

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

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**COMMENTS OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
DIVISION/IBT, BROTHERHOOD OF RAILROAD SIGNALMEN, INTERNATIONAL
ASSOCIATION OF SHEET METAL, AIR, RAIL AND TRANSPORTATION
WORKERS/MECHANICAL DIVISION, NATIONAL CONFERENCE OF FIREMEN
AND OILERS 32BJ/SEIU AND TRANSPORT WORKERS UNION OF AMERICA**

I. INTRODUCTION AND SUMMARY OF POSITION

The Brotherhood of Maintenance of Way Employees Division/IBT; Brotherhood of Railroad Signalmen; International Association of Sheet Metal, Air, Rail and Transportation Workers-Mechanical Division; and National Conference of Firemen and Oilers, 32BJ/SEIU, and the Transport Workers Union of America (referred to herein as “Allied Rail Unions” or “ARU”) submit these Comments in response to the Board’s solicitation of comments and information in response to ongoing problems with freight rail service, particularly Class I carrier service, which, the ARU contend, predominantly stem from the adoption of a new ruthless cost-cutting business model referred to as “Precision Scheduled Railroading” (“PSR”). The ARU commend the Board for investigating and seeking public input and recommendations regarding actions the Board can take to remedy the degradation of Class I rail service.¹

As part of the implementation of the new business model, the Class I railroads have dramatically reduced the numbers of employees in all crafts. The Class I’s have also curtailed inspection, maintenance and repair work on their infrastructure and equipment, and require a reduced workforce to handle the responsibilities once handled by a significantly larger workforce. The Class I’s have made it difficult to impossible for their employees to properly perform their tasks that are essential to adequate rail service. By their cost-cutting measures, the Class I’s have degraded what were once highly valued jobs, which has made it difficult for them to retain employees and recruit new workers. The Class I’s have only recently come to acknowledge their staffing troubles (without acknowledging the causes of those troubles), but have attempted to blame the pandemic and have claimed they are encountering the same difficulties in hiring being experienced by other industries. There is no basis for such claims. The Class I railroads cut tens of thousands of jobs before the pandemic even began as their profits

¹ There is no formal organization known as the “Allied Rail Unions”, rather that name has been adopted by these organizations for convenient collective reference in this proceeding; each organization is a separate participant in this proceeding

soared and stock re-purchases proliferated. The Class I's continued to cut employment even after they recovered from pandemic related temporary reductions in traffic; and they increased profits during the pandemic not by growing their businesses, but by additional reductions in service and employment.

The driving forces behind implementation of the new business model have been so-called "activist investors" and "private equity". Such entities directly drove efforts to install this model at Norfolk Southern in 2016, and then succeeded at forcing it on CSX Transportation in 2017. As CSX's stock value rose, other railroads fell into line; if they didn't they would see their stock prices drop and be subject to the sorts of investor actions experienced by CSX. The goal of these investors was to drive Operating Ratios down; even when the ratios reached record lows, they pushed for further reductions. As Operating Ratios are derived by comparing revenues to costs, the strategy promoted by the finance interests was to unrelentingly reduce costs. In contrast to prior models that sought to increase the revenue side of the equation by growing the business, the new approach bluntly sought to drive down costs. The easiest ways to do that were by cutting employment and investment, deferring maintenance and repairs, and generally lowering the quality of the services provided. Under this model, fewer customers would be served at a higher profit margin. Having fewer but higher profit margin customers was preferred to growing the business; if some customers could be served profitably, but not at the margin desired by the finance interests, they were ignored or subjected to conditions or limitations on service - essentially de-marketing the railroads as to those shippers. Where the Class I's used to meet the needs of their customers, consistent with the common carrier obligation, under the new business model, customers were required instead to meet the needs of the Class I's; the industry went from a customer service business to a customer serves us business. They could do this because they are essentially government authorized duopolies. When the ICC and STB authorized the merger and control transactions that created the current mega-carriers, the agencies did so based on findings that the transactions would be consistent with the public interest. But the current controlling shareholders and owners, and current managers, have ignored those findings and the representations by the applicants on which the agencies relied in making those findings. Instead, they view the certificates they hold, the authorizations they received, and the legal immunity they acquired as creating the opportunity to maximize profits for the currently controlling finance interests without regard to the public interest, their obligations as common carriers, and the commitments made to obtain agency approval of the transactions that created today's Class I's.

Not surprisingly, to anyone other than spokespersons for the Class I's, as the finance interests directed the carriers to exploit their market dominance, service indeed deteriorated as the numbers of employees who actually provide and support the service were continually decreased. There has been a growing chorus of complaints from shippers about the quality of the service they have received which recently reached a crescendo as many shippers and shipper groups have contacted the STB about their concerns; many of those entities have related the decline in service to the cuts in rail employment. Many shippers have expressed the view that the Class I's are often failing to meet their common carrier obligations. The Allied Rail Unions agree; and they believe that the comments and testimony in this docket will substantiate that view.

In these Comments and associated statements, the ARU will show that the Class I's have dramatically reduced employment well below levels required to provide safe, adequate and reasonable service; employees are leaving the railroads because of degradation of the jobs, unreasonable working conditions, pressure to cut corners and to work below the quality of work rail workers historically provided, and wage stagnation; the railroads created their own workforce shortages and have refused to do what is obviously necessary to increase staffing; at the same time, profits have reached record levels; and the quality of service to rail customers has been substantially diminished.

Once the hearings in this matter are over, the ARU urge the Board to exercise its full authority to enforce service standards generally and the common carrier obligation in particular; and if the Board feels that it lacks sufficient authority to do what is necessary to compel restoration of safe, adequate and reasonable service, it should so advise Congress and ask for additional authority.

II. THE UNIONS AND WHO THEY REPRESENT

The Allied Rail Unions represent railroad workers employed by the Class I freight railroads, Amtrak, commuter railroads, and short line and regional railroads in various rail industry craft and classes. In particular, BMWED represents railroad workers who construct, inspect, maintain and repair railroad track and right of way, bridges and structures; BRS represents workers who inspect, maintain and repair signal, grade crossing and communication systems; SMART MD represents employees who perform sheet metal work on locomotives and plumbing work; NCFO represents employees who fuel and sand locomotives and perform other work in rail shops and TWU represents freight railroad carmen who inspect, maintain and repair rail cars.

III. DATA ON RAIL WORKERS AND RAIL CARRIERS AFTER THE MAJOR MERGER AND CONTROL TRANSACTIONS

A. Employment

After Class I rail employment was reduced by approximately two-thirds between 1980 and 2004, Class I employment was relatively stable between 2004 and 2015-fluctuating between 158,000 and 169,000. New reductions began in 2016 with the introduction of the new business model. In 2016 Class I employment was at 153,000, by 2020 it was at 120,000. See Labor Bureau employment and rail financial data, Addendum A at 7.² The reductions in forces have continued and by December of 2021, Class I employment was at 114,499. *Id.* at 8. The Class I's have blamed the pandemic for the recent reductions in employment, but employment decreased

² The employment and economic data reported in these comments is drawn from the charts and tables prepared by Thomas Roth of the Labor Bureau, Inc. Addendum A to these Comments. Mr. Roth's extensive qualifications and experience are set forth at the back of Addendum A. As always, the unions are appreciative of Mr. Roth's expertise and assistance.

from 150,215 in December 2015 to below 130,000 in February of 2020. Furthermore, the reductions continued even after the initial steep reductions at the start of the pandemic; as traffic returned, employment did not. By the end of 2021, carloadings were only 2.6% below carloadings at the end of 2019; revenue had returned to the levels at the end of 2019. *Id.* at 11. In essence, by December of 2021, a workforce 81% of the size of the 2019 workforce was responsible for moving 97.4% of 2019 carloadings.

These reductions were not uniform among the rail crafts but every craft sustained significant losses, even those like BMWED, BRS, SMART MD, NCFO and TWU whose members are not performing work affected by rigid scheduling of train movements under PSR. See the membership numbers reported by these unions in Addenda B-E to these comments.

Part of the reduction in employment is a result of employees retiring or quitting mid-career because of degradation of the jobs; dramatically worsened working conditions; pressure from management for them to cut corners, skip steps, not perform necessary inspection and maintenance work; and unreasonable workloads in the form of ever increasing territories to maintain and reductions of forces to levels below the numbers necessary to perform basic work--which has resulted in management insisting that remaining employees work constantly, and to repeatedly report for unscheduled overtime, with many employees having to work multiple consecutive days of double-shifts. In the decades prior to implementation of the new business model, mid-career quits by railroad workers were very rare because the jobs were highly valued, now they have been degraded and many workers simply cannot take it anymore. In Addenda B-E are statements of union officers describing this problem, data on resignations of craft employees from various Class I railroads, and statements, and letters of resignation from individual rail workers who left the industry because they found working conditions under the new business model to be oppressive and abusive, wage stagnation at a time of record profits unacceptable, and because they could not in good conscience continue to work with responsibility for the safety of co-workers and communities traversed by the railroads under the practices now in force under the new business model.

The extraordinary mid-career quit phenomenon is also illustrated by United States Railroad Retirement Board data. See Addendum F. The RRRB reports that total Railroad Retirement Act covered employment in March of 2020 was 205,000, by June of 2020 it was 191,000 and it hovered between 186,000 and 192,000 after that; and in December of 2021 it was 189,000. Addendum F at 20 (pdf). The RRRB notes that of the 16,000 persons no longer under the RRRA after March of 2020, 9,300 retired, from which the RRRB infers that 9,700 simply quit. *Id.* at 4(pdf). The RRRA covers Amtrak and major commuters and regional and short lines, so this data is not limited to Class I's and their subsidiaries. But the Class I's and their subsidiaries make up the bulk of RRRA covered employment, and Amtrak and commuter rail employment has been relatively stable. But even if some of the 9,700 persons who left the industry were not Class I employees, the number is still stunningly high in comparison to pre-PSR experience.

The Class I's have told the Board and the public that they suffer the same post-pandemic

hiring difficulties as other industries (CSX CEO Foote had the temerity to compare difficulties hiring rail workers to the difficulties coffee shops were having in hiring baristas, a job that requires minimal training). Such assertions are disingenuous at best. Whatever difficulties other industries are having filling positions, most did not go on a job cutting spree prior to the pandemic, whereas the Class I's cut employment (tens of thousands of jobs) by about 15% between the end of 2016 and the start of the pandemic. Now they say that they are trying to hire (while in many cases not recalling furloughed workers). But as is explained in Addenda B-E, rail jobs are skilled craft jobs that require at least multiple months of basic training followed by years of learning, and in some crafts it can take multiple years up to ten years to reach full competency. The suggestion that the railroads can fix the problems caused by programmed job cuts unrelated to the needs of the service pursuant to the mindless drive for cost-cutting by simply hiring off-the-street is a fantasy and merely an effort to placate critics.

And as is also explained in Addenda B-E, the absence of any pay increase in the industry in nearly three years at a time of a tight job market and dramatically increasing inflation has certainly impeded efforts to hire new workers. But the carriers persist in their parsimonious position at the bargaining table- indicating that the supposed press to hire new employees is not serious but just a public relations gambit.

B. Industry Revenue, Operating Ratios, Profits And Shareholder Gains

Since completion of the big merger and control transactions, the industry has been highly profitable. Profits increased by 479% since 2004. *See* Addendum A at 1. Operating ratios declined dramatically over this period; from 86.6 in 2004 to 64 in 2020, and 62 in 2021(partial); operating ratios in 2021 were the lowest since World War II. *Id* at 3. Over this period, the composite stock prices for the 3 publicly traded big Class I's increased 1,359%! Profits per employee increased 979%! *Id* at 4,6. These trends all escalated after the implementation of the new business model. *Id.* at 1-4, 6. And the trends continued through the pandemic.

Compared to 2019, for the four largest Class I's, operating income is up 10.2%, the profit margin increased from 25.5% to 28.1%; dividends per share increased 15% ; and share prices (excluding BNI) were up 46%. *Id* at 9. Since the start of the pandemic, traffic has returned to 97.4% of 2019 levels. *Id* at 10. But employment is down 18.9% from December 2019 to the present. *Id.* at 14. As noted above, 81.1% of the pre-pandemic work force is moving 97.4% of the pre-pandemic freight. Carloadings are slightly lower, and 2021 operating revenue was essentially the same as it was in 2019 operating revenue (*id.* at 11), so the Class I's have increased their profitability not through growth, but through continuing cuts in expenses; significantly, and substantially, by cutting employment.

Beyond the increases in share prices since the start of the pandemic, the publicly traded biggest Class I's have gone a stock buyback binge. In 2019 and 2020 they spent \$17.3billion on stock repurchases. This escalated in 2021 when they spent \$13.6 billion on stock repurchases in that single year, but they have maintained employment at absurdly low levels and are obdurate in their refusal to meaningfully increase compensation employment. Addendum A at 4, 15.

C. Wages vs. Profits

Since 2004 Class I employee wage rates increased 56% (14.2% in real dollars). During this same period, profits increased 684% and share prices for the publicly traded biggest Class I's were up 1,359%. *See* Addendum A at 4-5. Profit per employee increased 979%. *Id.* at 6.

IV. THE ROLE OF THE STB WITH REGARD TO ADEQUACY OF RAIL SERVICE

The STB is responsible for administering the Interstate Commerce Act as amended by the ICCTA. Although the scope of its authority is less than the authority exercised by the ICC, the Agency is still charged with authorizing or rejecting certain rail transactions, enforcing its own decisions and those of its predecessor agency, and enforcing commands of the statute, including those related to service standards and the common carrier obligation.

Carriers have argued that the Board should not involve itself in disputes over alleged service problems and that such issues should be left to the market, not handled by regulatory action. *See e.g.* BNSF comments in EP 767, AAR letter to Chairman Oberman dated October 3, 2021). This contention ignores some very basic characteristics of the railroad industry and the environment in which railroads operate.

The Class I railroads are not actors in a free and open market. Today's Class I's are duopolies that exist as a result of ICC and STB approvals of consolidations of previously separate carriers; they are immune from many legal challenges and are effectively impervious to market-based challenges and corrections. Additionally, creation or extension of rail lines comes at a significant capital expense. And entry to and exit from the industry requires Board approval or exemption. Furthermore, the merger and control transactions that created every one of today's Class I railroads required ICC or STB approval based on findings that the transactions were consistent with the public interest. In those cases, the railroads contended, and the ICC and STB agreed, that the mega-carriers would provide better and faster service through longer-end-to-end runs, reduced interchanges, and greater system velocity; that efficiencies would be achieved that would result in savings that would be passed along to shippers and the public in general; and that the economies of scale available to larger carriers would allow for increased investment in rail infrastructure. Those considerations outweighed concerns about concentration in the industry; as a result, the Class I's gained a degree of market dominance not permitted in other industries. To some degree, the potential public interest benefits projected for the merger and control transactions were realized--until adoption of the new business model. For the carriers to assert that the Board has no place in assessing whether the public interest is still being served by the railroads that resulted from those transactions, when the railroads are exploiting their size and lack of competition that flowed from the authorized transactions, is to undercut the reasoning that was the basis for approval of those transactions.

Additionally, ICC/STB approval of the merger and control transactions that created the current Class I's came with exemption from anti-trust law and all other laws (which included

immunity from Railway Labor Act claims) as “necessary” to the ‘carry[ing] out’ of those transactions (49 U.S.C. §11321), with the “carrying-out” and “necessity” broadly construed. *Norfolk & Western Ry v American Trains Dispatchers Ass’n*, 49 U.S. 117, 133 (1991); *American Train Dispatchers Ass’n v. ICC*, 26 F 3d 1157, 1164-65 (D.C. Cir. 1994); *United Transp. Union v. STB*, 108 F. 3d 1425, 1430-31 (D.C. Cir. 1997). The Class I’s exploited that authority and were able to modify their collective bargaining agreements with the rail unions without compliance with the RLA and without regard to the rights of the unions and their members under the Norris LaGuardia Act (29 U.S.C. §101 et seq.).

Simply put, the current Class I railroads would never have been allowed to come into existence (and never would have been able to ignore anti-trust restrictions and Railway Labor Act requirements) if the railroad industry existed in the sort of open market environment the railroads pretend they are part of when they protest Board investigation of the quality of the service they provide. The railroads want the advantages of government permitted consolidation that would not have been allowed in most other industries, and post-transaction immunity from anti-trust claims and claims under other laws, but they then want to cabin the role of the agency that allowed those consolidations and conferred on them such immunity. Having reaped the benefits of Board approval of their creation, the railroads are in no position to tell the Board to keep its nose out of their businesses.

In short, it is entirely proper for this Board to hold these hearings, require production of information and answers to Board member questions about the quality of service the carriers are providing; and for the Board to issue orders and directives that require the carriers to comply with their statutory service obligations and to provide service at a level consistent with the representations they made in obtaining ICC and STB authorization for the transactions that created the current mega- carriers.

V. ADOPTION OF NEW BUSINESS MODEL AND DRIVE TO REDUCE OPERATING RATIOS

For a number of years after the ICC and STB authorized the merger and control transactions that created the current mega-carriers, the railroads followed through on their representations that service would improve, and infrastructure investments would increase. Shipper rates declined steadily from 1980 rates in real dollars but plateaued and began to increase toward the end of the first decade of the 2000s, while still remaining well below 1980 rates in real dollars. The two decade-long erosion of rail employee compensation bottomed-out and there were small gains. But after twenty years of significant profit growth, rail employee compensation is only slightly above the 1980 level of compensation in real dollars.

But in the mid 2010s, so-called “activist investors”, hedge funds and private equity interests took note of railroad profitability and market dominance and the very light nature of rail regulation. They realized that they could drive down operating ratios without loss of business, or a regulatory response. They began to buy into the Class I’s and to force ruthless cost-cutting measures on the railroads.

In 2016, Pershing Square Investment attempted a hostile takeover of the Norfolk Southern, promising to bring in Hunter Harrison and the cost-cutting business model. This effort was resisted by Norfolk Southern and the rest of the industry. Matt Rose, then CEO of BNSF spoke to Rail Labor and asked the unions to oppose the CP effort because of the negative impacts it would have on the industry. The unions concurred and opposed the plan. But in fighting off the bid, NS sought frantically to reduce its operating ratio on its own. There was a substantial round of layoffs just to produce better numbers for the next quarter. Large maintenance of way gangs were furloughed, in clear violation of the CBA, even though the production season would be ramping up in a few weeks. When the unions filed claims, they found Labor Relations was too short staffed to respond because that function had been reduced. And so the arbitrary cost-cutting was begun.

In 2017, Mantle Ridge Investments became a CSX Corp. shareholder (5%) and promoted a plan to lure Hunter Harrison away from CP (at the cost of nearly \$400 million) to bring his way of doing business which was promoted as a way to reduce Operating Ratio and increase profits and the value of CSX stock. CSX initially resisted this effort but news of the potential installation of Mr. Harrison led to a running up of CSX share prices and Mantle Ridge had leveraged its 5% holdings into control of CSX. What followed was a purge at CSXT (managers were reportedly unwilling to leave the building for lunch out of fear that their belongings would be boxed up and they would be escorted from the building), and then came implementation of PSR and rampant cost-cutting measures with respect to the workforce, facilities and equipment. As CSXT drove its Operating Ratio down, its profits and shareholder value increased. The other Class I's soon fell in line – NSR, UP, KCS; BNSF does not purport to be a PSR railroad, but its actual practices in terms of cost-cutting do not differ in any significant manner.

V. WHAT IS PRECISION SCHEDULED RAILROADING

“Precision Scheduled Railroading” is just branding. It sounds scientific, but it is just brutal cost-cutting. It is not “precise” it is just forceful; it is really inflexible scheduled railroading. It converts a model where the railroads as common carriers worked with their customers (the shippers) on pickups and deliveries, to one where the shippers have to conform their operations, their work days, their organization of supplies in and product out to the railroad’s preferences and algorithms. PSR is the railroad version of “lean” business practices--across-the-board cost-cutting to reduce operating costs in derogation of the railroads’ common carrier obligations, and without regard to the impact of the strategy on employees or the quality of service to customers. Adoption of this approach is not driven by railroading imperatives or a desire to grow the business; it is driven by finance interests and corporate officers who personally benefit from stock price increases, who seek to extract value from these essential enterprises. This is readily apparent because, as noted above, adoption of this model was first promoted by investors at CP and CSXT (Pershing Square, Mantle Ridge). The so-called “activist investors” who promote this model do not want to increase profits by “growing the business (as advocated by Matt Rose). They want to increase the profit margin and are happy to shrink the

business, so it responds only to high profit margin customers-hence the complaints of shippers that current managements are de-marketing the railroads.

The result of adoption of this model is railroads that are designed only for optimal conditions with no cushion for reasonably foreseeable events, seasonal fluctuations in demand, and market driven changes in demand for service. The practices associated with this business model include: reduction in the work force (30% since 2016); mothballing of equipment (locomotives and cars) leaving the railroad short of equipment; reduction of service to shippers who cannot be served at the target operating ratio (but nonetheless can still be served at a profit); reduction in inspection and maintenance of infrastructure and equipment (including expanded territories for maintenance of way employees and signalmen, reduced maintenance of way gangs, deferred responses to signal and crossing problems, and rushed inspections of equipment). All of the Class I railroads have adopted this business model.

That the business model is not just about scheduling trains is demonstrated by the overall reduction in engineering forces (Maintenance of Way workers and Signalmen) who inspect, maintain and repair the tracks, rights of way, structures and signal and crossing systems. If PSR was just a change in operations, it would not involve a reduction in engineering forces. Nor would it lead to a reduction in the number of Dispatchers whose jobs in juggling the movements of longer trains have become more complicated, not less complicated. The overall reduction in inspection and maintenance of the tracks, right of way, structures, and signal and crossing systems is not related to changes in operations.

Simply put—PSR is not an operating practice, it is just one manifestation of a business model designed to extract value from the railroad for the benefit of its shareholders to the detriment of customers and employees, and long term to the detriment of railroads themselves once the so-called “activist investors” move on.

VI. WHAT HAVE BEEN IMPACTS OF THE NEW BUSINESS MODEL ON THE RAIL WORK FORCE

Obviously, the most significant effect of the new business model on rail workers has been the drastic cuts in the workforce in all crafts. Also significant are the unprecedented mid-career quits that have occurred as the new business model has taken hold.

