defects. The total elimination of carman in this location has done nothing but delay the average of around three trains a day as well as the added delay of set out bad orders adding to the cars terminal dwell. Carman that were stationed there were tasked with covering not only that yard in Pueblo but also covered the area of Colorado Springs. High and wide measurements that were performed in these locations are ignored totally or are assigned to be performed by the Denver Carman. The road truck repairman assigned to Denver location are now required to commute well over 2.5 hours one-way, should traffic conditions allow, to inspect and repair these cars in order to get them back into service. The added response time to get these cars back into service does nothing more than cause a delay in customers receiving their goods.

Denver, Colorado has (10) ten Carmen employed in that yard location and are being worked at a truly barbaric pace and expectation for this type of industry. Where there were once around (38) thirty eight employees to assist with high and wide measurements, air brake tests, inbound and outbound inspections, as well as repairing set out cars bad ordered for defects. At this point in time, the shortage of manpower and the oversight to refill vacancies through retirement attrition, resignation, and termination has decimated this once booming yard. The time trains wait from arrival to departure has increased exponentially, with instances of upwards of over (24) hours due to the refusal of the Carrier to retain and reinstate a diminished workforce. The Carmen on first shift now see an average of 2-3 trains inbound and outbound to be worked with no more than two Carmen, and in most cases one. The average of 7 inbound and outbound trains (with an average of 100+ cars per train) are expected to arrive and depart this location that previously was worked by an average of 3-4 carmen per shift in the North Yard location. When Carmen are not working outbound and inbound cars, they are expected to repair bad order set outs that were averaging 1-3 days, but now average 6-9 days before being released for the customers.

Cheyenne, Wyoming has (2) two Carman employed in that yard location where train crews are expected to conduct their own inspections and air tests. There were once around (28) twenty eight employees to assist with high and wide measurements, air brake tests, inbound and outbound inspections as well as repairing set out cars bad ordered for defects. These Carman also routinely cover

a satellite yard for bad order repairs in La Salle, Colorado, where the Union Pacific has taken full advantage of not having certified mechanical inspectors on the property. The amount of freight cars and trains that arrive and depart through the terminal of Cheyenne has been cut as well. The lack of equipment to process bad order cars has added an additional delay to customers' goods being placed back online to be delivered to destination.

North Platte, Nebraska Our primary location has dwindled from 353 Carman on our roster to 186, but the actively working number hovers around 168. The largest classification yard in North America has lost countless numbers of yard positions of inbound, outbound and through inspectors at the behest of PSR. The number of Carmen whose daily duties of repairing freight cars has been pulverized by PSR metrics such as Key Performance Indicator (KPI), a tool used to maximize productivity. This productivity push has come at a major risk to the employees' health and overall well-being. Never in my 14 years as an employee have I seen people being forced to perform such physically demanding tasks as I have with the implementation of PSR principles.

The Outbound traffic in North Platte has been slowed immensely through the implementation of the PSR. The Carmen in the outbound yards for departing manifest trains have been cut by an average of 2 carmen per shift. The same can be said for the inbound manifests as well. On average, North Platte origin yards departed 6-8 trains per shift, and now average 4-5 per shift. The greatest impact of traffic flow through the North Platte terminal is in the Run-Through traffic, which on average would process around 20 trains on the East and West sides, combined of a mixture of coal, grain, refrigerated food, as well as mixed container freight. The amount of trains worked now is roughly 10 for both the East and West side combined.

The Carrier would like to blame a manpower shortage for everything, but it is their self-inflicted business model that is clearly failing them. The Union Pacific continually boasts record profits with no real adaptation to reinvestment of its own infrastructure. The cost of this profiteering comes at the hands of a cut and demoralized labor force, as well as the resulting terrible customer service that has greatly interrupted this country's supply lines. For example, it is not uncommon for trains to be parked outside of the terminal in order for the company to meet its own goals of "terminal dwell," only to sit for anywhere from 4 hours to 24 hours, as Carman have been sent out on line-of-road to air test trains previously tested in North Platte as they have not had locomotive power generating air. The FRA has granted multiple waivers such as cars being able to be left off air for 24 hours, which has done nothing but aide the carrier in their ability to let cars sit until they have a desired consist to maximize profits from only using one crew to move their freight when it is convenient for them, but not for the customer.

The lack of tools and equipment system-wide has added to the Carriers inability to get bad ordered or set out cars back into service for the customers. There is minimal-to-no replacement of tools and equipment that is used to process bad order cars. Portable jacks are being rebuilt in great excess of the manufacturers' specifications, and are only replaced once they fail in a catastrophic nature, such as a car being tipped over on the line-of-road due to the jack's failure. More time is spent trying to make due with broken-down and worn-out equipment that causes indirect downtime in the repairing of freight cars. But the truly appalling issue is that worker safety has become sidelined in an effort to save money by not replacing the necessary tools and equipment needed to perform work safely and get rolling stock back into service.

The safety of workers has never been so carelessly cast aside in the name of driving corporate profits. North Platte alone has a rolling average of 15 to 26 workers on Medical Leave of Absence due to work-related personal injuries, as well as the physical abuses these workers are expected to put their

bodies through daily. The human body can only sustain so much before it breaks down, not only physically but emotionally and mentally as well.

The toll the railroad industry has suffered at the hands of the PSR methods are truly endless and unfathomable. Families and communities have been destroyed in the name of corporate greed. Our nation's supply chains have also witnessed the effects of PSR through major shipping delays. The Union Pacific railroad weaponizes a variety of FRA waivers under the guise of "streamlining" operations, but at a cost to employees and customers. These waivers also aid the carrier in foregoing a variety of safety countermeasures and processes, which in turn come at a cost to public safety.

Respectfully,

Kyle Berliner
Local Chairman, Lodge 6832
Brotherhood of Railway Carmen (BRC/TCU/IAM)
510 S. Vine St.
North Platte, Ne 69101