Beyond those effects, there have been the changes in work methods. Every craft reports pressure from the carriers for employees to work faster and faster, to cut corners, to skip steps in processes, to not report defects or unsafe conditions, to authorize release of equipment that is in substandard condition, and to allow operations on track that is not being properly inspected and maintained. This is set forth in more detail in the statements of BRS President Michael Baldwin, BMWED Director of Strategic Coordination and Research Peter Kennedy, SMART MD International Representative Larry Holbert, and TWU International Vice President and Railroad Director John Feltz. Addenda B-E to these Comments. The ARU urge the Board to review these statements which reflect what these officers of the Unions have been told time and again by members. The Board should also review the attached statements from current and former

employees, which detail how the railroads have degraded the work, lowered standards for quality of the work, and pressured employees to be less attentive and responsible in the performance of their jobs.

In these comments we will briefly summarize information described in more detail in Addenda B-E. Maintenance of way territories have been expanded and work gangs have been reduced so that they cannot keep up with repair work, and the result is track downgraded to lower speeds and increased risk of derailments. This will mean slower movement of goods through the supply chain. Signal territories have also been increased beyond reasonable sizes, work assignments that historically required two Signalmen have been assigned to one Signalman, “trouble tickets” (notification of defects that have to be remedied) are being deferred, the workload to perform all FRA mandated testing precludes maintenance and repair work. In many instances, Signalmen are only doing testing, not repairs; in some instances employees are not called to fix signal or crossing problems because the railroads do not want to pay overtime, or they are concerned that time spent for those assignments will run against the employee’s Hours of Service limits, and the reduced staffing requires that all employees be able to take shifts where they have full Hours of Service availability. The signal system controls train movements. Obviously, if there are signal system malfunctions, those will slow or prevent train movements. Locomotive mechanics like those represented by SMART MD are being told by management that their main job is to turn around locomotives back into service, not to make sure that they are in proper working order. Elements of annual inspections for locomotives have been drastically reduced to the bare FRA required minimum, which is not sufficient to ensure a properly functioning fleet of locomotives that can adequately serve the railroad’s customers. Sometimes managers simply stop inspection work before it is completed to just get the locomotive back in service. When locomotives are not adequately inspected, maintained, and repaired before they are put into a consist, they may fail and stop or slow down the entire consist or even derail. And Carmen represented by TWU are pressured to complete inspections of cars in absurdly unreasonable time frames, they are required to inspect air brakes and hoses when cars are in consists in motion, they are also discouraged from sending cars to the shop for repairs and managers sometimes remove defect cards from cars so they don’t have to be “shopped”. Defective cars can slow movement of a train or even a derailment.

The statements of current and former workers tell a more disturbing tale about how work that is safety sensitive and necessary for timely and efficient movement of trains is being performed today. They provide examples of specific instances of inability of employees to do their jobs to proper standards, of unsuccessful efforts to see that defects are dealt with, and of specific directives not to do work as it should be done.

The other major effect of the new business model on the rail work force has been damage to the health and personal lives of rail workers. Because the railroads cut employment so precipitously, are having trouble retaining current workers for the reasons described above, and are having difficulty hiring, they are forcing the remaining work force to work all the time. The statements in Addenda B-E explain how employees are being required to work multiple consecutive days of overtime (sometimes consecutive double shifts), how many workers are

required to travel long distances (often with patently inadequate travel expense reimbursement), and how workers feel less safe at work in the current environment. The ARU again urge the Board to read the statements of individuals who describe experiences that ought to be very troubling to all industry stakeholders.

VII. WHAT HAVE BEEN THE IMPACTS OF THE NEW BUSINESS MODEL FOR SHIPPERS

The reductions in railroad workforces, and the loss of experienced and skilled workers have dramatically affected the ability of the Class I railroads to meet reasonable customer demands for service--after all, it is the workers who provide and support the service. The railroads claim that all is fine, that their service has never been better. But their workers know it is not; and the cascading shipper complaints refute the railroads' contentions. Additionally, the railroads staffing model seems to be based on the assumption that everything will go right all the time. But things often don't go right all the time. The railroads often point out that they run an "outdoor plant", but their staffing seems to ignore that reality. Weather has always been a factor in train movements. Seasonal demand for service has always varied. Just because the railroads designed a model for optimal operations does not mean that the real world will comport with that model; it typically does not.

Furthermore, the reduction in ability to perform inspection, maintenance and repair work; along with the deliberate de-emphasis of and avoidance of such work necessarily affects the ability of the railroads to timely and effectively serve their customers and to comply with their common carrier obligations. Poorly maintained track means slower train movements, and increased risk of derailments and crossing incidents; defective signal system components can mean slower service or cessation of service, and increased risk of derailments and crossing incidents; poorly maintained and repaired locomotives and insufficient locomotives can mean slow train movements, broken down trains, and derailments; and improperly inspected and maintained cars can mean slow train movements, broken down trains, and derailments.

VIII. WHAT IS TO BE DONE

The ARU submit that once it receives and reviews the materials produced and testimony provided in this proceeding the Board should resolve to do all it can to enforce service standards and the common carrier obligation. If the Board feels that it currently lacks sufficient authority to remedy service problems and enforce the common carrier, it should so advise Congress and seek whatever additional authority it needs.

The Class I railroads will likely react that the unions, shippers and the Board would throw the industry back to what they will describe as the bad old pre-Staggers regulatory regime. They will also argue that the service problems should be resolved by the markets, and that STB intervention is inappropriate.

But no one is proposing to recreate the regulatory regime that existing prior to the Staggers Act. Rather, other stakeholders ask for the Class I's to be held accountable for their statutory obligations and for the representations they made when they sought merger and control authorizations that created today's Class I's, which allowed them to become the phenomenally profitable enterprises they are today. And the Class I railroads are not actors in a free and open market. As the ARU have noted, today's Class I's are duopolies that exist as a result of ICC/STB approvals of consolidations of previously separate carriers. And the merger and/or control transactions that created every one of the Class I railroads required ICC or STB approval based on findings that the transactions were consistent with the public interest and came with exemption from anti-trust law and all other laws as "necessary" to the 'carry[ing] out' of those transactions. The current Class I railroads would never have been allowed to come into existence (and never would have been able to ignore anti-trust restrictions and Railway Labor Act requirements) if the railroad industry existed in the sort of open market environment the railroads pretend they are part of when they protest any plan for the STB to respond to service issues. The problem today is that the industry that currently exists is very different from the one that existed when the Staggers Act and the ICCTA were passed, and when ICC and STB caselaw under those statutes was developed. It is time for the rules and regulations of the STB to respond to the industry that exists today and the environment in which the railroads, their customers and employees operate in and work today, not the industry and industry environment that existed over twenty-five years ago.

Long after the so-called activist investors and other value extraction entities have moved on, the shippers, rail workers, rail communities, and this agency will have to deal with the damage done to this essential industry. The burden on all of them will be lessened if the Board acts now to mitigate the damage caused by the new business model.

Respectfully submitted,

/s/ Richard S. Edelman

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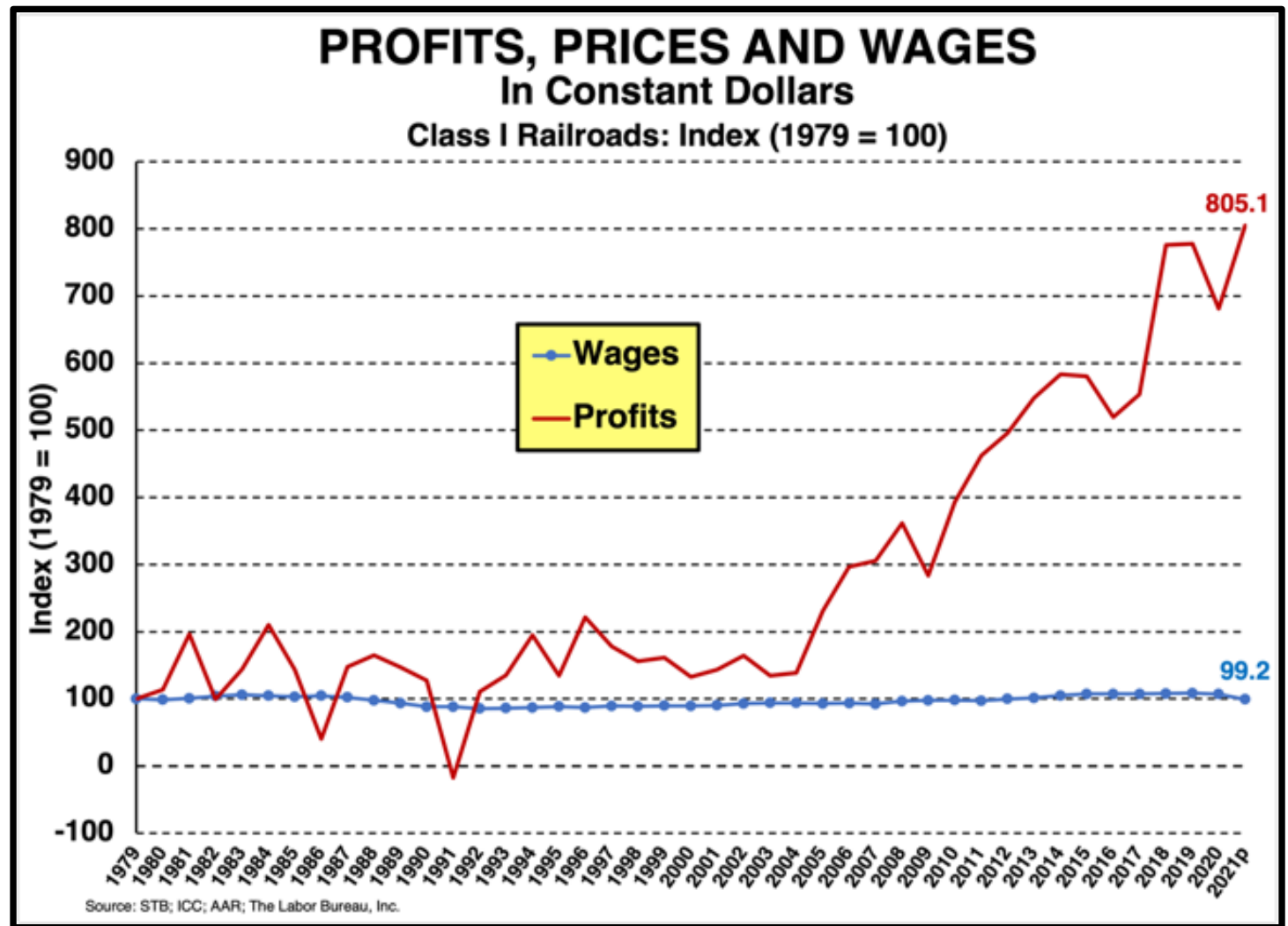
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ADDENDUM A

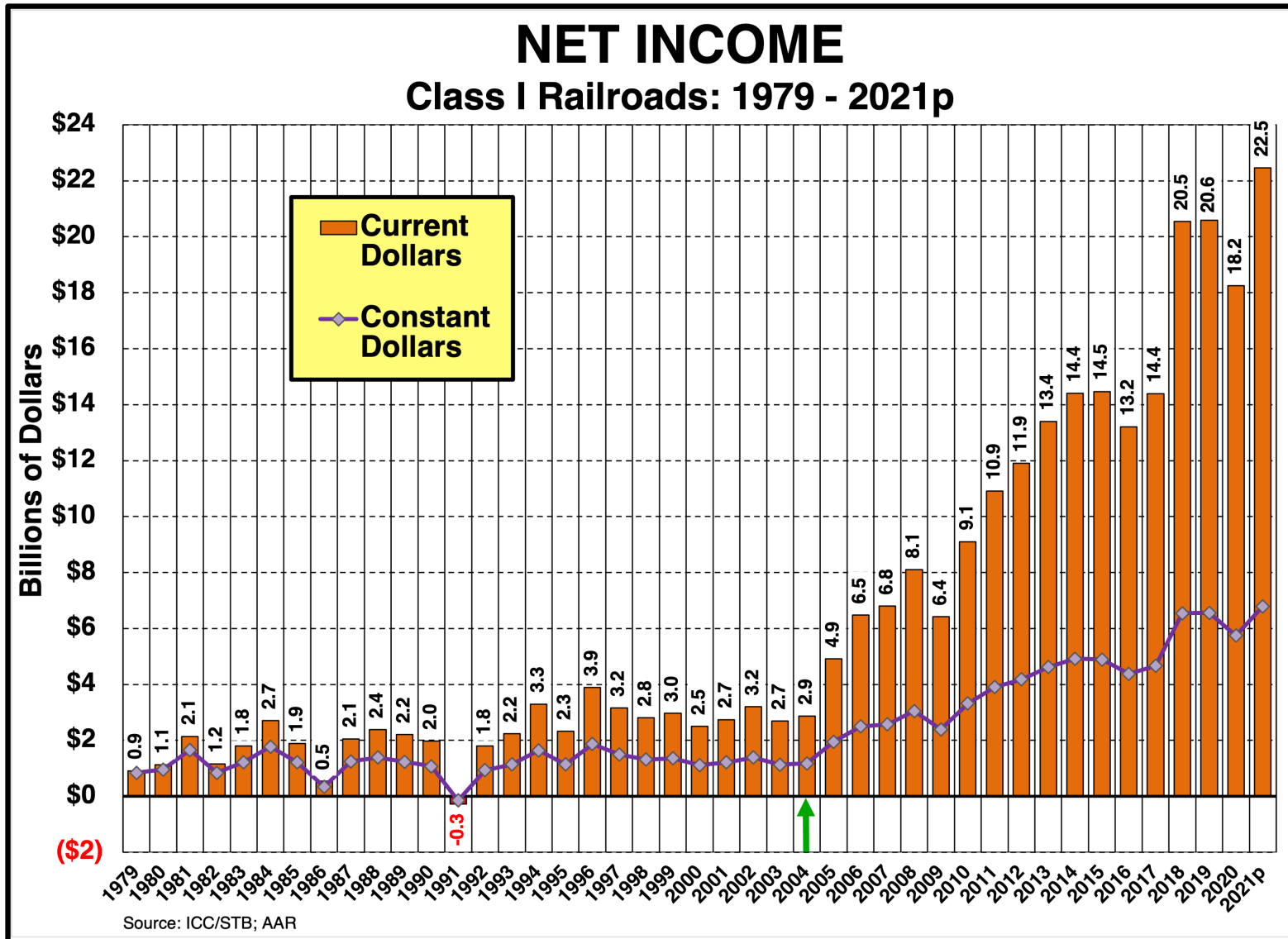
Labor Bureau Charts and Graphs

- Real profits are up 705% since the passage of Staggers; and have soared 479% since 2004 alone.

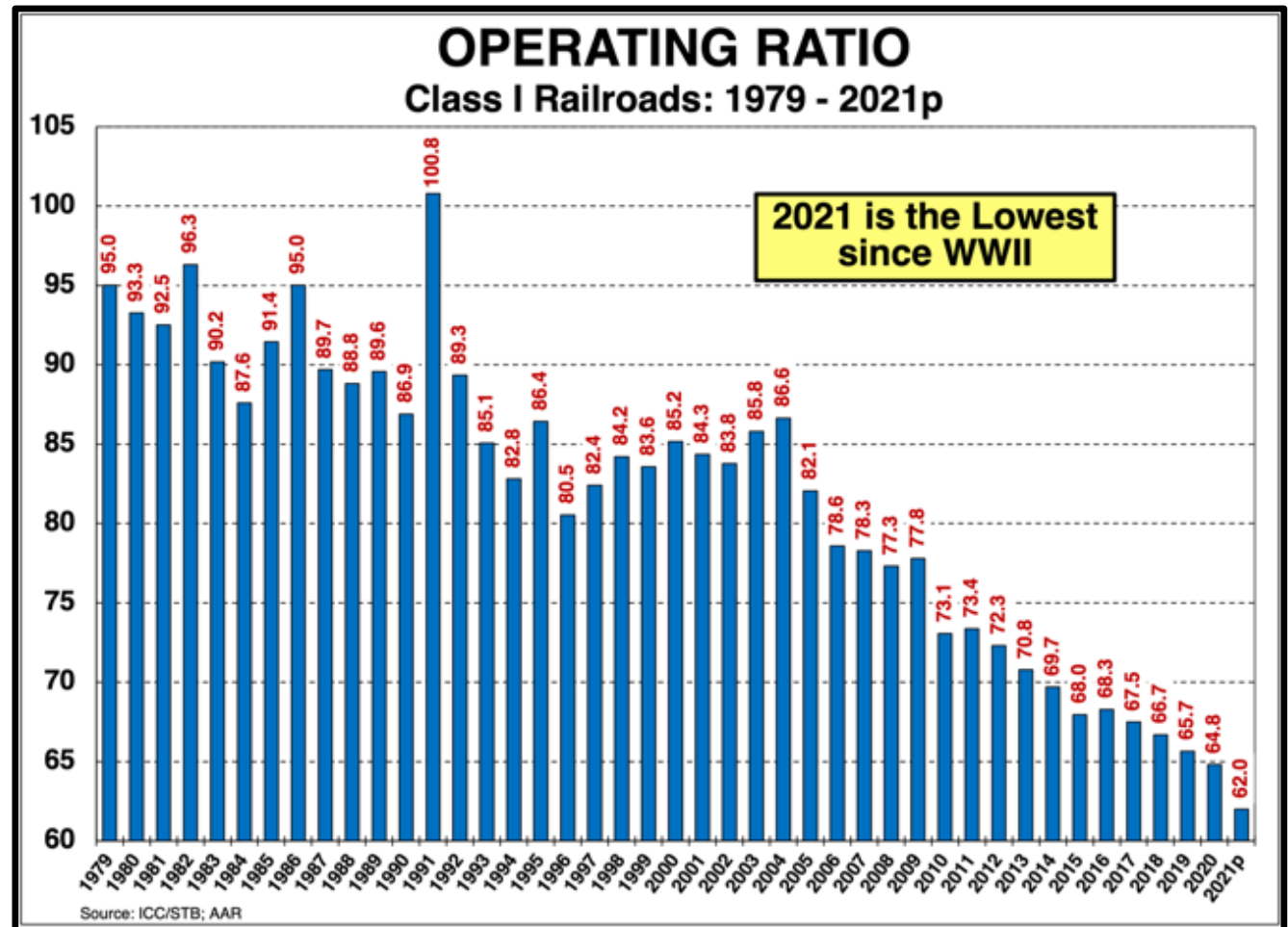
- While real wages have been stagnant – zero increase over the entire 42-year period.



As the revenue margin widened, profit margins and operating ratios reached record levels.



- The operating ratio is the direct relationship between operating revenue and expenses. This statistic presents a basic assessment of the efficiency of railroad operations and its ability to produce revenue from expenditures. The operating ratio is a widely used financial performance measurement in the railroad industry.



STAKEHOLDERS EXPERIENCE

Rail Labor and Shareholders

Rail Labor (2004 - 2021)

CLASS I FREIGHT RAILROADS

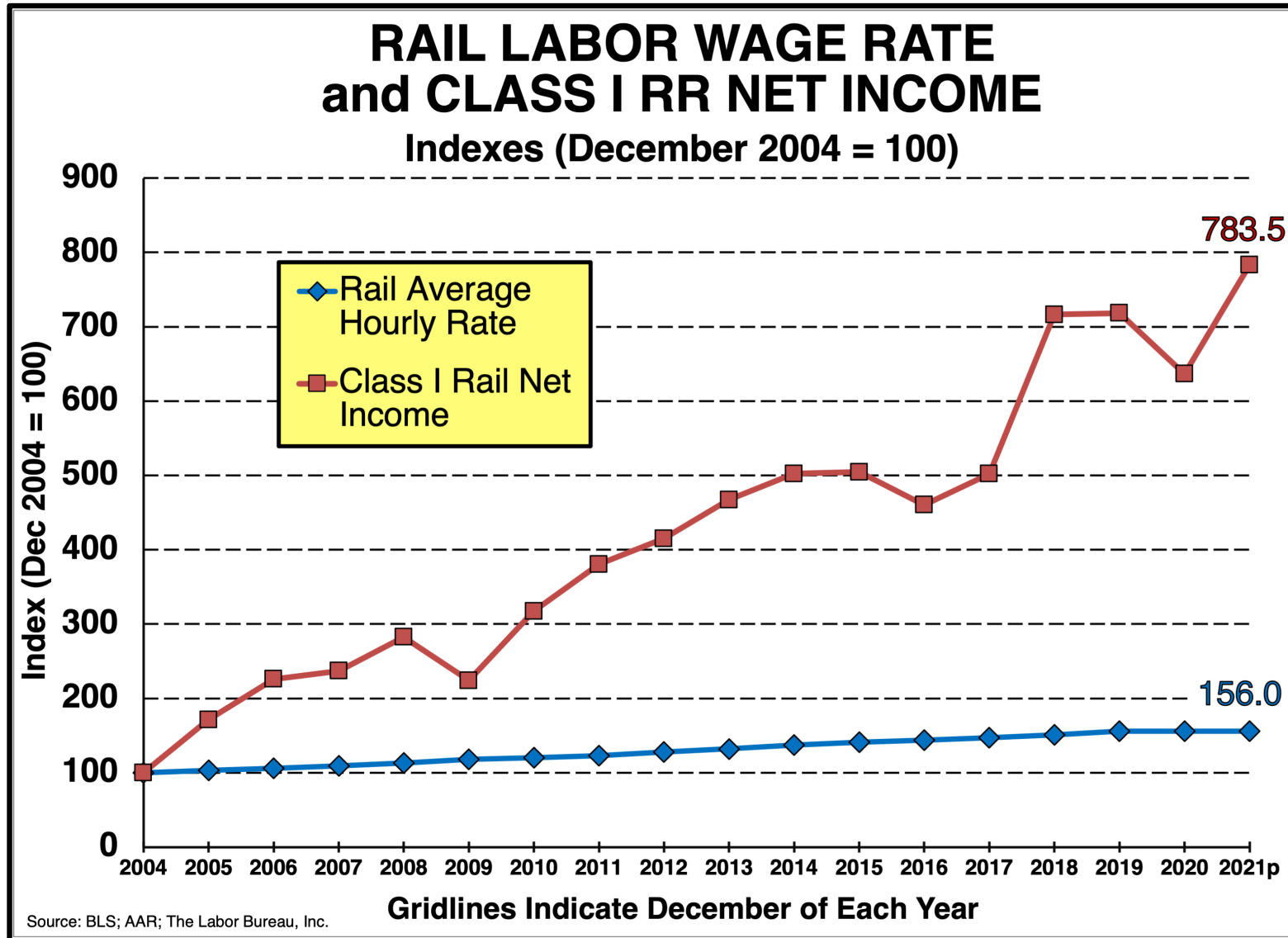
Change in Employment	-27.4%
Job Loss	43,183
Wage Rate Increase	56.0%
Real Change (Adjusted for Inflation)	14.2%
Total Compensation Increase per Hour Worked (04-20)	53.7%
Real Change (Adjusted for Inflation)	12.4%
Total Labor Cost Increase	14.4%
Real Change (Adjusted for Inflation)	-16.3%
Total Expenditures on Labor Cost Increases	\$1.8 billion

Shareholders

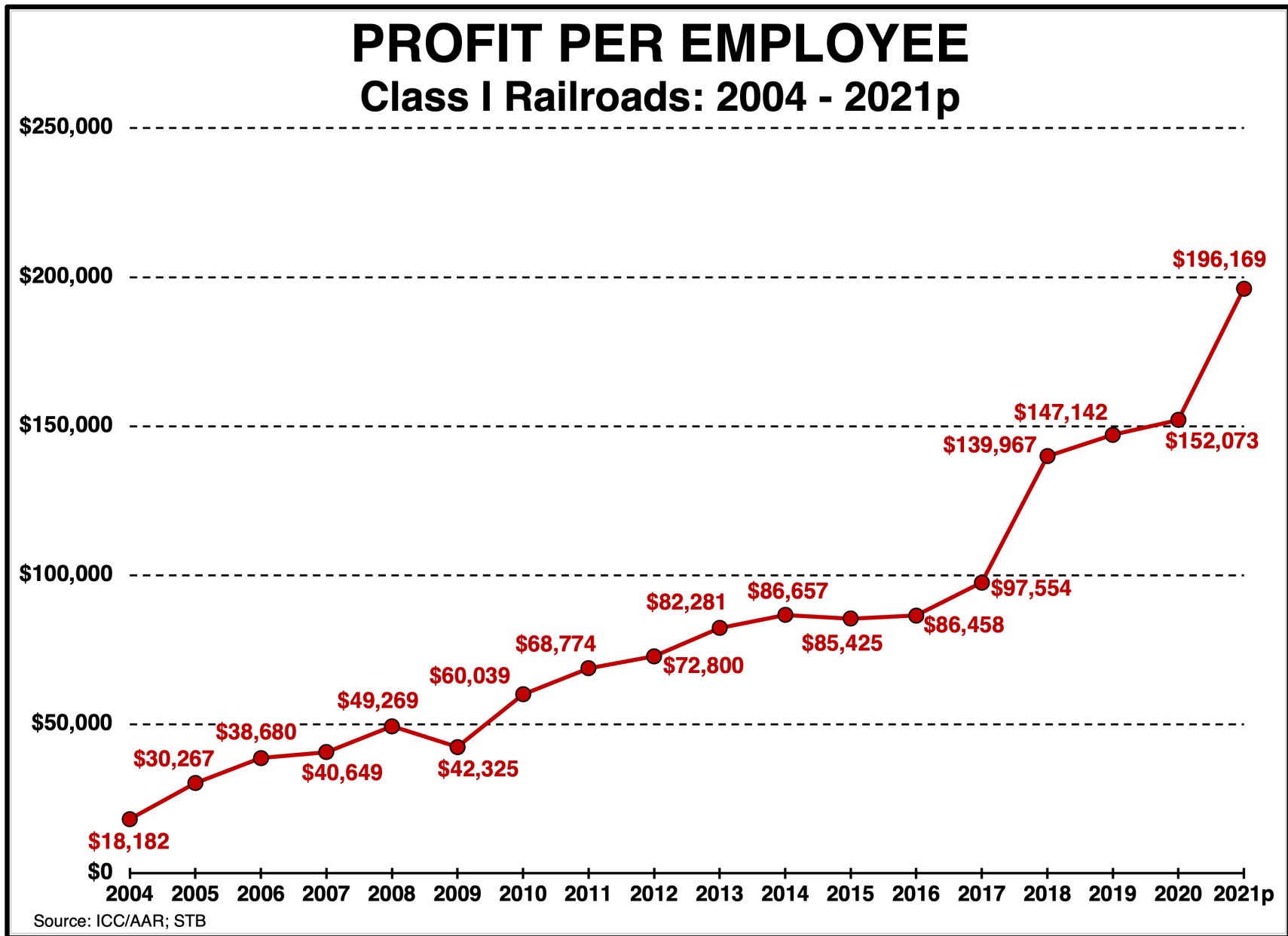
(Big-3 Railroads: 2004 - 2021)

Composite Stock Price Increase	1,359%
Change in Annual Cash Dividends per Share	1,038%
Total Shareholder Return	1,374%
Cumulative Expenditures on Stock Buybacks	\$81.0 billion

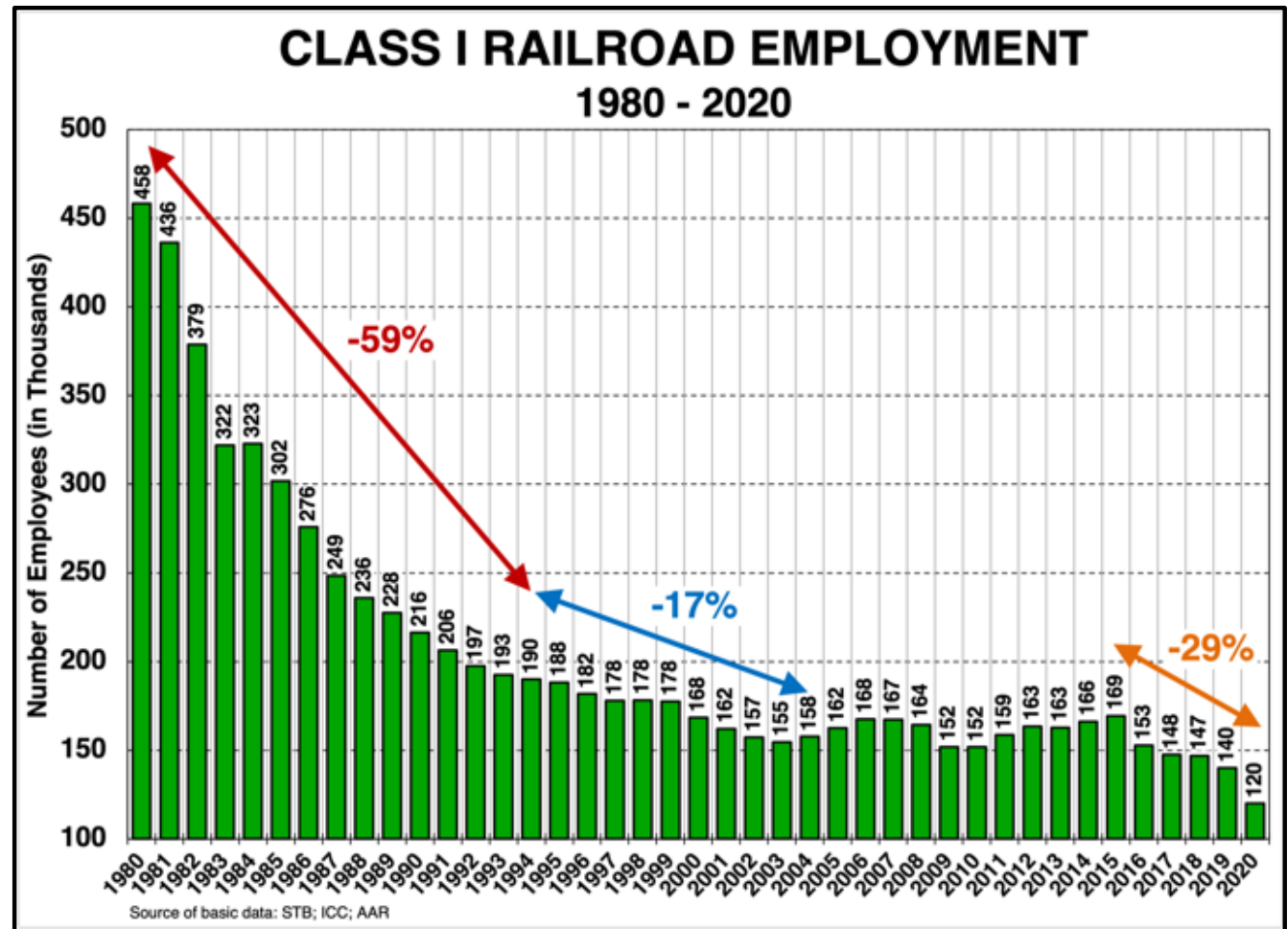
The wage and profit trends place rail labor progress in perspective. Since 2004 profits have increased 684% while wages have risen 56%.



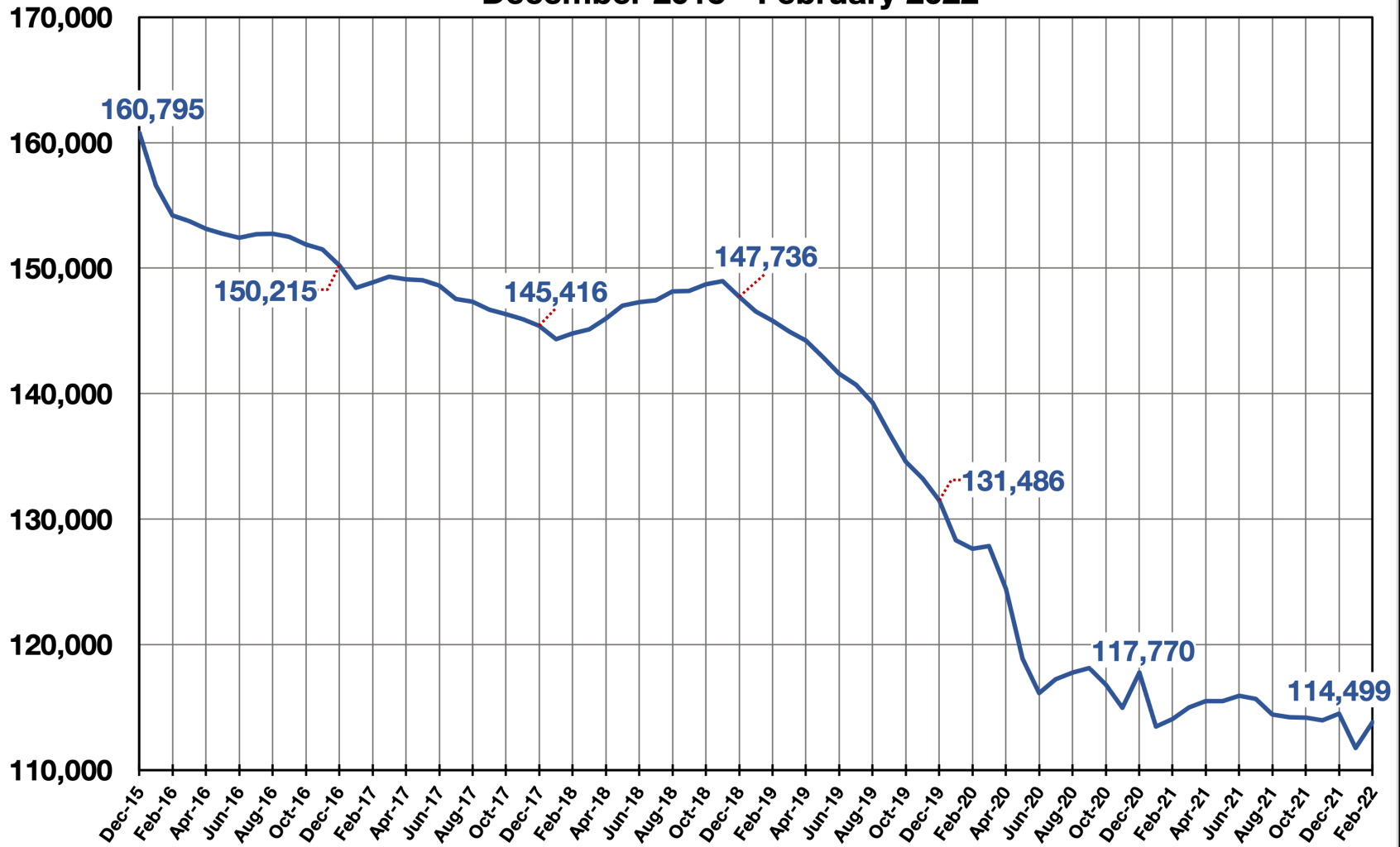
Profit per employee has risen by 979%



- During the first 25 years of deregulation, consolidation of networks, coupled with massive and focused capital investment, increased labor productivity and capital efficiencies across the board.
- Rail labor employment was reduced by two-thirds – 317 thousand jobs were lost.
- After a decade of relative stability employment collapsed again with the introduction of PSR in 2016.



EMPLOYEE HEADCOUNTS ALL FREIGHT CLASS I RAILROADS December 2015 - February 2022



Source: Surface Transportation Board

MAJOR FOUR RAILROAD CORPORATIONS CONSOLIDATED FINANCIAL REVIEW

2021 over 2019

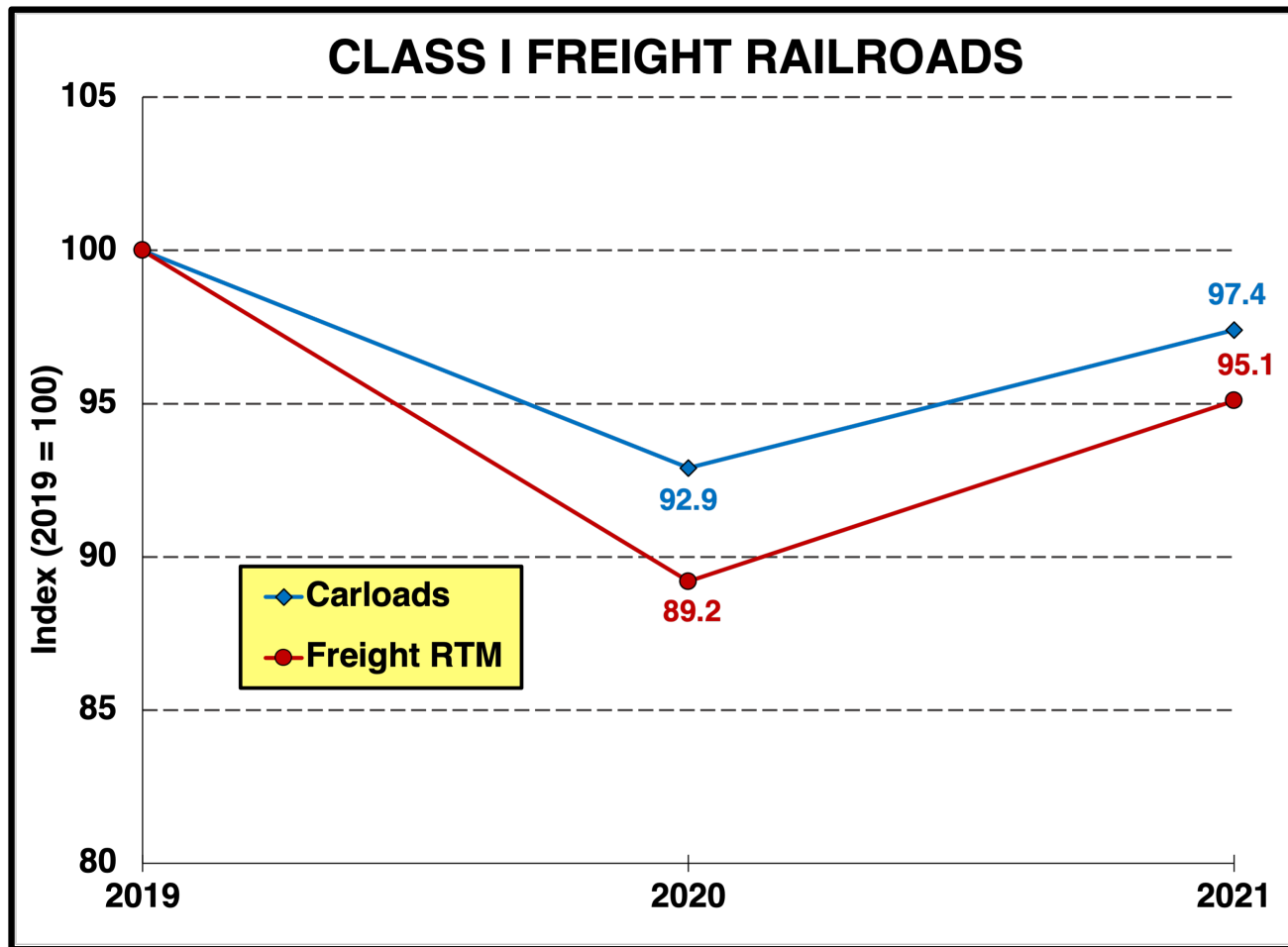
The Rail Industry's Financial Performance has not only recovered but is actually improved over pre-pandemic Levels.

- **Operating income up 10.2%**
- **Operating ratio down to .59 from .63**
- **Profits up 10.6%**
- **Profit margin improved to 28.1%
from 25.5%**
- **Dividends per share increased 15.0%**
- **Share price (excluding BNI) up 46.0%**

Source: Roth/LBI based on Form 10-Q for CSX, NSC, BNSF and UP; and STB

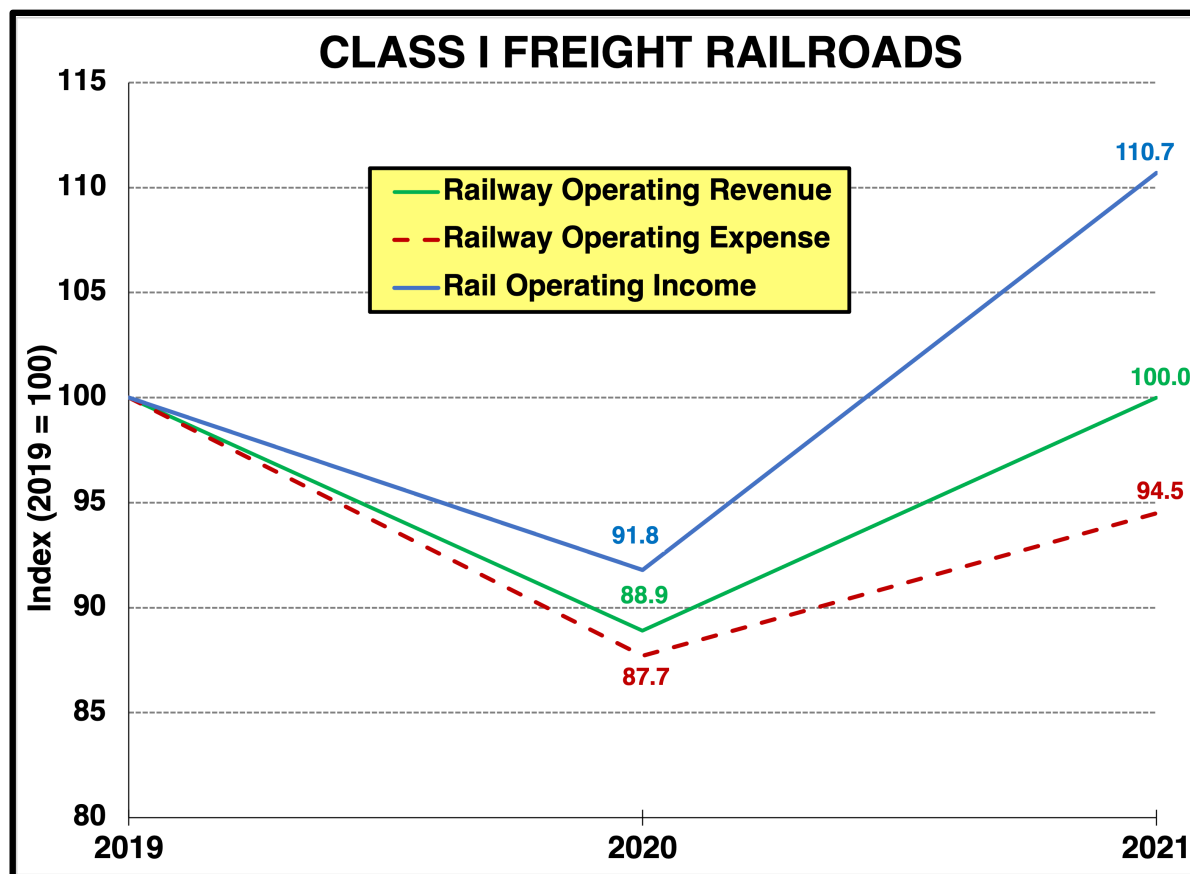
TRAFFIC HAS REBOUNDED

Twelve Months Ending December 31	2019	2020	2021	Change: 19 to 21
Carloads Originated (Thousands)	28,243	26,236	27,497	-2.6%
Freight Revenue Ton-Miles (Millions)	1,614,498	1,439,814	1,534,839	-4.9%



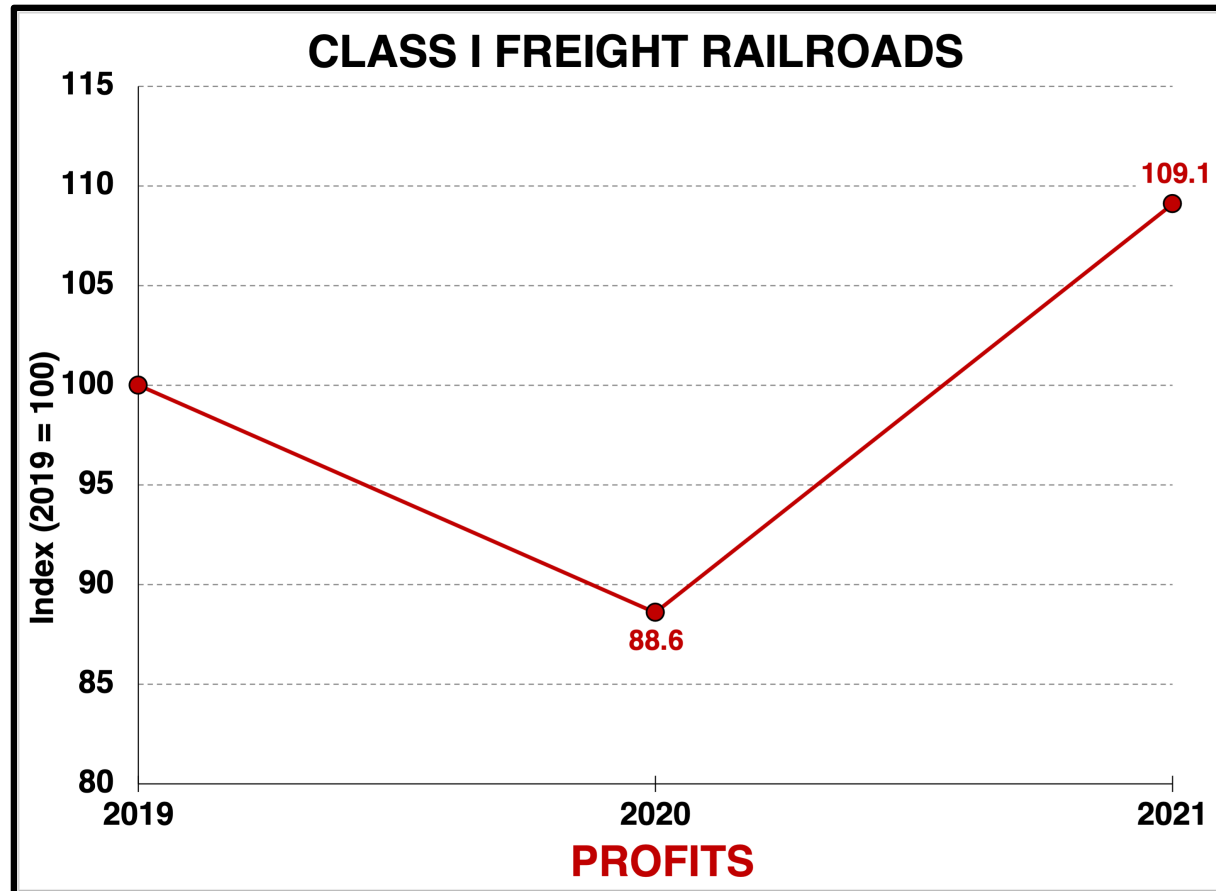
REVENUE HAS FULLY RECOVERED AND THE OPERATING RATIO HAS FALLEN

Twelve Months Ending December 31	2019	2020	2021	Change: 19 to 21
Railway Operating Revenue (Millions)	\$74,300	\$66,049	\$74,331	0.0%
Railway Operating Expense (Millions)	\$48,785	\$42,802	\$46,084	-5.5%
Rail Operating Income (Millions)	\$25,515	\$23,427	\$28,247	10.7%
Rail Operating Ratio - Exc. Non-recurring	65.7	64.8	62.0	(3.7) pts.



PROFIT LEVELS IN 2021 EXCEED PRE-PANDEMIC LEVELS

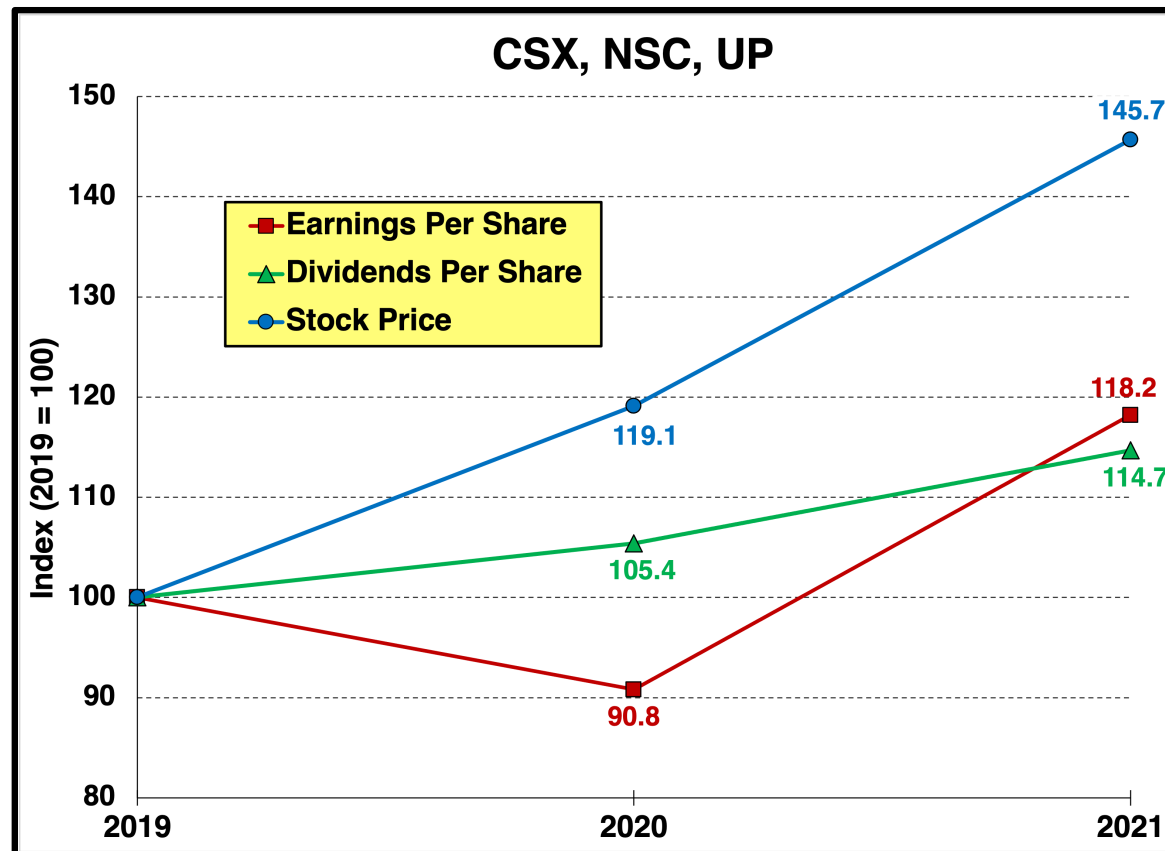
Twelve Months Ending December 31	2019	2020	2021	Change: 19 to 21
Profits (Millions)	\$20,593	\$18,250	\$22,465	9.1%
Profit Margin	27.7%	27.6%	29.8%	2.1 pts.



SHAREHOLDERS PROSPERED DURING THE PANDEMIC

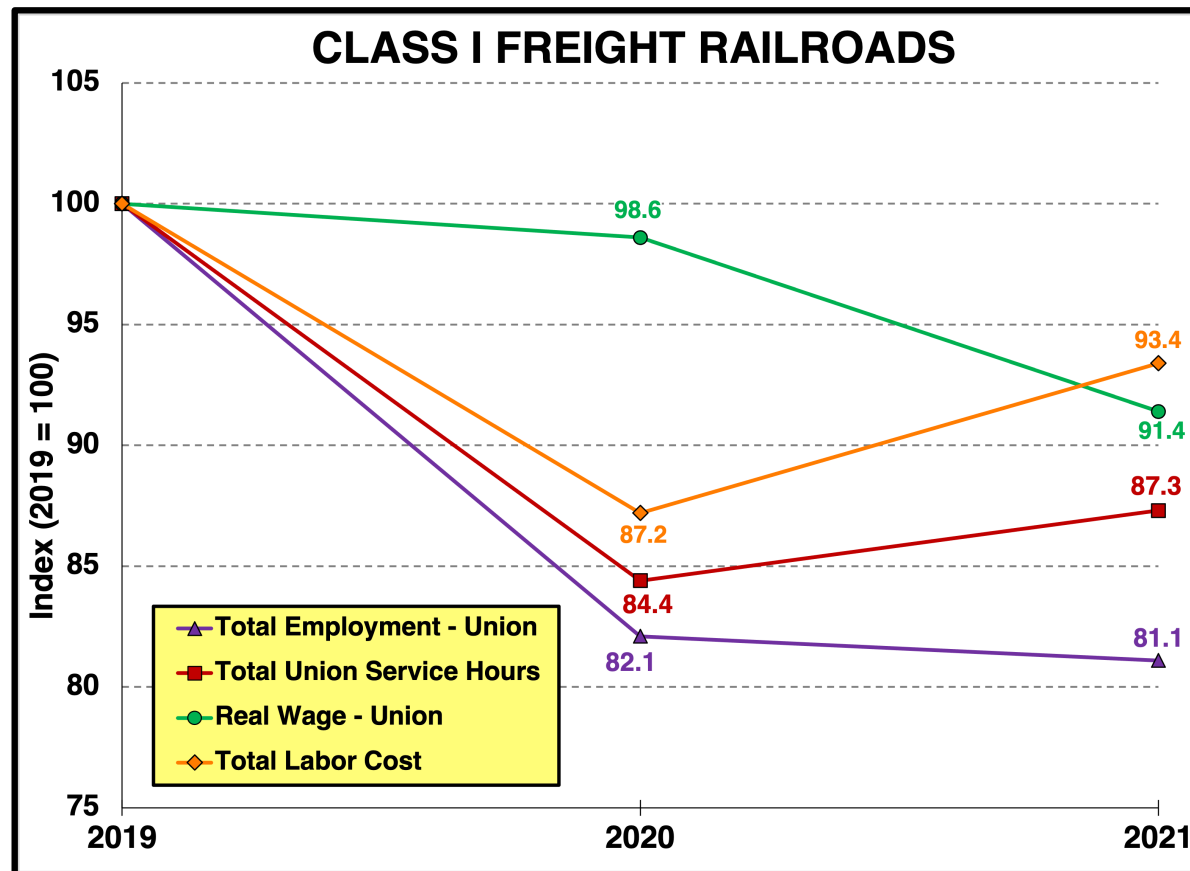
CSX, NSC, UP

Twelve Months Ending December 31	2019	2020	2021	Change: 19 to 21
Average Shares Outstanding (Excl. BNSF; Millions)	3,355	3,239	3,157	-5.9%
Earnings Per Share (Excluding BNSF)	\$3.57	\$3.24	\$4.22	18.2%
Dividends Per Share (Excluding BNSF)	\$1.29	\$1.36	\$1.48	14.7%
Stock Price (Excluding BNSF)	\$70.52	\$83.97	\$102.77	45.7%



RAIL LABOR CONTINUES TO SUFFER

Twelve Months Ending December 31	2019	2020	2021	Change: 19 to 21
Total Employment - Union	132,150	108,446	107,193	-18.9%
Total Union Service Hours (Thousands)	322,002	271,806	281,169	-12.7%
Real Wage - Union	\$34.95	\$34.45	\$31.95	-8.6%
Total Labor Cost (Millions)	\$16,893	\$14,733	\$15,780	-6.6%
Labor Ratio	34.6%	34.5%	34.2%	-0.4 pts.



THE CASH-RICH CARRIERS HAVE CONTINUED THEIR STOCK BUY-BACK BINGE IN 2021

- **During 2021 the Big-3 Railroads spent \$13.6 billion on stock repurchase programs. In the same year they spent a total of \$9.2 billion on wages and benefits.**
- **Stock repurchase expenditures in 2021 follow 2019 and 2020 expenditures totaling \$17.3 billion. All told, the three Carriers spent \$30.9 billion over the past 3 years on stock buy-backs.**
- **Total wage and benefit expense over the past 3 years amounted to \$27.7 billion.**
- **The Railroads have not relied on external sources of cash for capital investments, which have amounted to \$19.2 billion over the past 3 years. Cap-Ex programs have been financed from profits which have totaled \$35.8 billion over the same period for the three Carriers alone. No new stock was issued, and net new debt issued (new debt less debt retired) amounted to \$10.8 billion.**

**QUALIFICATIONS
OF
THOMAS R. ROTH**

THE LABOR BUREAU, INC.



THOMAS R. ROTH

Mr. Roth is a labor relations consultant, financial and economic advisor, and President of **The Labor Bureau, Inc.** The Labor Bureau is a private consulting firm founded in 1923 and has provided professional services in labor relations matters to labor organizations throughout the United States continuously for over 97 years. Mr. Roth has served Labor Bureau clients from 1974 to the present and has directed the firm's activities since 1978.

The Labor Bureau, Inc., assists with any matter requiring labor relations expertise or technical knowledge in matters that are subject to collective bargaining including research and preparation for negotiation, arbitration, and fact-finding proceedings, contract analysis and comparative compensation surveys, corporate financial and economic performance analysis, hands-on advocacy in contract negotiations, serving as partisan arbitrator on tripartite interest arbitration panels, and furnishing expert testimony in interest arbitration, fact-findings and judicial proceedings.

Since 1974, Mr. Roth has worked on a regular and continuous basis in both public and private sectors. with extensive experience in urban transit, railroads, and airline industries. Client services typically include analysis of employer economic and financial position, design of wage and benefit compensation programs, conducting wage and benefit surveys and comparative compensation analysis, and furnishing expert testimony and evidentiary reports in formal contract determination proceedings. Mr. Roth has appeared as an expert witness in well over 300 fact-finding, arbitration, and court cases. Examples of Mr. Roth's professional experience follow:

Railroad Industry – 1974 to present – Has served as economic and financial advisor to all railroad unions in national freight negotiations, commuter rail negotiations and Amtrak negotiations. Includes representing all 14 standard railroad unions as financial and economic advisor in presentation of rail labor's case before numerous Presidential Emergency Boards and interest arbitrations under the Railway Labor Act. In all such cases furnished economic and financial analysis, prepared expert reports and statistical evidence, and provided expert testimony. Appearances include over 40 Presidential Emergency Boards and interest arbitrations under the RLA.

Airline Industry – 1991 to present – Served as lead financial advisor to the International Association of Machinists and Aerospace Workers in all rounds of negotiations since 1991 involving Northwest Airlines, United Airlines, US Airways, Trans World Airlines, Alaska Airlines, and American Airlines. Airline experience includes 15 restructuring cases under Sections 1113 and 1114 of the Bankruptcy Code.

Urban Transit Industry – 1974 to present – Serves as labor relations consultant and economic advisor to dozens of local unions representing transit workers in major metropolitan areas throughout the United States. Units include operators, maintenance, police, clerical, and supervisors. Prepared and presented scores of interest arbitration cases in the transit industry. In such proceedings served as partisan arbitrator on tripartite panels, as well as supplying all economic research, statistical evidence, and expert testimony. Recent projects include furnishing all economic evidence and related expert testimony in arbitration cases involving the major union and transit employers in New York City, Boston, Miami, Seattle, Newark, Baltimore and Washington.

Litigation Support – 1992 to present – Furnishes expert testimony in Federal Employee Liability Act cases. Experience includes preparation of reports regarding economic loss on behalf of plaintiffs in over 150 cases. Has testified at trial or in deposition on more than 60 occasions; several additional cases pending deposition and/or trial.

Other Experience – Mr. Roth has provided expert testimony in numerous other interest and rights cases including several in the Postal Service, health care industry, public schools, firefighters, and newspaper publishing.

Mr. Roth holds an undergraduate degree (B.S. 1971) from Le Moyne College in Syracuse, N.Y., majoring in economics and industrial relations; and a graduate degree (M.S. 1973) from the University of Wisconsin, Madison, in Labor and Industrial Relations.

THOMAS R. ROTH

Airline Industry Experience as Financial and Economic Expert
(Examples of Restructuring Cases)

1. **Northwest Airlines and International Association of Machinists and Aerospace Workers (IAM) - 1992-1993.**

Served as lead financial advisor to the IAM in negotiations of comprehensive labor agreements and Employee Stock Ownership Plan. Responsible for development of financial and cost models used in measuring airline financial performance and value of employee contract concessions. Responsible for design and direct negotiation of ESOP terms; and preparation of ratification materials and presentation to membership. Transaction included negotiation of 30 percent employee ownership, preferred stock security, corporate governance, debt restructuring, and job security. Appointed as Trustee to IAM ESP Trust. Represented 23,100 IAM members in 5 bargaining units covering Mechanics, Equipment Service Employees, Stockmen, Clerical, Customer Service Agent, Reservation Agents, Flight Kitchen employees, and Plant Protection.

2. **United Airlines and International Association of Machinists and Aerospace Workers (IAM) - 1993-1994.**

Served as lead financial advisor to the IAM in negotiations of comprehensive labor agreements and Employee Stock Ownership Plan. Responsible for development of financial and cost models used in measuring airline financial performance, value of employee contract concessions, and audit of participation by other stakeholders (pilots and non-contract employees). Responsible for design and direct negotiation of ESOP terms; and preparation of ratification materials and presentation to membership. Transaction included negotiation of 55 percent employee ownership, corporate governance, debt restructuring, and job security. Represented 17,000 IAM members in 4 bargaining units covering Mechanics, Ramp Servicemen, Stockmen, Utility Workers, Flight Dispatchers, and Flight Kitchens.

3. **US Airways and International Association of Machinists and Aerospace Workers (IAM) - 1995.**

Served as lead financial advisor to the IAM in negotiations of comprehensive labor agreements, profit sharing plan, stock options plan and Employee Stock Ownership Plan. Responsible for development of financial and cost models used in measuring airline financial performance, value of employee contract concessions, and audit of participation by other stakeholders (pilots, flight attendants, and non-contract employees). Responsible for design and direct negotiation of ESOP, profit sharing plan and stock option plan; and preparation of ratification materials and presentation to membership. Transaction included negotiation of 20 percent employee ownership, preferred stock, stock options, profit sharing, corporate governance, debt restructuring, and job security. Represented 16,500 IAM members in 2 bargaining units covering Mechanics, Ramp Service Agents, Stock Clerks, and Utility Workers. (Agreement reached but dissolved when pilot agreement failed ratification)

4. **Trans World Airlines and International Association of Machinists and Aerospace Workers (IAM) - 1999**

Served as lead financial advisor to the IAM in negotiations of comprehensive labor agreements. Responsible for development of financial and cost models used in measuring airline financial performance, value of employee contract changes, and comparative compensation levels in the industry. Agreements included wage restructuring, wage increases, common stock awards, pension improvement, etc. Represented 15,600 IAM members in 4 bargaining units covering Mechanics, Ramp Servicemen, Cabin Attendants (Flight Attendants), Stock Clerks, Fleet Service Workers, Security Guards, and Flight Simulator Technicians.

5. **US Airways and International Association of Machinists and Aerospace Workers (IAM) - 2002-2003.**

Served as lead financial advisor to the IAM in two rounds of negotiations under Sec. 1113 of Chapter 11 of the Bankruptcy Code. Responsible for the following: (1) analyzing financial position of the Company and determining whether labor cost restructuring was necessary to prevent bankruptcy; (2) determining whether targeted savings allocated to IAM-represented employees under the Plan were fair and equitable compared to all other stakeholders; (3) developing costing models to value changes made to collective bargaining agreements; (4) developing and designing positions on financial returns such as profit sharing, stock plans, and bankruptcy claims; (5) developing models to measure and compare compensation (i.e. wages, benefits and rules) within the airline industry; (6) drafting term sheets setting forth union positions; (7) serving as union spokesmen at bargaining table on financial and economic issues; (8) auditing terms of other agreements for value and compliance with Plan financial objectives; (9) preparing ratification materials and traveling system to present to membership; (10) providing oversight on implementation including developing formulas for distribution of unsecured claims and profit sharing. Prepared and filed Expert Report in support of IAM position at close of 1113 process. Represented 11,600 IAM members in 2 separate sets of negotiations involving 2 bargaining units covering Mechanics, Ramp Service Agents, Stock Clerks, and Utility Workers.

6. **United Airlines and International Association of Machinists and Aerospace Workers (IAM) - Fall 2002.**

Served as lead financial advisor to the IAM in labor cost restructuring negotiations in an effort to avoid bankruptcy. Responsible for the following: (1) analyzing financial position of the Company and determining whether labor cost restructuring was necessary to prevent bankruptcy; (2) determining whether targeted savings allocated to IAM-represented employees under the Plan were fair and equitable compared to all other stakeholders; (3) developing costing models to value changes made to collective bargaining agreements; (4) developing and designing positions on financial returns such as profit sharing, stock plans, and bankruptcy claims; (5) developing models to measure and compare compensation (i.e. wages, benefits and rules) within the airline industry; (6) drafting term sheets setting forth union positions; (7) serving as union spokesmen at bargaining table on financial and

economic issues; (8) auditing terms of other agreements for value and compliance with Plan financial objectives; (9) preparing ratification materials and traveling system to present to membership; (10) providing oversight on implementation including developing formulas for distribution of unsecured claims and profit sharing. Participated in two separate sets of negotiations: IAM District 141M covering 13,000 mechanic and related, and IAM District 141 covering 27,500 Ramp Servicemen, Customer Service Agents and Reservation Agents in several bargaining units. District 141 agreement ratified and District 141M failed ratification.

7. **United Airlines and International Association of Machinists and Aerospace Workers (IAM) - Spring 2003.**

Served as lead financial advisor to the IAM in labor cost restructuring negotiations under Sec. 1113 of Chapter 11 of the Bankruptcy Code. Responsible for the following: (1) analyzing financial position of the Company and determining whether labor cost restructuring was necessary to prevent bankruptcy; (2) determining whether targeted savings allocated to IAM-represented employees under the Plan were fair and equitable compared to all other stakeholders; (3) developing costing models to value changes made to collective bargaining agreements; (4) developing and designing positions on financial returns such as profit sharing, stock plans, and bankruptcy claims; (5) developing models to measure and compare compensation (i.e. wages, benefits and rules) within the airline industry; (6) drafting term sheets setting forth union positions; (7) serving as union spokesmen at bargaining table on financial and economic issues; (8) auditing terms of other agreements for value and compliance with Plan financial objectives; (9) preparing ratification materials and traveling system to present to membership; (10) providing oversight on implementation including developing formulas for distribution of unsecured claims, notes and profit sharing. Participated in two separate sets of negotiations: IAM District 141M covering 11,000 mechanic and related, and IAM District 141 covering 23,000 Ramp Servicemen, Customer Service Agents and Reservation Agents in several bargaining units.

8. **United Airlines and Coalition of Court Authorized Representatives - 2004**

Retained by Coalition to serve as lead financial and economic advisor in negotiations under Section 1114 of Bankruptcy Code. Responsible for developing costing models, designing terms of proposed agreement, participating in negotiations as spokesman, and preparing informational material for retirees. Provided oversight of liquidation of Deposit Administration Fund as part of agreement implementation. Prepared and filed an Expert Report with the Bankruptcy Court on May 31, 2004.

9. **US Airways and International Association of Machinists and Aerospace Workers (IAM) - Spring 2005.**

Served as lead financial advisor to the IAM in labor cost restructuring negotiations under Sec. 1113 of Chapter 11 of the Bankruptcy Code. Responsible for the following: (1) analyzing financial position of the Company and determining whether labor cost

restructuring was necessary to prevent bankruptcy; (2) determining whether targeted savings allocated to IAM-represented employees under the Plan were fair and equitable compared to all other stakeholders; (3) developing costing models to value changes made to collective bargaining agreements; (4) developing and designing positions on financial returns such as profit sharing, stock plans, and bankruptcy claims; (5) developing models to measure and compare compensation (i.e. wages, benefits and rules) within the airline industry; (6) drafting term sheets setting forth union positions; (7) serving as union spokesmen at bargaining table on financial and economic issues; (8) auditing terms of other agreements for value and compliance with Plan financial objectives; (9) preparing ratification materials and traveling system to present to membership; (10) providing oversight on implementation including developing formulas for distribution of unsecured claims and profit sharing. Prepared and filed Expert Report in support of IAM position at close of 1113 process. Represented 9,500 IAM members in 2 separate sets of negotiations involving 2 bargaining units covering Mechanics, Ramp Service Agents, Stock Clerks, and Utility Workers.

10. **United Airlines and International Association of Machinists and Aerospace Workers (IAM) - Spring 2005.**

Served as lead financial advisor to the IAM in labor cost restructuring negotiations under Sec. 1113 of Chapter 11 of the Bankruptcy Code. Responsible for the following: (1) analyzing financial position of the Company and determining whether labor cost restructuring was necessary to prevent bankruptcy; (2) determining whether targeted savings allocated to IAM-represented employees under the Plan were fair and equitable compared to all other stakeholders; (3) developing costing models to value changes made to collective bargaining agreements; (4) developing and designing positions on financial returns such as profit sharing, stock plans, and bankruptcy claims; (5) developing models to measure and compare compensation (i.e. wages, benefits and rules) within the airline industry; (6) drafting term sheets setting forth union positions; (7) serving as union spokesmen at bargaining table on financial and economic issues; (8) auditing terms of other agreements for value and compliance with Plan financial objectives; (9) preparing ratification materials and traveling system to present to membership; (10) providing oversight on implementation including developing formulas for distribution of unsecured claims and profit sharing. Represented IAM District 141 covering 18,600 Ramp Servicemen, Customer Service Agents and Reservation Agents in several bargaining units. Prepared Expert Report and testified in deposition and at trial before Bankruptcy Court in December 2004.

11. **Northwest Airlines and International Association of Machinists and Aerospace Workers (IAM) - Spring 2006.**

Served as lead financial advisor to the IAM in labor cost restructuring negotiations under Sec. 1113 of Chapter 11 of the Bankruptcy Code. Responsible for the following: (1) analyzing financial position of the Company and determining whether labor cost restructuring was necessary to prevent bankruptcy; (2) determining whether targeted savings allocated to IAM-represented employees under the Plan were fair and equitable compared

to all other stakeholders; (3) developing costing models to value changes made to collective bargaining agreements; (4) developing and designing positions on financial returns such as profit sharing, stock plans, and bankruptcy claims; (5) developing models to measure and compare compensation (i.e. wages, benefits and rules) within the airline industry; (6) drafting term sheets setting forth union positions; (7) serving as union spokesmen at bargaining table on financial and economic issues; (8) auditing terms of other agreements for value and compliance with Plan financial objectives; (9) preparing ratification materials and traveling system to present to membership; (10) providing oversight on implementation including developing formulas for distribution of unsecured claims and profit sharing. Represented 14,600 IAM members in 4 bargaining units covering Equipment Service Employees, Stockmen, Clerical, Customer Service Agent, Reservation Agents, and Plant Protection. Prepared Expert Report and testified at trial before Bankruptcy Court in October 2005.

12. **Alaska Airlines and International Association of Machinists and Aerospace Workers (IAM) - Summer 2006**

Served as lead financial and economic advisor to IAM in negotiations. Participated in all negotiations sessions as principal spokesman. Developed costing models, performed wage and benefit comparative analysis, advised on financial position of the Company, drafted all term sheets setting forth IAM bargaining positions, and prepared ratification materials and presented tentative agreements to membership across system. Participated in 2 separate sets of negotiations covering 2 bargaining units involving 3,500 clerical, office and passenger service employees and 500 ramp service and stores employees.

13. **Northwest Airlines and Section 1114 Committee of Retired Employees - 2007**

Retained by Committee to consult legal counsel and Committee during 1114 process. Responsible for advising on terms of proposed agreement, participating in negotiations as spokesman, and preparing informational material for retirees. Provided oversight of the sale of unsecured claims and establishment of a Voluntary Employees Beneficiary Association (VEBA) to finance retiree health insurance benefits. Participated in search for VEBA administrator, legal counsel, actuary and investment advisor.

14. **American Airlines and Transport Workers Union of America (TWU) – 2012.**

Served as lead financial advisor to the TWU in labor cost restructuring negotiations under Sec. 1113 of Chapter 11 of the Bankruptcy Code. Responsible for the following: (1) determining whether targeted savings allocated to IAM-represented employees under the Plan were fair and equitable compared to all other stakeholders; (2) developing costing models to value changes made to collective bargaining agreements; (3) developing and designing positions on financial returns such as profit sharing, stock plans, and bankruptcy claims; (4) developing models to measure and compare compensation (i.e. wages, benefits and rules) within the airline industry; (5) drafting term sheets setting forth union positions; (6) serving as union spokesmen at bargaining table on financial and economic issues; preparing Expert Report and testifying at deposition and trial before Bankruptcy Court in May 2012; (7) preparing ratification materials and traveling system to present to

membership; (8) providing oversight on implementation including developing formulas for distribution of unsecured claims; served as Equity Distribution Administrator. Represented 23,500 TWU members in 7 bargaining units covering Mechanic and Related, Fleet Service Clerks, Stock Clerks, Simulator Instructors, Dispatchers, Maintenance Control Technicians, and Simulator Technicians.

15. In addition to the above cases, served as financial and economic advisor (with more limited scope) to IAM in restructuring cases on Hawaiian Airlines, Aloha Airlines Canadian Airlines International, and Air Wisconsin.

Appearances Before Presidential Emergency Boards
by Thomas R. Roth
Financial and Economic Expert Testimony

1. PEB 192 — January 14, 1980
James J. Reynolds, Ida Klaus, Nicholas H. Zumas
Long Island Rail Road Company
7 Labor Organizations (BLE, BRC, BRS, IBT, PBA, RYA, UTU)
(On behalf of all Organizations; preparation only)
2. PEB 194 — August 19, 1982
Arnold R. Weber, Jacob Seidenberg, Daniel Quinn Mills
National Railway Labor Conference; National Carriers Conference Committee
Brotherhood of Locomotive Engineers
3. PEB 196 — December 6, 1982
Herbert R. Northrup, Marjorie B. Broderick, Morris Gerber
Southeastern Penn. Transportation Authority
15 Labor Organizations (ATDA, ARASA, BLE, BMWE, BRAC, BRC, BRS, IAM, IBBB, IBEW, IBFO, RYA, SMWIA, TWU, UTU)
(On behalf of all Organizations)
4. PEB 197 — November 1, 1982
Charles Serraino, Thomas H. Bruinooge, Richard R. Kasher
New Jersey Transit Rail Operations
16 Labor Organizations (ATDA, ARASA, BLE, BMWE, BRAC, BRC, BRS, IAM, IBBB, IBEW, IBFO, IBT, RYA, SMWIA, TWU, UTU)
(On behalf of all Organizations)
5. PEB 198 — December 17, 1982
Arvid Anderson, Daniel G. Collins, Richard T. Niner
Metro-North Commuter Railroad (New York MTA)
17 Labor Organizations (ATDA, ARASA, ASWD, BLE, BMWE, BRAC, BRC, BRS, IAM, IBBB, IBEW, IBFO, IBT, RYA, SMWIA, TWU, UTU)
(On behalf of all Organizations)
6. PEB 209 — June 20, 1986
Robert O. Harris, Richard R. Kasher, Robert E. Peterson
Main Central RR and Portland Term
Brotherhood of Maintenance of Way Employees

7. PEB 211 — October 22, 1986
George S. Roukis, John B. LaRocco, David P. Twomey
National Railway Labor Conference; National Carriers Conference Committee
6 Labor Organizations (BRC, IAM, IBEW, IBF&O, BMWE, BRS)
(On behalf of IAM, BMWE, BRS)
8. PEB 219 — January 15, 1991
Robert O. Harris, Richard R. Kasher, Arthur Stark
National Railway Labor Conference; National Carriers Conference Committee
11 Labor Organizations (ATDA, BLE, BMWE, BRS, IBB, IBEW, IBF&O, SMWIA, TCU, TCU-Carmen Division, UTU)
(On behalf of all Organizations)
9. PEB 220 — May 28, 1992
Benjamin Aaron, Eric J. Schmertz, David P. Twomey
CSX Transportation; National Railway Labor Conference; National Carriers Conference Committee
International Association of Machinists
10. PEB 221 — May 28, 1992
Benjamin Aaron, Preston J. Moore, Eric J. Schmertz, David P. Twomey, Arnold M. Zack.
Consolidated Rail Corporation
Brotherhood of Maintenance of Way Employees
11. PEB 222 — May 28, 1992
Benjamin Aaron, Preston J. Moore, Eric J. Schmertz
National Railroad Pass. Corp. (Amtrak)
11 Labor Organizations (ATDA, BLE, BMWE, IAM, IBB, IBEW, IBF&O, TWU, TCU, UTU)
(On behalf of IAM, BLE, BMWE)
12. PEB 226 — April 21, 1995
Herbert L. Marx, Jr., Lois A. Rappaport, Josef P. Sirefman
Metro-North Commuter Railroad
12 Labor Organizations (BLE, ATDA, BRS, IBB, IAM, IBEW, IBFO, IBT, SMWIA, ARSA, TWU, UTU)
(On behalf of IAM, SMWIA)
13. PEB 227 — September 19, 1995
Robert M. O'Brien, George S. Roukis, Barbara Zausner Tener
Metro-North Commuter Railroad
12 Labor Organizations (BLE, ATDA, BRS, IBB, IAM, IBEW, IBFO, IBT, SMWIA, ARSA, TWU, UTU)
(On behalf of IAM, SMWIA)

14. PEB 229 — June 23, 1996
David P. Twomey, William P. Hobgood, Carl E. Van Horn
National Railway Labor Conference; National Carriers Conference Committee
Brotherhood of Maintenance of Way Employees
15. PEB 230 — June 23, 1996
Richard Mittenthal, Robert M. O'Brien, M. David Vaughn
National Railway Labor Conference; National Carriers Conference Committee
3 Labor Organizations (IAM, IBEW, SMWIA)
(On behalf of all Organizations)
16. PEB 234 — September 21, 1997
Arnold M. Zack, Richard I. Bloch, Roberta Golick
National Railroad Pass. Corp. (Amtrak)
Brotherhood of Maintenance of Way Employees
17. PEB 236 — January 19, 2002
Helen M. Witt, Ira F. Jaffe, David P. Twomey
United Airlines, Inc.
International Association of Machinists
18. PEB 240 — January 19, 2007
Peter W. Tredick, Patricia Hanahan Engman, Robert E. Peterson
Metro-North Commuter Railroad
8 Labor Organizations (TCU, TWU, SMWIA, IAM, IBEW, SEIU, IBT, TCU)
(On behalf of all Organizations)
19. PEB 241 — May 15, 2007
Peter W. Tredick, Ira F. Jaffe, Annette M. Sandberg
Metro-North Commuter Railroad
IBT
20. PEB 242 — December 30, 2007
Peter W. Tredick, Ira F. Jaffe, Joshua M. Javits, Annette M. Sandberg, Helen M. Witt
National Railroad Passenger Corporation (Amtrak)
9 Labor Organizations (ATDA, ARASA, BMWED, JCC, TCU, IAM, BRS, IBEW, NCFO)
(On behalf of all Organizations)
21. PEB 243 — November 5, 2011
Ira F. Jaffe, Roberta Golick, Joshua M. Javits, Gilbert H. Vernon, Arnold M. Zack.
National Railway Labor Conference; National Carriers Conference Committee
11 Labor Organizations (BLET, BMWED, TCU-BRC/TWU, TCU, IAM, BRS, IBEW, ATDA, NCFO, SMWIA, IBB)
(On behalf of all Organizations)

22. PEB 244 — December 21, 2013
Ira F. Jaffe, Roberta Golick, Arnold M. Zack
Long Island Rail Road
8 Labor Organizations (UTU, TCU, BRS, IRSA, SMWIA, NCFO, IAM, IBEW)
(On behalf of all Organizations)
23. PEB 245 — May 20, 2014
Joshua M. Javits, M. David Vaughn, Elizabeth C. Wesman
Long Island Rail Road
8 Labor Organizations (UTU, TCU, BRS, IRSA, SMWIA, NCFO, IAM, IBEW)
(On behalf of all Organizations)
24. PEB 248 — August 14, 2015
Elizabeth C. Wesman, Barbara C. Deinhardt, Ann S. Kenis
New Jersey Transit Rail Operations
17 Labor Organizations (ATDA, ARSA-MoE, ARSA-MoW, BLET, BMWED, BRC, BRS, IAM, IBBB, IBEW-Council 7, IBEW LU 1573, SMWIA, NCFO, RYA, TCU, TWU, UTU)
(On behalf of all Organizations)
25. PEB 249 — January 11, 2016
Joshua M. Davits, Elizabeth Neumeire, Nancy E. Peace
New Jersey Transit Rail Operations
17 Labor Organizations (ATDA, ARSA-MoE, ARSA-MoW, BLET, BMWED, BRC, BRS, IAM, IBB, IBEW-Council 7, IBEW LU 1573, SMWIA, NCFO, RYA, TCU, TWU, UTU)
(On behalf of all Organizations)

Other Railroad Interest Cases

1. Interest Arbitration — November, 1992
National Railway Labor Conference
John B. LaRocco
BRS
Skill Premium
2. Interest Arbitration — May, 1993
Richard I. Bloch
National Railroad Passenger Corporation
American Federation of Rail Road Police
Wages, Benefits and Rules

3. Interest Arbitration — September, 1998
Robert O. Harris
Wheeling and Lake Erie Railway Co.
BRS
Wages, Benefits and Rules
4. Interest Arbitration — March, 1999
Richard Mittenthal
National Railroad Passenger Corporation
Coalition on Job Protection including all labor organizations
Employee Protective Conditions
5. Interest Arbitration — April, 2003
David P. Twomey
Norfolk Southern Railway
BMWED
Employee Protective Conditions
6. Interest Arbitration — January, 2003
Robert O. Harris
National Railway Labor Conference
TCU
Wages, Benefits and Rules
7. Interest Arbitration — 2003
Rodney Dennis
Intermodal Container Trailer Facility
TCU
Wages, Benefits and Rules
8. Interest Arbitration — April, 2009
John LaRocco
The South Kansas & Oklahoma Railroad and The Stillwater Central Railroad
BMWE
Wages, Benefits and Rules
9. Interest Arbitration — August, 2011
Roberta Golick
Massachusetts Bay Commuter Railroad Corporation
BMWE
Wages, Benefits and Rules

10. Interest Arbitration — April 2014
Before a Board of Arbitration: Ira Jaffe, Impartial Member; Herbert Fishgold, Impartial Member; Shyan Das, Impartial Member
National Railroad Passenger Corporation (AMTRAK)
Brotherhood of Maintenance of Way Employees and Brotherhood of Railroad Signalmen.
11. Interest Arbitration (“Me-Too” application) – April 2016
Before a Board of Arbitration: Dana Edward Eischen, Impartial Member; Harry A. Rissetto, Employer Member; Thomas R. Roth, Union Member.
National Railroad Passenger Corporation (AMTRAK)
Brotherhood of Maintenance of Way Employees and Brotherhood of Railroad Signalmen.
12. Interest Arbitration (“Me-Too” application) – June 2016
Before a Board of Arbitration: M. David Vaughn, Neutral Member; David T. Mitrou, Company Member; Thomas R. Roth, Coalition Member.
Keolis Commuter Rail Services, LLC
10 Labor Organizations (BMWED, BRS, BRC, IAM, IBBB, SMWIA, NCFO, TCU, TWU, ARSA)
(On behalf of all Organizations)
13. Interest Arbitration – January 2018
Before a Board of Arbitration: Martin H. Malin, Neutral Member; Thomas R. Roth, Organization Member; Donald J. Munro, Carrier Member.
The Northeast Illinois Regional Commuter Railroad Corporation.
Brotherhood of Railroad Signalmen.

**Experience of Thomas R. Roth
Appearances as Expert Witness
Metropolitan Transportation Authority Interest Arbitration Cases Pursuant to PERB**

1. **NYCTA/MBSTOA and TWU Local 100**
2006 - George Nicolau, Chairman; Basil A. Paterson, Union Member; Gary Dellaverson, Employer Member. (PERB Case No. TIA2005-045)
2. **NYCTA, MBSTOA, and MTA Bus Company and TWU Local 100**
2009 - John E. Zuccotti, Chairman; Roger Toussaint, Union Member; Dall W. Forsythe, Employer Member. (PERB Case No. TIA2008-021; PERB Case No. TIA2008-022)
3. **Staten Island Rapid Transit Operating Authority (SIRTOA) and UTU Local 1440**
2012 - Howard C. Edelman Chairman; Delbert Strunk, Union Member; Christopher Johnson, Employer Member. (PERB Case No. TIA2010-034)
4. **NYCTA and ATU Locals 1056 and 726**
2012 - George Nicolau, Chairman; Jeffrey Freund, Union Member; Anita Miller, Employer Member. (PERB Case No. TIA2011-010)
5. **MTA Bus Company and ATU Local 1179**
2013 - Howard C. Edelman Chairman; John Lyons, Union Member; Gary J. Dellaverson, Employer Member. (PERB Case No. TIA2012-022)
6. **NYCTA/MBSTOA and Subway-Surface Supervisors Association (SSSA) and TWU Local 106 (TSO)**
2013 - Howard C. Edelman Chairman; Bruce H. Simon, Union Member; Gary J. Dellaverson, Employer Member (PERB Case No. TIA2013-010; PERB Case No. TIA2013-008; PERB Case No. TIA2013-009)
7. **MTA Bridges and Tunnel Authority and Bridge and Tunnel Officers Benevolent Association (BTOBA)**
2014 - Dana Edward Eischen, Chairman; Wayne Joseph, Union Member; James Fortunato, Employer Member (PERB Case No. TIA 2013-022)
8. **NYCTA, MTA Bus Company and ATU Locals 1056, 726, and 1179**
2021 – Howard C. Edelman (PERB Case Nos. TIA2020-008,M-2020-27; TIA2020-007, M-2020-026; TIA2020-007, M-2020-028).

**Experience of The labor Bureau Inc.
Interest Arbitration Between Maryland Transit Administration (and
predecessors) and ATU, Local 1300**

1. **The Baltimore Transit Company and Local 1300**
1945 - G. Allen Dash, Chairman; John B. Duvall, Company Board Member; O. David Zimring, Union Board Member.
Mr. Zimring served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Union.
2. **The Baltimore Transit Company and Local 1300**
1958 - Emanuel Stein, Chairman; John F. Curtin, Company Board Member; E. L. Oliver, Union Board Member.
Mr. Bernard Cushman served as advocate for the Union; Mr. Herman Sternstein appeared as principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. Joseph Sherbow served as advocate for the Company; Mr. John A. Dash appeared as principal expert witness in the presentation of all economic proofs on behalf of the Company.
3. **The Metropolitan Transit Authority and Local 1300, ATU**
1970 - James C. Hill, Chairman; Donald C. Hyde, Authority Board Member; Herman Sternstein, Union Board Member.
Mr. E. L. Oliver served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. John A. Dash served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Authority.
4. **The Mass Transit Administration and Local 1300, ATU**
1973 - David P. Miller, Chairman; Donald C. Hyde, Administration Board Member; Herman Sternstein, Union Board Member.
Mr. Winfield M. Homer served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. John A. Dash served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Administration.
5. **The Mass Transit Administration and Local 1300, ATU**
1975 - Harry H. Platt, Chairman; Donald C. Hyde, Administration Board Member; Herman Sternstein, Union Board Member.
Mr. Winfield M. Homer served as advocate and lead expert witness in the presentation of all economic proofs on behalf of the Union. Mr. John A. Dash served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Administration.

6. **The Mass Transit Administration and Local 1300, ATU**
1978 - Harry H. Platt, Chairman; John A. Dash, Administration Board Member; I. J. Gromfine, Union Board Member.
Mr. Thomas R. Roth served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. John A. Dash served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Administration.
7. **The Mass Transit Administration and Local 1300, ATU**
1979 (Remand and Supplemental Award) - Harry H. Platt, Chairman; John A. Dash, Administration Board Member; Thomas R. Roth, Union Board Member.
Mr. Roth served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. Dash served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Administration.
8. **The Mass Transit Administration and Local 1300, ATU**
1988 - Seymour Strongin, Chairman; Robert S. Hillman, Administration Board Member; Thomas R. Roth, Union Board Member.
Mr. Roth served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. Hillman served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Administration.
9. **The Mass Transit Administration and Local 1300, ATU**
1994 - Seymour Strongin, Chairman; John A. Dash, Administration Board Member; Thomas R. Roth, Union Board Member.
Mr. Roth served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. Dash served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Administration.
10. **The Maryland Transit Administration and Local 1300, ATU**
2010 - Ira F. Jaffe, Chairman; Gregory S. Dash, Administration Board Member; Thomas R. Roth, Union Board Member.
Mr. Roth served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Union. Mr. Dash served as Board Member, advocate, and principal expert witness in the presentation of all economic proofs on behalf of the Administration.

Experience of Thomas R. Roth
Interest Arbitration Between Washington Metropolitan Area Transit
Authority and its Labor Unions

1. **WMATA and Local 689, ATU**
1976 - Harry Platt, Chairman; John Dash, Authority Board Member; Iz Gromfine, Union Board Member. (Roth replaced Gromfine on Remanded Issues)
Mr. Roth served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
2. **WMATA and Local 689, ATU**
1978 - Frank Robertson, Chairman; John Dash, Authority Board Member; Iz Gromfine, Union Board Member.
Mr. Roth served as advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
3. **WMATA and Local 689, ATU**
1980 - Lew Gill, Chairman; John Dash, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
4. **WMATA and Local 2, OPEIU**
1984 - Jack Gentry, Chairman; Ken Hickey, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
5. **WMATA and Local 922, IBT**
1993 - Rolf Valtin, Chairman; Bruce McIver, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
6. **WMATA and Local 2, OPEIU**
1994 - Arnold M. Zack, Chairman; Bruce McIver, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.

7. **WMATA and Local 689, ATU**
2004 - Robert O. Harris, Chairman; Robert G. Ames, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
8. **WMATA and Local 689, ATU**
2009 - Richard R. Kasher, Chairman; R. Theodore Clark, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
9. **WMATA and Local 2, OPEIU**
2012 - Kenneth E. Moffett, Chairman; Robert G. Ames, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.
10. **WMATA and Local 689, ATU**
2014 - Richard I. Bloch, Chairman; Jonathan C. Fritts, Authority Board Member; Tom Roth, Union Board Member.
Mr. Roth served as Board Member, advocate and principal expert witness in the presentation of all economic proofs on behalf of the Union.

Experience of Thomas R. Roth
Interest Arbitration Cases under Massachusetts General Laws c. 161A

1. **MBTA and Local 589**
Arbitrator James Healy; Award dated January 15, 1983
Prepared and presented economic evidence on behalf of Union over 22 days of hearings; appeared as Principal spokesman in directing Union's case;
Wrote and submitted post-hearing brief,
2. **MBTA and Building and Construction Trades Council of the Metropolitan District**
Arbitrator John T. Conlon; Award dated June 18, 1984
Prepared and presented economic evidence on behalf of Union over 8 days of hearings; appeared as co-spokesman in directing Union's case;
Wrote and submitted post-hearing brief.
3. **MBTA and Towermen, Local 103, International Brotherhood of Electrical Workers**
Mark L. Irvings; Award dated October 9, 1984
Prepared and presented economic evidence on behalf of Union over 8 days of hearings; appeared as co-spokesman in directing Union's case;
Wrote and submitted post-hearing brief.
4. **MBTA and Association of Engineers, Architects and Draftsmen, Local 105, International Federation of Professional and Technical Engineers**
Arbitrator David R. Bloodsworth; Award dated April 26,
Prepared and presented economic evidence on behalf of Union over 10 days of hearings; appeared as co-spokesmen in directing Union's case;
Wrote and submitted post-hearing brief.
- S. **MBTA and Local 589**
Arbitrator Philip J. Dunn; Award dated February 17, 1987
Prepared and presented economic evidence on behalf of Union over 6 days of hearings;
Appeared as principal spokesman in directing Union's case;
Wrote and submitted post-hearing brief.
6. **MBTA and Alliance of MBTA Unions**
Edward C. Pinkus; Date of Award October 31, 1988
Prepared and presented economic evidence on behalf of Union over 21 days of hearings; appeared as principal spokesman in directing Union's case;
Wrote and submitted post-hearing brief.

7. **MBTA and Local 589**
Arbitrator Arnold M. Zack; Date of Award July 18, 1989
Prepared and presented economic evidence on behalf of Union over 31 days of hearings; appeared as principal spokesman in directing Union's case;
Wrote and submitted post-hearing brief.
8. **MBTA and Local 589**
Arbitrator David R. Bloodsworth; Award dated January 15, 1994
Prepared and presented economic evidence on behalf of Union over 30 days of hearings; appeared as principal spokesman in directing Union's case;
Wrote and submitted post-hearing brief.
9. **MBTA and MBTA Police Association**
Arbitrator Robert L. Stutz; Award dated October 21, 1996
Prepared and presented economic evidence on selected subjects on 2 days of hearings
10. **MBTA and MBTA Police Association**
Arbitrator Gary Altman; No Award issued
Prepared and presented economic evidence on behalf of Union over 13 days of hearings; appeared as co-spokesman in directing Union's case
11. **MBTA and MBTA Police Superior Officers Association**
Arbitrator Lawrence E. Katz; Award dated September 26, 2002
Prepared and presented economic evidence on selected subjects on 3 days of hearings.
12. **MBTA and Local 589**
Arbitrator Nancy E. Peace; Award dated July 7, 2008.
Prepared and presented economic evidence on behalf of Union over 18 days of hearings; appeared as principal spokesman in directing Union's case;
Wrote and submitted post-hearing brief.
13. **MBTA and Local 589**
Arbitrator Sarah Kerr Garraty; Award dated August 26, 2013.
Prepared and presented economic evidence on behalf of Union over 22 days of hearings; appeared as principal spokesman in directing Union's case;
Wrote and submitted post-hearing brief.
14. **MBTA and Local 9501, Steelworkers of America**
Arbitrator James Litton, Award pending as of May 21, 2020.
Prepared and presented economic evidence on behalf of Union over 1 hearing day.

ADDENDUM B

Brotherhood of Railroad Signalmen

Statement of
Michael S. Baldwin,
President BRS

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

Statement of Michael S. Baldwin

1. I am the President of the Brotherhood of Railroad Signalmen.

2. BRS represents employees working in the craft or class of Signaller employed by most of the freight railroads in the United States, including all the Class I railroads, Amtrak, the major commuter railroads, and some regional and short line railroads.

3. When the Class I railroads adopted the new cost-cutting business model that they call Precision Scheduled Railroading, they dramatically reduced the number of Signalmen they employed. Since 2016, the number of Signalmen employed by each of the Class I railroads has been as follows:

	Q1 2016	Q1 2017	Q1 2018	Q1 2019	Q1 2020	Q1 2021	Q1 2022
BNSF	2325	2241	2126	2112	2125	1999	1882
CP	189	190	182	177	181	180	174
CN	480	468	481	456	428	423	399
CSXT	1952	1929	1807	1657	1538	1436	1399
KCS	123	116	114	116	115	114	109
NSR	1557	1473	1434	1380	1198	998	971
UP	2688	2537	2364	2234	2110	1969	1927

4. While the Class I railroads say they are now trying to fill positions and claim they are having a difficult time doing so, however, attached as Attachment A is a text exchange between and full-time union officer and a Director of Signal Maintenance on Union Pacific, requesting that a model employee with 16 years of railroad service be reinstated just after signing a letter of resignation. The Signaller had changed his mind, and UP felt it was in the best interest of the company to move forward with the resignation of a seasoned and fully trained Signal craft employee.

5. In recent years we have seen an unprecedented number of Signalmen retire early or quit mid-career; until recently it was almost unheard of for Signalmen to quit after acquiring 8 years of seniority and becoming vested in the industry; the jobs were always considered good jobs with good benefits. But the jobs have been degraded by the railroads, with respect to working conditions and by pressure to work fast, cut corners, and ignore or defer repairs. Employees have reported to us that they have been pressed to do too many consecutive days of overtime and that is damaging to their family lives; and that they can't in good conscience continue to perform the work under current conditions of being pressured to cut corners, defer maintenance, skip steps, and not work to the standards they were trained to and met through their careers until recently. The lack of pay increases, coupled with inflation, while the railroads continue to make record profits have also contributed to the mass resignations and early retirements. Some employees have provided us with copies of letters of resignation that explain their reasons for leaving. Others have provided statements describing how the jobs have been degraded and working conditions have deteriorated since the advent of the new business model. Copies of those letters and statements are attached as Attachment B to this statement.

6. BRS has surveyed our members on the impacts of the new business model. A very large majority of respondents say that they have been adversely affected and it has impacted their ability to do their jobs safely. Attachment C to this Statements is a summary of the survey results.

7. The railroads are telling the Board and the public that they are trying to hire, and that they are experiencing the same post-pandemic hiring difficulties as are being experienced by other industries. But where the railroads differ is that they cut tens of thousands of jobs before the pandemic in order to lower their Operating Ratios, to continually boost profits and the value of their stocks and executive compensation. Also, as they hire new people, existing, experienced, employees are leaving, so the railroads are not growing their workforces; and, the workers they have are less experienced than has traditionally been the case in this industry. If the railroads had not cut employment so deeply before the pandemic, and if they had not alienated so many of their employees, they would not be having so much difficulty growing their workforces.

8. While the railroads have touted their hiring plans, even if they meet their goals in hiring, that will not mean that they will have restored their workforces to what is necessary to satisfy the requirements for safe and adequate rail service. First, the railroads do not intend to restore anywhere near the number of jobs they cut. Second, while they can hire new employees, those employees will not soon compare in skills to those who were furloughed or left the industry. Training for work as a Signalman normally takes 2 years to fulfill the basic carrier requirement, and it generally takes about 10 years for a new employee to become a fully competent.

9. The quality and adequacy of rail service also suffers because of the pressure put on Signalmen to work quickly, skip steps, defer maintenance, and be responsible for greater territories. Because our members cannot do their jobs properly, as they were originally trained, there have been and will be negative impacts on service due to deferral of maintenance and

repairs, slow orders on tracks, signals not functioning properly, crossing gates down, derailments, and delayed pickups and deliveries.

10. We appreciate the Board holding hearings and investigating the impacts of the new business model on rail service, and we hope that the outcome is that the railroads are required to provide the sort of service their customers previously enjoyed for many years and as was promised when the STB and ICC authorized the merger and control transactions that created the current Class I railroads.

Date: April 20, 2022



Michael S. Baldwin, President

ATTACHMENT A

From: a.carter@brs.org
To: mle@brs.org
Subject: members resigning from UP
Date: Thursday, September 16, 2021 6:44:45 PM
Attachments: [Screenshot_20210916-152528_Messages.jpg](#)

Mike,

Attached is the snapshot of the text conversation between myself and Director of Signal Maintenance David E. Black about Mr. Jason Deneen resigning from Union Pacific. Jason put in his two weeks notice on August 9, 2021. On August 21, 2021, Jason wanted to rescind his resignation, so I reached out to Mr. Black. Mr. black stated they were moving forward with the resignation because it was in the best interest of the company.

From: Aaron Carter <a.carter@brs.org>
Sent: Thursday, September 16, 2021 5:26 PM
To: Aaron Carter <a.carter@brs.org>
Subject: Pic

Aaron Carter
Vice General Chairman - South
816-564-8262

New conversation

Dave Black

Recipient



Saturday, August 21, 2021

Jason Deneen put in his 2 weeks with Jason Lowe, with the last day being Aug 23. He would like to retract his resignation and continue working on gang 6456. Can we do this for him?

Thanks

6:05 AM

D

We discussed last week and we have accepted his resignation

6:07 AM

Ok. Thank you. He said he made a mistake.

6:08 AM

D

I understand , our decision to honor his resignation and not retract it was based on the companies best interest.

6:10 AM

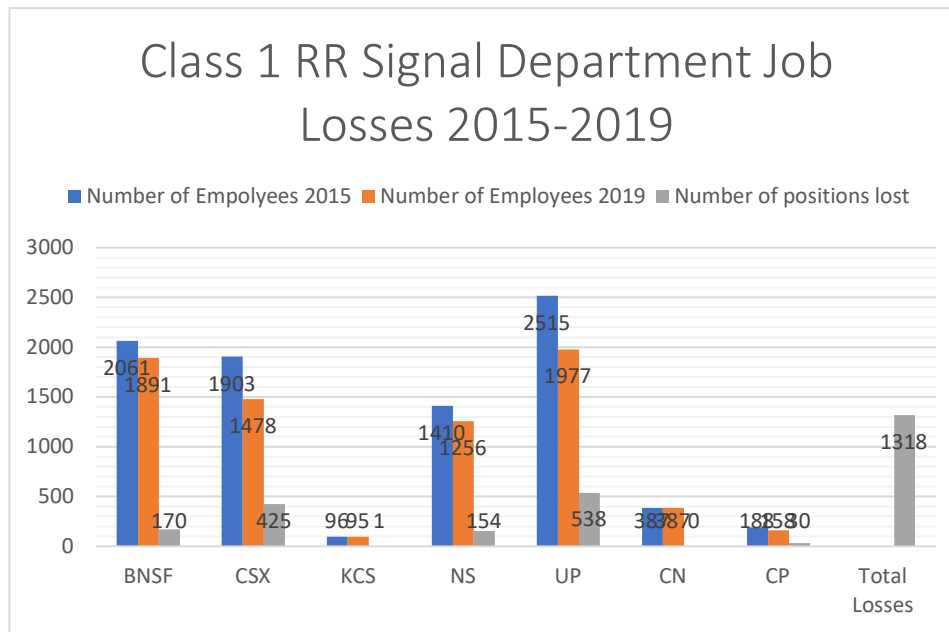
No problem. Thanks for the consideration. Have a good weekend.

6:11 AM



ATTACHMENT B

Railroad Carrier	Number of Employees 2015	Number of Employees 2019	Number of positions lost
BNSF	2061	1891	170
CSX	1903	1478	425
KCS	96	95	1
NS	1410	1256	154
UP	2515	1977	538
CN	387	387	0
CP	188	158	30
Total Losses			1318



Brotherhood of Railroad Signalmen, Southern Joint General Committee

There were **421** BRS-SJGC represented positions on the Southern Seniority districts in January 2017.

There are **272** BRS-SJGC represented positions on the Southern Seniority districts on April 19, 2022. 27 positions are vacant and beginning in **APRIL 2021** most are **NO BIDS, RE-ADVERTISED**.

Approximately **149** BRS-SJGC represented position abolished and/or reduced since January 2017 (Maintenance - 49 , Construction - 100).

2017 - April 19, 2022 > **121 members resigned** / 5-2022 / 41-2021 / 41-2020 (only 3 of 29 were at full retirement that received separation allowance) / 18-2019 / 5-2018 / 11-2017.

			EIN	STATE	NAME	AGE	YEARS OF SERVICE
1	1	RESIGNED	2022 0378595	IN	TD FORTUNE	34	11
2	2	RESIGNED	2022 1004178	NC	KH MORRISON	50	8
3	3	RESIGNED	2022 0330694	KY	CE BELCHER	48	13
4	4	RESIGNED	2022 0839454	GA	MW WOODS	42	13
5	5	RESIGNED	2022 0327516	TN	BG FOUST	40	13
6	1	RESIGNED	2021 1004280	GA	BC GOODIN	38	7
7	2	RESIGNED	2021 0398629	AL	JM ROLLINS	44	9
8	3	RESIGNED	2021 1001593	AL	RJ HINTON	50	9
9	4	RESIGNED	2021 1010471	TN	BT OSBORNE	24	6
10	5	RESIGNED	2021 1015476	GA	B BOSIER	44	3
11	6	RESIGNED	2021 1008478	GA	G WILLIAMS	32	6
12	7	RESIGNED	2021 1015947	GA	D SNEED	41	3
13	8	RESIGNED	2021 0349223	GA	CM HARPER	32	11
14	9	RESIGNED	2021 0349265	TN	MJ SPURLING	33	11
15	10	RESIGNED	2021 0376159	AL	GS HAYMON	49	10
16	11	RESIGNED	2021 1001892	TN	BA CLABORN	34	9
17	12	RESIGNED	2021 0335671	AL	JR GUFFEY	31	12
18	13	RESIGNED	2021 1008115	GA	DD REESE	37	6
19	14	RESIGNED	2021 0376152	KY	E PETTIT	55	10
20	15	RESIGNED	2021 1004159	AL	DH DICKERT JR	41	7
21	16	RESIGNED	2021 1005189	GA	TH GRAHAM	30	7
22	17	RESIGNED	2021 0349279	GA	JS YOUNGBLOOD	34	11
23	18	RESIGNED	2021 1003485	GA	FL THAGGARD JR	36	8
24	19	RESIGNED	2021 0164396	GA	CL BRYANT	41	15
25	20	RESIGNED	2021 0175512	TN	TL WILSON	36	14
26	21	RESIGNED	2021 0317618	TN	DA JOHNSON	61	13
27	22	RESIGNED	2021 0362026	GA	RP EDWARDS	41	11
28	23	RESIGNED	2021 0372876	NC	RC FAILE	35	9
29	24	RESIGNED	2021 0387520	TN	ME WYLAND	52	9
30	25	RESIGNED	2021 1002983	NC	PA CARTER	37	8
31	26	RESIGNED	2021 1003971	SC	C RAVENELL JR	41	7
32	27	RESIGNED	2021 1004161	VA	SJ NICHOLS	39	7
33	28	RESIGNED	2021 1004168	AL	BT WHITE	30	7
34	29	RESIGNED	2021 1004175	GA	TJ MOON	29	7
35	30	RESIGNED	2021 1005555	TN	PR STEPHENSON	39	6
36	31	RESIGNED	2021 1005641	VA	CJ IRBY	65	6

37	32	RESIGNED	2021	1006454	NC	MB SIDES	54	6
38	33	RESIGNED	2021	1006789	AL	GO ORR	54	6
39	34	RESIGNED	2021	1006919	AL	TJ PIGG	33	6
40	35	RESIGNED	2021	1008117	SC	JJ MART	34	6
41	36	RESIGNED	2021	0317590	TN	DM SALYERS	36	13
42	37	RESIGNED	2021	0198122	NC	LF ROSE JR	56	13
43	38	RESIGNED	2021	0317618	TN	DA JOHNSON	60	13
44	39	RESIGNED	2021	0387520	TN	ME WYLAND	52	8
45	40	RESIGNED	2021	1003971	SC	C RAVENELL JR	40	6
46	41	RESIGNED	2021	1004165	TN	LJ LIGHT	39	7
47	1	RESIGNED / Seperation Allowance	2020	0021057	AL	MD MARSHALL	60	Full Retirement
48	2	RESIGNED / Seperation Allowance	2020	0007904	AL	A GARDNER	66	Full Retirement
49	3	RESIGNED / Seperation Allowance	2020	0997787	TN	RB MCINTYRE	64	Full Retirement
50	4	RESIGNED / Seperation Allowance	2020	0958657	KY	BW BEAR	58	34
51	5	RESIGNED / Seperation Allowance	2020	0093234	IN	GL KNEAR	54	17
52	6	RESIGNED / Seperation Allowance	2020	0116404	AL	CC SCOTT	63	16
53	7	RESIGNED / Seperation Allowance	2020	0165215	IL	TM TENNANT	65	15
54	8	RESIGNED / Seperation Allowance	2020	0170388	GA	RV FAULKNER	64	14
55	9	RESIGNED / Seperation Allowance	2020	0185676	KY	TA ROSS	43	14
56	10	RESIGNED / Seperation Allowance	2020	0182365	TN	DJ LEWALLEN	38	14
57	11	RESIGNED / Seperation Allowance	2020	0334047	AL	CS JONES	36	12
58	12	RESIGNED / Seperation Allowance	2020	0342230	AL	CC NOLES	36	11
59	13	RESIGNED / Seperation Allowance	2020	0343693	AL	BO LEDBETTER	36	11
60	14	RESIGNED / Seperation Allowance	2020	0349251	TN	TN PESTERFIELD	49	10
61	15	RESIGNED / Seperation Allowance	2020	0349216	TN	JT HALE	32	10
62	16	RESIGNED / Seperation Allowance	2020	0164501	NC	PL ROWLAND	50	15
63	17	RESIGNED / Seperation Allowance	2020	0352324	NC	TD WALDROUP	36	10
64	18	RESIGNED / Seperation Allowance	2020	0354949	TN	NR LIVELY	36	10
65	19	RESIGNED / Seperation Allowance	2020	0370671	MS	J BECKHAM	34	9
66	20	RESIGNED / Seperation Allowance	2020	0396515	TN	JL MOORE	32	9
67	21	RESIGNED / Seperation Allowance	2020	1001155	NC	PD CLOSNER	36	8
68	22	RESIGNED / Seperation Allowance	2020	1002055	NC	AH FILE	30	8
69	23	RESIGNED / Seperation Allowance	2020	1002369	TN	BS HEISEY	34	8
70	24	RESIGNED / Seperation Allowance	2020	1002592	NC	JM HARRIS	33	8
71	25	RESIGNED / Seperation Allowance	2020	1003354	GA	CC PARKER	33	7
72	26	RESIGNED / Seperation Allowance	2020	1003362	NC	JJ MILLER	37	7
73	27	RESIGNED / Seperation Allowance	2020	1003551	NC	JL COBB	38	7
74	28	RESIGNED / Seperation Allowance	2020	1003684	NC	BM ALBURY	35	7
75	29	RESIGNED / Seperation Allowance	2020	1003685	GA	JE WELLS	28	7
76	1	RESIGNED	2020	0198101	NC	TW MCGUIRE	53	13
77	2	RESIGNED	2020	1001149	NC	TL CARTERET	46	8
78	3	RESIGNED	2020	1001291	SC	EL REESE	30	8
79	4	RESIGNED	2020	1001594	NC	ZC MYERS	36	8
80	5	RESIGNED	2020	1002321	TN	LF ADCOCK	33	7
81	6	RESIGNED	2020	0387583	TN	CB TERRY	28	9
82	7	RESIGNED	2020	1006914	TN	DS PURDY	33	5
83	8	RESIGNED	2020	1016508	GA	M NORTH	37	2
84	9	RESIGNED	2020	0360129	TN	JE WALKER	35	9
85	10	RESIGNED	2020	1001192	GA	JT TARRANT	45	8

86	11	RESIGNED	2020	0380905	KY	JC GARNER	47	9
87	12	RESIGNED	2020	0397005	GA	BW BOHANNON	33	5
88	1	RESIGNED	2019	1006788	AL	NL WEBB	33	4
89	2	RESIGNED	2019	1013150	TN	B OSBORNE	22	1
90	3	RESIGNED	2019	1005187	KY	CD YOUNG	41	5
91	4	RESIGNED	2019	1006447	KY	LA RUSSELL	26	4
92	5	RESIGNED	2019	1004023	IN	KC HIGGINSON	33	4
93	6	RESIGNED	2019	1001588	AL	JP ADAMSON	29	7
94	7	RESIGNED	2019	1005196	IL	KA AMERMAN	30	4
95	8	RESIGNED	2019	1003683	NC	BM WYNSCHENK	31	6
96	9	RESIGNED	2019	1004033	NC	SC SPRINKLE	40	6
97	10	RESIGNED	2019	0396508	TN	WC MEADE	34	8
98	11	RESIGNED	2019	1001154	NC	CT HODGE	26	7
99	12	RESIGNED	2019	1005197	TN	DR JONES	49	4
100	13	RESIGNED	2019	1002058	GA	CA WARREN	31	6
101	14	RESIGNED	2019	1003967	NC	RS ALVAREZ	40	5
102	15	RESIGNED	2019	1006790	NC	AC ARNOTT	46	4
103	16	RESIGNED	2019	1001591	GA	PV MCDURFEE JR	33	6
104	17	RESIGNED	2019	0368053	NC	GL HALL	56	8
105	18	RESIGNED	2019	1004166	NC	HA KELLER	38	5
106	1	RESIGNED	2018	1006455	NC	AM SASSER	25	3
107	2	RESIGNED	2018	1006791	VA	J KONDRATENKO	30	3
108	3	RESIGNED	2018	1002056	SC	JJ ANDREWS	28	5
109	4	RESIGNED	2018	1004270	NC	JM ALLEN	40	4
110	5	RESIGNED	2018	1010460	TN	JL NEAL	21	3
111	1	RESIGNED	2017	0157676	TN	CW MCLENDON	35	11
112	2	RESIGNED	2017	0116425	AL	RE GREEN	57	13
113	3	RESIGNED	2017	1005186	GA	BL ENNIS	42	2
114	4	RESIGNED	2017	1006916	TN	DM HICKMAN	24	2
115	5	RESIGNED	2017	1003260	SC	CL COPELAND	42	4
116	6	RESIGNED	2017	1004169	GA	MC LATHAM	22	3
117	7	RESIGNED	2017	0392077	GA	LR ALLEN	44	1
118	8	RESIGNED	2017	1004278	GA	SJ FOLDS IV	29	3
119	9	RESIGNED	2017	1008116	MS	DE LEE	53	2
120	10	RESIGNED	2017	0346213	AL	DK NICHOLS	28	7
121	11	RESIGNED	2017	1006933	TN	RC BRYANT	25	2

TENNESSEE	30
GEORGIA	25
NORTH CAROLINA	25
ALABAMA	18
KENTUCKY	7
SOUTH CAROLINA	6
INDIANA	3
VIRGINIA	3
ILLINOIS	2
MISSISSIPPI	2

121

4798	957
Divided by 121	Divided by 121
40	8
Average AGE	Average Years of SERVICE



Brotherhood of Railroad Signalmen

UNION PACIFIC GENERAL COMMITTEE www.brsupgc.org

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Resignations on Union Pacific since implementation of PSR

January 2019 – October 2021

Total Resignations

2019	53	Average of 6.57 years of service 17 of those were Maintainers	Avg of 5.2 years of service.
2020	47	Average of 5.8 years of service 15 of those were Maintainers	Avg of 5.53 years of service
2021	69	Average of 3.26 years of service 23 of those were Maintainers	Avg of 8.38 years of service
Total	169	55 were Maintainers	

Failed to return when recalled from furlough 15

Thank you.

R.G. Behrens
General Secretary Treasurer
BRS UP General Committee

Union Pacific



**Resignations on UP since implementation of PSR
(Approximately 1/1/19)**

2019	53	17 of those were Maintainers	Average of 1.4 Mtr's Per Month
2020	47	15 of those were Maintainers	Average of 1.25 Mtr's Per Month
2021	58	18 of those were Maintainers	Average of 1.5 Mtr's Per Month
Total	158	50 Maintainers	Average of @1.4 Mtr's Per Month

Failed to return when recalled from furlough.

2019	2
2020	1
2021	9
Total	12

Note: Prior to 2019, UP did not put the "reason" for the termination on their Termination Report. Therefore, difficult to differentiate between resignations, retirements and actual terminations.

From: Decker, Christopher S. (Labor Relations) <Christopher.Decker@nscorp.com>
Sent: Wednesday, December 2, 2020 12:18 PM
To: j.lindenbaum@brs.org; Jason Worcester; Carlton Everett
Cc: Doug VanderJagt
Subject: 74 initial
Attachments: C&S Employee Release.pdf; Separation 12-2-2020.xlsx

All

Follow-up to my call to each of you (message left for Carlton), attached is the release and the list of the 74 initial employee acceptances. These employees sent an email today with copy of release.

Carlton - call when you can I give you little more detail than my message

Chris

District	Employee	Emp ID	Seniority
ERN	KARL G MOLL	879402	3/31/1979
ERN	PAUL DAVID MARKIS	130124	3/7/2005
ERN	WILLIAM LORIN HINCHLIFFE	134002	5/30/2005
ERN	RYAN S BROWN	157690	10/3/2005
ERN	JOHN ALLEN BURRIER	151348	10/24/2005
ERN	J H FRAZIER	873026	7/3/2006
ERN	TAYLOR ARTHUR KARNES	176786	2/19/2007
ERN	CLINTON D COOK	183996	6/4/2007
ERN	ROBERT A RUGGIERO	188336	6/25/2007
ERN	KENNETH E GRAY	188259	8/6/2007
ERN	CHAD M VIGAR	190177	4/14/2008
ERN	KEITH M LOHR	327432	4/6/2009
ERN	ANTHONY A WAGER	336945	5/31/2010
ERN	SHANE P GLANCY	350567	3/21/2011
ERN	ROBERT PAUL HEIMBURGER	364798	9/26/2011
ERN	MATTHEW ROBERT COUSER	368018	12/19/2011
ERN	SELVY MARLEY	393316	8/6/2012
ERN	JOSE M GALVAN	1000947	1/21/2013
ERN	KYLE A RICHARDS	1001118	7/25/2013
ERN	MATTHEW THOMAS DILBA	1001913	10/31/2013
ERN	JUSTICE JOHN FROWNFELTER	1001887	11/28/2013
ERN	KEVIN JON WILLIAMSON	1002324	4/17/2014
ERN	LEE BENJAMIN FRITCHMAN	1002322	5/29/2014
ERN	JEREMIAH DANIEL HARDY	1002571	7/24/2014
ERN	RICHARD WILLIAM BALLENTINE	1003965	5/28/2015
ERN	MELVIN DWAYNE NATHAN	1005183	7/23/2015
NWE	D P LOPEZ	762689	11/7/1979
NWE	M J ADAMS	891541	3/27/1980
NWE	L R SHOWALTER	698866	4/16/1984
NWE	J R DOOLEY	705649	6/20/1984
NWE	W J SHOWALTER	707063	7/20/1984
NWE	R P CORIELL	862946	9/16/1984
NWE	LARRY GREYPO3 STANLEY	865788	2/14/1987
NWE	DAVID M WHITE	329749	5/10/2010
NWE	JOHNNIE D DEAL	332136	6/21/2010
NWE	TRAVIS B DUNCAN	335678	8/2/2010
NWE	ANTHONY KEITH FLEENOR	347557	12/6/2010
NWE	SCOTT A KEGLEY	368060	10/17/2011
NWE	JOSHUA DAVID KNIGHT	1002325	9/5/2013
NWE	SCOTT HONAKER	1000941	6/27/2013
NWE	JONATHAN RYAN DEAN	1002982	7/10/2014
NWE	JESSE WAYNE BRYANT	1003861	3/19/2015
NWE	MATTHEW COLE LOVERN	384587	7/17/2015
NWE	PERRY C WRIGHT II	1004281	9/11/2015
NWE	JOHN RAY SIMPKINS	1004403	11/15/2015
SLE	PHILLIP LESTER ROWLAND	164501	4/18/2006

SLE	TIMOTHY DARRELL WALDROUP	352324	6/21/2011
SLE	NATHAN ROBERT LIVELY	354949	7/12/2011
SLE	JOHN B BECKHAM	370671	11/15/2011
SLE	JACOB LEE MOORE	396515	9/25/2012
SLE	PHILLIP DANIEL CLOSNER	1001155	6/18/2013
SLE	AUSTIN HENRY FILE	1002055	7/16/2013
SLW	M D MARSHALL	21057	7/26/1982
SLW	ANTHONY GARDNER	7904	12/2/1985
SLW	R B MCINTYRE	997787	7/18/1990
SLW	B W BEAR	958657	1/6/1992
SLW	GERRY LEE KNEAR	93234	9/16/2003
SLW	CHRISTOPHER CLAY SCOTT	116404	9/20/2004
SLW	TERRANCE M TENNANT	165215	10/3/2006
SLW	ROBERT VAN FAULKNER	170388	4/10/2007
SLW	TOMMY A ROSS	185676	7/24/2007
SLW	DUSTY J LEWALLEN	182365	10/16/2007
SLW	CHRIS S JONES	334047	6/8/2010
SLW	CHRISTOPHER C NOLES	342230	10/12/2010
SLW	BRANDON O LEDBETTER	343693	11/2/2010
SLW	TROY NEAL PESTERFIELD	349251	3/29/2011
SLW	JOSHUA T HALE	349216	4/19/2011
WRE	RICHARD CENKUS	888895	4/12/1993
WRE	GREGORY ALLEN SANDERSON	888741	9/16/1998
WRE	RICKY A TRIPP	651525	4/23/2000
WRE	JAMES SAMUEL MENDENHALL	122872	11/22/2004
WRE	RONALD L KING	182358	3/12/2007
WRE	WILLIAM Z STURCH	320278	4/27/2009
WRE	STEPHEN P FIDDLER	338898	11/23/2009

From: Decker, Christopher S. (Labor Relations) <Christopher.Decker@nscorp.com>
Sent: Monday, December 7, 2020 5:34 PM
To: j.lindenbaum@brs.org; Jason Worcester; Carlton Everett
Cc: Doug VanderJagt
Subject: RE: 74 initial
Attachments: BRS 26.xlsx

All:

We decided to take another 26 . We emailed them this afternoon about 4:00. I have attached the list of the additional 26.

We expect to not accept the remainder of applicants. I am waiting a couple days - then later this week will send such to them. I will get you a list of them as well.

Chris

From: Decker, Christopher S. (Labor Relations)
Sent: Wednesday, December 2, 2020 12:18 PM
To: j.lindenbaum@brs.org; 'Jason Worcester' <ugcgeneralchairman@gmail.com>; Carlton Everett <brs78sjgc_gc@bellsouth.net>
Cc: Doug VanderJagt <drvanderjagt@brs.org>
Subject: 74 initial

All

Follow-up to my call to each of you (message left for Carlton), attached is the release and the list of the 74 initial employee acceptances. These employees sent an email today with copy of release.

Carlton - call when you can I give you little more detail than my message

Chris

District	Employee	Emp ID	Seniority
ERN	JUSTIN MARK GITZEN	1002809	8/7/2014
ERN	JESSE LEIGH STEWART	1005557	8/20/2015
ERN	CHAD A LEMAY	1006688	10/1/2015
ERN	German Harbolt	1001840	1/7/2016
ERN	CHRISTOPHER CUBBERLEY	1008477	4/28/2016
ERN	KRISTOPHER D. ROBERTS	1008508	7/7/2016
ERN	CHRISTOPHER GLENN DAVIS	1009387	7/7/2016
ERN	MARC SYMONS TAYLOR	1009383	7/21/2016
ERN	JASON DAVID NEWCOMB	1010112	8/18/2016
ERN	DANIEL JOHN NICHOLS	1002265	8/18/2016
NWE	TIMOTHY BRIAN PORTER	1000997	3/17/2016
NWE	BOBBY G JOHNSON	0397775	4/18/2016
NWE	MARK RANDALL TRENT	1005192	5/15/2016
NWE	DYLAN RAY DARDEN	0397726	6/23/2016
NWE	ROBERT BOYCE WALTERS	1006168	6/23/2016
NWE	KOLT SANDY	1006453	7/21/2016
NWE	RYAN ADAM BROWNING	1006825	9/16/2016
NWE	TRAVIS TAYLOR PARSLEY	1006783	9/16/2016
NWE	BENJAMIN SCOTT PRESTON	1004179	#####
SLE	JEREMY MICHAEL HARRIS	1002592	9/10/2013
SLE	BRANDON S HEISEY	1002369	9/10/2013
SLE	CHRISTOPHER CHRALIE LEE PARKER	1003354	8/12/2014
SLE	JONATHAN JOSEPH MILLER	1003362	#####
SLE	JUSTIN LEE COBB	1003551	3/25/2015
SLE	BRIAN MILLS ALBURY	1003684	5/6/2015
SLE	JAMES EVERETTE WELLS	1003685	5/6/2015

District	Employee	Emp ID
ERN	MATTHEW THOMAS DILBA	1001913
ERN	CHRISTOPHER DAVIS	1009387
ERN	MICHAEL P ZECHMAN	1010110
ERN	ROBERT A RUGGIERO	0188336
ERN	LEE BENJAMIN FRITCHMAN	1002322
ERN	J H FRAZIER	0873026
ERN	GERMAN HARBOLT	1001840
ERN	DANIEL NICHOLS	1002265
ERN	JUSTICE JOHN FROWNFELTER	1001887
ERN	CHAD LEMAY	1006688
ERN	JESSE STEWART	1005557
ERN	CHRISTOPHER CUBBERLEY	1008477
ERN	MARC TAYLOR	1009383
ERN	JASON NEWCOMB	1010112
ERN	PAUL DAVID MARKIS	0130124
ERN	TAYLOR ARTHUR KARNES	0176786
ERN	CHAD M VIGAR	0190177
ERN	MATTHEW ROBERT COUSER	0368018
ERN	KEVIN JON WILLIAMSON	1002324
ERN	KRISTOPHER ROBERTS	1008508
ERN	RICHARD WILLIAM BALLENTINE	1003965
ERN	KARL G MOLL	0879402
ERN	SHANE P GLANCY	0350567
ERN	ROBERT PAUL HEIMBURGER	0364798
ERN	MELVIN DWAYNE NATHAN	1005183
ERN	RYAN S BROWN	0157690
ERN	KENNETH E GRAY	0188259
ERN	KEITH M LOHR	0327432
ERN	SELVY MARLEY	0393316
ERN	JOSE M GALVAN	1000947
ERN	KYLE A RICHARDS	1001118
ERN	JEREMIAH DANIEL HARDY	1002571
ERN	WILLIAM LORIN HINCHLIFFE	0134002
ERN	JOHN ALLEN BURRIER	0151348
ERN	CLINTON D COOK	0183996
ERN	ANTHONY A WAGER	0336945
NWE	BENJAMIN PRESTON	1004179
NWE	Billy Joe Hall	1004404
NWE	PERRY C WRIGHT II	1004281
NWE	D P LOPEZ	0762689
NWE	BOBBY JOHNSON	0397775
NWE	TRAVIS PARSLEY	1006783
NWE	JONATHAN RYAN DEAN	1002982
NWE	TIMOTHY PORTER	1000997
NWE	ROBERT WALTERS	1006168
NWE	RYAN BROWNING	1006825

District	Employee	Emp ID
NWE	DYLAN DARDEN	0397726
NWE	MATTHEW COLE LOVERN	0384587
NWE	M J ADAMS	0891541
NWE	JOSHUA DAVID KNIGHT	1002325
NWE	MARK TRENT	1005192
NWE	KOLT SANDY	1006453
NWE	JOHNNIE D DEAL	0332136
NWE	JESSE WAYNE BRYANT	1003861
NWE	R P CORIELL	0862946
NWE	LARRY GREYPON3 STANLEY	0865788
NWE	SCOTT HONAKER	1000941
NWE	TRAVIS B DUNCAN	0335678
NWE	SCOTT A KEGLEY	0368060
NWE	L R SHOWALTER	0698866
NWE	DAVID M WHITE	0329749
NWE	ANTHONY KEITH FLEENOR	0347557
NWE	J R DOOLEY	0705649
NWE	JOHN RAY SIMPKINS	1004403
NWE	W J SHOWALTER	0707063
SLE	JACOB LEE MOORE	0396515
SLE	NATHAN ROBERT LIVELY	0354949
SLE	JUSTIN COBB	1003551
SLE	PHILLIP DANIEL CLOSNER	1001155
SLE	JEREMY HARRIS	1002592
SLE	JAMES WELLS	1003685
SLE	BRIAN ALBURY	1003684
SLE	BRANDON HEISEY	1002369
SLE	AUSTIN HENRY FILE	1002055
SLE	CHRISTOPHER PARKER	1003354
SLE	PHILLIP LESTER ROWLAND	0164501
SLE	TIMOTHY DARRELL WALDROUP	0352324
SLE	JONATHAN MILLER	1003362
SLE	JOHN B BECKHAM	0370671
SLW	DUSTY J LEWALLEN	0182365
SLW	CHRISTOPHER C NOLES	0342230
SLW	JOSHUA T HALE	0349216
SLW	TROY NEAL PESTERFIELD	0349251
SLW	BRANDON O LEDBETTER	0343693
SLW	M D MARSHALL	0021057
SLW	ANTHONY GARDNER	0007904
SLW	B W BEAR	0958657
SLW	CHRISTOPHER CLAY SCOTT	0116404
SLW	GERRY LEE KNEAR	0093234
SLW	TOMMY A ROSS	0185676
SLW	R B MCINTYRE	0997787
SLW	TERRANCE M TENNANT	0165215

District	Employee	Emp ID
SLW	ROBERT VAN FAULKNER	0170388
SLW	CHRIS S JONES	0334047
WRE	WILLIAM Z STURCH	0320278
WRE	RICHARD CENKUS	0888895
WRE	GREGORY ALLEN SANDERSON	0888741
WRE	RICKY A TRIPP	0651525
WRE	RONALD L KING	0182358
WRE	STEPHEN P FIDDLER	0338898
WRE	JAMES SAMUEL MENDENHALL	0122872

Jillian Lasky

From: mle@brs.org
Sent: Tuesday, April 19, 2022 4:26 PM
To: 'Mike Efaw'
Subject: FW: Information On Resignations And Refusal To Accept Recall
Attachments: CSXTN PSR Membership Quit.xlsx

Good Afternoon Mike,

I had my guys give me names of guys that have quit over the PSR years at CSXT Northern. I have a list of 22 members that were frustrated, overworked, or underappreciated for the work they were doing. They wanted to get away from the railroad because of their treatment of employees. I do not have a full record of discipline cases over the beginning of the PSR years. I know of at least 3 members that were dismissed because they wanted to cut numbers, there has to be a few more of those cases. Just the 22 members is roughly 7.3% of our membership, with some of the discipline, it could have been close to 10% of membership was decreased.

I hope this helps,

Daniel Jacopino
General Chairman
CSXT Northern General Committee

Last Name	First Name	Local	Member #	Status	
Butson	James	10	1095E	withdrawn	PSR shut down stanley yard and had no more options for home jobs
Jessup	Stephen	42	4224D	withdrawn	Frustrated with PSR enviroment and job instabilty
Hampel	John	41	4143B	withdrawn	Frustrated with PSR enviroment and job instabilty
Hemker	Tyler	41	9479T	withdrawn	Frustrated with PSR enviroment and job instabilty
Quinn	Ron	35	3583G	withdrawn	
LaJoie	Matt	35	3585G	withdrawn	
Renner	Chris	91	9189B	withdrawn	Frustrated with PSR enviroment
Bilek	Joe	35	3588G	withdrawn	would not take recall with CSX due to PSR enviroment
Vanzandt	Rob	35	3582G	withdrawn	Overworked from territory size
Maple	Gavin	91	9192B	withdrawn	
Boone	Justin	91	9186B	withdrawn	
Maul Jr	Doug	42	4222D	withdrawn	
Metzger	Don			withdrawn	would not take recall with CSX due to PSR enviroment
Oboczky	Jack	35	3571G	withdrawn	Overworked from territory size
Diazcastro	David	86	8693C	withdrawn	Frustrated with PSR enviroment
eschborn	Chris	225	22542	withdrawn	Frustrated with PSR enviroment
Kalarites	Jon	213	21300A	withdrawn	Frustrated with PSR enviroment
Nichola	John	86	8692C	withdrawn	Frustrated with PSR enviroment
Jones	Justin	86		withdrawn	
Sauerhafer	Earle	86	3178U	withdrawn	Frustrated with PSR enviroment
Semp	Andy	80	8056D	withdrawn	Frustrated with PSR enviroment
Travis	Duanne	86	8684C	withdrawn	Frustrated with PSR enviroment
Perry	Jason	93	9300F	withdrawn	Frustrated with PSR enviroment
Howland	Matt			withdrawn	would not take recall with CSX due to PSR enviroment
Brickner	R			withdrawn	would not take recall with CSX due to PSR enviroment
Bryan	J			withdrawn	would not take recall with CSX due to PSR enviroment
Slabaugh	Chris			withdrawn	would not take recall with CSX due to PSR enviroment
Levan	Brian			withdrawn	disciplined but resigned due to politics of CSX

Jillian Lasky

From: mle@brs.org
Sent: Tuesday, April 19, 2022 4:33 PM
To: 'Mike Efaw'
Subject: FW: Information On Resignations And Refusal To Accept Recall
Attachments: List of resignations.xlsx

Subject: Re: Information On Resignations And Refusal To Accept Recall

Here is my list of resignations on the CN this year . Its about 10 percent of the signal department

NAME	DATE	REASON
Ken Bentley	?	Harassment
Robert Dudzik	2/23/2021	Harassment
Justin Basco	3/19/2021	Job closer to home (non Railroad)
Landon Norris	4/1/2021	Job closer to home (non Railroad)
Kyle Osburn	5/5/2021	Harassment
Doug Burgess	5/31/2021	Harassment
Ryan Randle	6/8/2021	Job closer to home with UP MOW
Jason Evens	6/17/2021	Did not return from medical
Jose Delattuerta	6/25/2021	Harassment
Alonzo Faison	6/29/2021	Harassment
James Dixon	7/5/2021	?
John Waisamen	7/9/2021	Harassment
Derek Turner	7/23/2021	Job with KCS RR
Jesus Hernandez	7/27/2021	Harassment
Sean Britt	8/8/2021	job closser to home (Asst. from IA sent to LA for gang job)
Joel Tuominen	8/26/2021	?
Michel Klock	9/12/2021	Job closer to home with the CP Less money
Steve Schleismen	9/13/2021	job closer to home (non RR)
Greg Davis	9/21/2021	Job closer to home
Cole Neeley	9/21/2021	Job closer to home with the KCS RR

Last Name	First Name & Int.	District	Local	BRS Cert. #	Date resigned	BNSF EID#	Hire Date	Years of Service	Withdrawl Card?	Reason for Resignation, if known
Parton	Trevor L	Chicago	20	2070I	01/16/21	006840-3	03/10/14	7		found better work schedule else where
Byerly	Lee A	Chicago	20	2060J	02/04/21	310716-6	10/06/19	1		Failed re-exam, claim pending
Cooper	Kameron K	Chicago	20	2056J	03/10/21	028778-9	08/05/19	2		
Tate	Keenan M	Chicago	20	3323N	05/29/21	036942-1	03/02/15	6		
McCormick	Steven R	Chicago	20	2048H	07/12/21	127736-7	04/23/07	14	Yes	resigned to avoid involuntary termination
Ferguson	Robert A	Chicago	20	2029J	08/24/21	037694-7	04/13/15	6		Tired of traveling and RR BS, making good money running his own business. JM
Phillips	Brandon C	Chicago	20	2015J	09/03/21	034493-7	11/03/14	7		
Daniels	James M	Chicago	20	2057I	09/04/21	017809-5	05/13/13	8	N/A	
Holt	Jason	Chicago	20	2095I	09/08/21	029056-9	05/05/14	7		
Talada	Travis	Chicago	20	2046J	10/04/21	036199-8	04/19/18	3.5		
Van Brunt	Derek R	Chicago	20	2098I	11/08/21	030121-6	06/02/14	7.5		
McNamee	Desmond K	Kansas	33	3333N	08/20/21	310274-6	07/08/19	2		for better pay and home time, no issue with
Parham	Joshua J	Billings	87	8713P	02/02/21	022484-0	07/29/13	8		Resigned to stay in at current location. KM
Martell	Clayton J	Billings	87	8711P	02/05/21	022484-0	04/03/14	7		
Imhoff	Bradley J	Billings	87	8759N	05/01/21	735296-6	04/20/92	29		
Sandoz	Thomas	Billings	87	8706Q	05/02/21	307034-9	08/05/19	2		
Harris	Freddie J	Billings	87	8765P	05/14/21	031860-0	08/04/14	7		
Job	Jason L	Billings	87	8705Q	07/13/21	310593-9	08/05/19	2		
Pendergast	Keegan	Billings	87	8767P	08/31/21	031298-3	07/07/14	7		Not enough pay, to mush BS (A.T.)
Campbell	Joshua J	Billings	87	18823F	10/12/21	303617-5	09/09/19	2		
Barnett	Lukas K	Billings	87	8704Q	11/16/21	310570-7	08/05/19	2.25		
Klein	Staton M	Billings	87	8785P	12/09/21	038406-5	06/01/15	6.5		
Kolodzick	Dennis	Denver	119	11945Q	02/24/21	310813-1	10/07/19	1		Found a better job (now deceased)
Ocampo	Aaron J	Denver	119	11933N	05/10/21	137422-2	04/01/01	20		Family issues, and feed up with BNSF BS.
Blakeman	Ryan P	Denver	119	11943Q	05/19/21	310706-7	10/07/19	2		Found a better job
Heinlein	Matthew	Denver	119	17233E	06/05/21	038433-9	06/01/15	6		Found better Job, more pay less BS
Milne	Caleb W	Denver	119	11930Q	07/21/21	309693-0	04/22/19	2		Started his own business
Brannon	Craig A	Denver	119	11926Q	07/28/21	309620-3	04/22/19	2		Started his own business
Reyes	Brycen	Denver	119	11990P	08/12/21	038426-3	06/01/15	6		Wife moved to Texas for a better job
Harden, Sr	Michael B	Denver	119	11906O	10/06/21	172353-5	09/05/06	15		
Byrom	Cody T	Texas	121	12129H	09/10/21	305960-7	09/10/18	3		
Staunton	Peter J	Texas	121	12102H	10/16/21	168852-2	11/03/14	7		
Wrenfrow	Dustin E	Springfield	129	12938AC	01/06/21	310107-8	06/03/19	2		employment - per RFS Nunez
Bailey	Richard S	Springfield	129	16102O	01/30/21	310502-0	08/05/19	2		Pay Vs. Conditions - seeking better employment - per RFS Nunez
Williams	Darrin	Springfield	129	12929AC	02/06/21	307351-7	09/10/18	2		Pay Vs. Conditions - seeking better employment - per RFS Nunez
Woodard	Bobby J	Springfield	129	12986AA	02/09/21	172752-8	10/30/06	14		Pay Vs. Conditions - seeking better employment - per RFS Nunez
Lampe	Shawn C	Springfield	129	12987AB	02/16/21	034492-9	11/03/14	6		Pay Vs. Conditions - seeking better employment - per RFS Nunez
Moreland	Samuel D	Springfield	129	12950AB	05/01/21	024224-8	10/07/13	7		Pay Vs. Conditions - seeking better employment - per RFS Nunez
Hoffman	Ben R	Springfield	129	12911AC	06/05/21	038419-8	06/01/15	6		
Montgomery	Stephen R	Springfield	129	12921AC	08/17/21	307126-3	09/10/18	3		Job opportunity close to home. CC
Mullen	Jon K	Springfield	129	16177M	08/23/21	166941-5	08/15/05	15		Resigned to avoid involuntary termination. KM
Gatewood	Daniel R	Springfield	129	12941AC	08/27/21	310270-4	08/05/19	2		
Sanders	Bryan L	Springfield	129	12974AB	09/09/21	029026-2	05/05/14	7		
Christman	Joshua B	Springfield	129	12940AC	09/10/21	310400-7	08/05/19	2		
Owings	Anthony C	Springfield	129	12942AC	09/10/21	310489-0	08/05/19	2		
Smith	Dustin A	Springfield	129	12989AB	09/15/21	177206-0	11/03/14	7		
Epperson	Cassidy A	Springfield	129	12983AB	09/18/21	031008-6	07/07/14	7		
Kriz	Ryan D	Denver	129	11929O	09/19/21	173763-4	03/05/07	14		Angry about failing an OPS test (C.S.)
Burcham	Aaron M	Springfield	129	12939AC	10/07/21	310494-0	08/05/19	2		
Huizenga	Lee A	Twin Cities	154	15415N	05/06/21	731916-3	05/01/89	33		
Reddington	Noah A. L.	Twin Cities	154	15437Q	06/02/21	310571-5	09/09/19	2		
Greenwaldt	Christopher K	Twin Cities	154	15465P	07/24/21	030462-6	06/02/14	7		
Pearce	Matthew T	Twin Cities	154	15473P	07/30/21	032710-6	08/04/14	7		
Franceschini	Michael N	Twin Cities	154	15416Q	08/11/21	038455-2	06/01/15	6		
Marcelletta	Michael A	Twin Cities	154	15487P	08/16/21	031017-7	07/07/14	7		
Fisher	Jason G	Twin Cities	154	15447Q	10/19/21	310799-2	10/07/19	2		
Pierret	Colby D	Twin Cities	154	15436Q	11/23/21	310630-9	09/09/19	2		
Mincks	Todd	California	156	22906A	01/20/21	310618-4	11/15/10	10		reason unknown
Conner	Kelly J	California	156	17314D	05/26/21	036992-6	03/02/15	6		Reason unknown
Villareal	Nickolas	California	156	17324D	06/09/21	038440-4	06/01/15	6		Found work closer to home.
Alcorn	Chris J	California	156	17302D	07/06/21	007755-2	08/15/11	10		Lose of wages (const. diff), went to work for City of Fresno, better wage and work at home.
Hutchens	Tolbert L	California	156	22990	07/13/21	313099-1	11/15/10	11		
Easley	William J	California	156	17305C	07/16/21	655894-4	01/01/94	27		
Bradshaw	Wil H	California	156	17376C	08/11/21	167402-7	10/17/05	16		
McFarlin	Johnny	California	156	15649J	08/21/21	021666-3	06/17/13	8		
Brooks	Andrew	California	156	17328D	09/07/21	306193-4	09/10/18	3		
Magana Jr.	Diego A	California	156	17318D	09/11/21	037713-5	04/13/15	6		went to work for TASI railroad
Bryan	Christopher I	California	156	17326D	10/11/21	037153-4	10/05/15	6		

Last Name	First Name & Int.	District	Local	BRS Cert. #	Date resigned	BNSF EID#	Hire Date	Years of Service	Withdrawl Card?	Reason for Resignation, if known
Mitchell	Justin W	New Mexico	161	16150N	07/02/21	028836-5	04/21/14	7	N/A	better wok opportunity, went to work for
Shelton	Shawn L	Kansas	161	16126M	08/21/21	134480-3	07/01/98	23	N/A	Went to Hertzog for more money and less BS.
Alvarez	Jason L	New Mexico	161	16187N	09/10/21	306066-2	09/10/18	3		
Delgado	Dominic E	New Mexico	161	16181N	10/01/21	038429-7	06/01/15	6		
Taylor	Bobby D	New Mexico	161	16196N	10/30/21	309870-4	04/22/19	2.5		
Vasquez	George J	Arizona	172	17210E	07/16/21	000353-3	07/20/10	11	N/A	Went to Hertzog for more money and less BS.
Campbell	Will J	Arizona	172	17208E	10/19/21	001853-1	09/20/10	11		
Relethford	Glen N	California	173	11107K	02/27/21	307255-0	09/20/11	9		
Fairley	Parnell Z	California	173	17300D	06/04/21	007751-1	08/15/11	10		
Frickson	Ricky A	California	173	11909P	08/25/21	004887-6	04/04/11	10		Went to Hertzog for more money and less BS.
Grainger	Shawn M	California	173	15661J	10/26/21	028655-9	10/02/16	5		
RReyerse	Terrin Q	California	173	17332D	12/15/21	310492-4	08/05/19	2.33		
Newell	Jayson S	California	173	17303D	12/31/21	009961-4	01/09/12	10		
Warner	Patrick T	Seattle	188	18800F	01/16/21	037773-9	04/13/15	6		found better job with more pay and less BS
Palmer	Gordon P	Seattle	188	18826E	01/28/21	008538-1	04/01/13	8		found better job with more pay and less BS
Crites	Kevin G	Seattle/Portland	188	18888D	06/03/21	165089-4	07/20/09	12		left due to BNSF BS, stated his own business
Adams	Pete J	Seattle/Portland	188	18856D	06/24/21	174994-4	06/04/07	14		went to Short-line, less money but less BS too.
Grant	David G	Seattle/Portland	188	18800C	06/26/21	110698-8	09/01/96	25		Went to Hertzog for more money and less BS.
Stethem	Mikal J	Seattle/Portland	188	18830F	09/16/21	310793-5	10/07/19	2		
Stevie	Beau W	Seattle/Portland	188	18852E	10/06/21	031870-9	08/04/14	7		Looking for better quality of life. (JM)
Overbee	Peter A	Seattle/Portland	188	18842E	11/02/21	010055-2	04/01/13	8.75		
Davaz	Christopher A	Seattle/Portland	188	18809F	11/14/21	303073-1	04/09/18	3.75		
								Average years of Service		
								7.545333		

Last Name	First Name & Int.	District	Local	BRS Cert. #	Date resigned	BNSF EID#	Hire Date	Years of Service	Withdrawl Card?	Reason for Resignation, if known
Lucero	Brady R.	Billings	87	8780P	01/21/22	038404-0	06/01/15	6.58		Feed up with instability and not being able to settle down in one spot.
Chilcoat	Thomas W.	Arizona	172	17242D	01/15/22	659749-6	04/01/94	28.75	No, Fee Payer	Went to FRA
Arroyo	Manuel C	California	173	17380C	01/20/22	169203-7	03/20/06	15.83		
Pereson Jr.	David E	Chicago	20	2046H	02/12/22	173818-6	03/19/07	14.92	No, Fee Payer	Went to FRA
Dudley	Jarik M	Denver	119	11944Q	02/27/22	310638-2	10/07/19	2.42		
Sanders	Ethan S	Springfield	129	12946AB	02/19/22	025157-9	12/02/13	8.25		
Phillips	Steven M	Springfield	129	12997H	02/26/22	108694-1	05/01/96	25.75	No, Fee Payer	
Hendrick	Aaron	New Mexico	161	16103O	02/05/22	310460-1	08/05/19	2.5		
Slentz	Jeffrey A	Texas	121	12122F	02/28/22	644533-2	02/01/82	40		Took a Manager of Safety Position with Herzog, more money, better benifits, better quality of life.
Kaufman	Gus A	Billings	87	8710P	03/09/22	016639-7	04/01/13	9		better employment w/ Government job. Better pay and working conditions with more time at home.
Griffin	Shawn W	New Mexico	161	12688G	03/28/22	310708-3	01/13/13	9.17		
Volanti	Dean	California	156	17227E	03/26/22	033164-5	09/08/14	8.5		
								Average years of Service		
								14.30583		

Why They Don't Return

My name is Thomas Holtapp, and I have been working for Union Pacific Railroad since 2005. I started my career working in the Track Department, where I spent half my time in maintenance and the other half in construction on large tie and steel gangs. In the spring of 2010, I was furloughed and couldn't catch a bid in my local territory or on the system gangs. Since I loved my job and Railroad Unemployment didn't pay the bills, I was willing to camp, sleep in my car, or do whatever was necessary to keep insurance and a paycheck coming in. I bid every job within 10 hours of my residence and finally caught some bids. Eventually, I caught a job on my own roster, four hours away from my home. Even though I was living in a horse trailer, I was happy to have a steady paycheck and ready to give my all to a job I enjoyed. The only problem that I had was job security, and that's when I heard that the Signal Department was hiring, and they haven't had a lay off since the early 80s. SIGN ME UP!!!!!!!!!!!!

I got on the Signal Department in June of 2010. I was one of the first hired for the big PTC push. I got my foot in the door first because I was already an UP employee, and most of the paperwork was already completed. Now, I have a job I love, it pays better, the union agreement is better, I am treated better, and I have a lot of people below me on the roster. I believe UP was hiring people all the way up to 2015, and it wasn't just one or two. It was a lot. I saw the writing on the wall. I asked myself, *"What are they going to do with all these people when PTC installation is done?"* Life was good but, unfortunately, my love for my career ran out around 2014. Like most people in the Signal Department, I loved my job but disliked my employer. They started to push their bean counting to an extreme. The production reporting was a big focus. Employees were forced to provide bullshit numbers on their production, and whoever wanted this data took these bullshit numbers and applied them. The whole system was based off bullshit and lies. I am guessing these numbers were to be used to get a baseline of what was needed for manpower.

In January of 2018, I started to seek employment elsewhere. Union Pacific became a soulless employer that I detested. They started to "right size" and realign their workforce. Everyone in the Signal Department started to get pretty nervous. Even though we saw Lance Fritz talking about record profits routinely, we knew our heads were on the chopping block. The thing that pissed me off the most was when they abolished several zone gangs and reposted them as headquartered gangs, so they didn't have to pay travel and per diem. This forces employees who don't live near the HQ to:

- * Travel hundreds of miles to work on their own dime and time.
- * Be away from their family for an extended period of time.
- * Pay for lodging or sleep in their car.
- * Have a poor diet due to lack of income or cooking equipment.

* Be stressed-out and tired due to poor living conditions and being away from family.

The above does not sound like a very SAFE work environment, and for what? So UP can save a few bucks on mileage and per diem while Mr. Fritz reports record profits, not to mention the tax break President Trump implemented to lower corporate taxes, which ended up assisting with stock buy backs and slush funds. Many employees were given two terrible choices:

1. Pay money to come to work and be far from home and away from family for an unknown amount of time.
2. Flip the bird, walk off the property, and quit.

This is why people are leaving the Signal Department. It is a terrible work environment, and people are gun shy after the mass cuts. What is to keep UP from doing this again in a few years? It is very stressful on the employee and their family. I live in Illinois, and when they shut down the hump yards, got rid of Relief Maintainers, and thinned out the Maintenance Foremen, the only place I could work was Texas. I floated on jobs for nearly a year. I rarely got a full paycheck, and I was sometimes bumped 4 times a work half. I never knew when or where I would be working. My biggest fear was catching a headquartered gig far from home, because I knew I would never see my family. Packing up and relocating to a job is a bad option too. One would have to pull their kids out of school, and have their spouse leave their job so you could work a job that you might get bumped out of the very next day. Even if one did decide to relocate, the moving package in the agreement is outdated and, at best, a joke. It wouldn't cover a move across town, let alone across the country. If you want a good example, talk to G***** M*****. He took the moving package. If I remember correctly, the money he was reimbursed for the loss on the sale of his home was taxed. Anyway, employees are painted into a corner. They are given two terrible options. Some go through the pain and stress with hopes of things eventually getting better, while others just throw the towel in to avoid the pain and suffering. The only reason I was able to stay was because I had some money saved up, and I could afford the partial paychecks and the costs required to come to work. I believe I am working on year 17 and I am still actively searching employment elsewhere.

This is all an easy fix:

1. Make it where it doesn't cost employees money to come to work. Give them a place to stay, food to eat, and some mileage if they have to work far from home.
2. Eliminate the chance of an employee having to be away from their family for extended periods of time.

I STRONGLY believe these are the two main reasons people quit. They can't afford to work here, or they miss their family, or both. There are countless other reasons this work environment

is terrible, but UP needs to focus on the above first. After living in these conditions, I have a lot of ideas on how to fix these problems and make this a better place, but, unfortunately, for now my time is limited. If you need anything else or the phone numbers of many others that have gone through this to hear their thoughts, let me know. The stories are truly sad and frustrating.

I am a past Union Pacific employee, who worked for the Signal Department in the Pacific Northwest. I am writing this letter in regard to PSR, and the effects it had on my work, life, and ultimately my resignation.

I started working for Union Pacific in the summer of 2010 on the construction side of the Signal Department. When I hired on, I was very proud to be a part of Union Pacific, and I continued to be for quite a few years after that. After a few years on construction, I moved around on signal maintenance until I ultimately was able to land in a maintenance job that worked great for my life. I enjoyed the work and the challenge of taking trouble calls at all times of the day and night. Support seemed good from all positions like Foreman, Management, and higher ups in the company. Help was always there when needed, and I felt appreciated from above, even though it came in very small doses.

Fast forward to 2019 and things started to change. Construction began cutting jobs left and right, which I knew could have a large potential of me being bumped. At this point, I was fully invested on the maintenance side of work, so I cannot speak to whether or not those construction cuts were justified. I was lucky enough to not be bumped in that round, but plenty of signal brothers had to deal with being cut. This is where the shift started to happen in morale and support from higher ups in the company.

Unfortunately, throughout 2019, everyone knew that wasn't the end. We could not get honest answers from anyone, but we knew more cuts were coming. Starting the Summer of 2020, construction took a huge hit and was essentially decimated to the minimum number of employees the company thought they needed. I was bumped from my position and had to bump into another maintenance position an hour from home. It was a doable job but not sustainable in regard to taking trouble calls in a timely manner. The manner at which Union Pacific had enforced these cuts felt like a slap in the face to all of us. PSR was in full swing, but it was blamed on Covid. This is where I became less and less proud to be part of the company. This opinion was unanimously shared among co-workers, friends, and family. At this point, I would do what it takes to support my family, but the direction of the company started to feel very greedy and shady. It left most employees more nervous and anxious as to when the next cut would happen, without warning. The ability to focus on work became more difficult, and the gap between upper management and field employees felt bigger than it ever had.

I spent one month at that new-to-me maintenance position when the next round of cuts came. This time to Signal Maintenance. They cut most of our Foremen and Relief Maintainers. The only extra help we could get, besides from a neighboring Maintainer, was now being cut. Unfortunately for me, I was the low man on the seniority list and was bumped, again. I vaguely understood the prior cuts and absolutely did not agree with the way it was done. Now, they decide to cut our only support and backup in maintenance and the Manager now has to act as a part-time Foreman? This is when I knew I did not want to be part of a company like this anymore. Morale was in the dirt, and any faith in the company to actually see what's going on in the field was gone.

From this point, I had very few options, and that's with my 10 years of seniority. I had to take a Maintenance position four hours from my home, away from my wife and two young kids, and had to live out of a trailer, all while working a job that needed me to be on-call and available as much as I could. I took pride in my work and in covering my territory, so I didn't make someone else's

life harder. I stayed available as much as I could without ruining my home life, but I was fed up with Union Pacific and the unjust cuts made in the name of PSR. Not too long into that new job MORE cuts were made. Mind you, before this there were two Maintainers where I was, and we were 3.5 hours from our neighboring Maintainer with no relief or Foreman. We were basically handed our territories with little to no assistance if needed, and it certainly was needed.

Union Pacific decided they needed more with less. UPRR decided the next best way to cut was to extend territories by what seemed large areas in some cases. This move came strictly from test count and somehow managed to not factor in geography, distances, and types of/or large-scale tests. My new territory was relatively small distance wise but had a dense unit count, with a lot of older equipment and public traffic. My neighboring maintainer, and only help, had to spend 3/4 of his time 3 hours away on a split territory. We were now being asked to do more with less. It became nerve wracking how much more was now on our plates, all for what felt like was for short-term gain while losing employee trust in the company.

I'm not the complaining type, when new standards came out or testing became more thorough, I had no problem with it, because it made for a safer railroad and a better product, but this was too far. I did not want to work for a company that made these types of decisions off strictly saving money and not thoroughly examining the effects that could and would happen in the field, let alone the stress on employees and the ability to focus on doing quality and safe work. With these things said, I do have to say I did feel we had support from our immediate Managers in them doing the most they could but not much above that.

I resigned a few months after the territory extensions. I felt relatively safe in holding a job at UPRR but at what cost? My family? My sanity? My quality of work?

I used to be very proud to represent the company badge on my truck and clothes, but my last few years of working with UPRR showed the company's values were no longer something I wanted any part of.

Nick McFarlane

From: a.carter@brs.org
To: [RG Behrens](#); bdlong15@hotmail.com; membership@brs.org
Cc: ["Mike Efaw"](#); [John McArthur](#); ["Ronald Rich"](#); ["Dustin S. Ward"](#)
Subject: Martin Baker resignation
Date: Monday, April 11, 2022 10:51:00 AM

FYI

Marty Baker resigned this morning. Marty was a 12 year employee.

Aaron Carter
Vice General Chairman – South
Union Pacific General Committee
a.carter@brs.org
816-564-8262

April 2022

Dear Honorable Board Members,

My name is Justin Pier, presently I am a Grand Lodge Representative with the Brotherhood of Railroad Signalmen. From 2013 to 2021, I was an active Signal Employee with BNSF Railway. I have since been placed on a Permanent Leave of Absence but maintain my seniority and right to return to the craft. I have held many positions within the Signal Craft, however, the focus of this statement will be concerning my time spent as a Signal Maintainer on the Kansas Seniority District, Panhandle Subdivision, as the Harper East Signal Maintainer.

As a member of the Panhandle Subdivision, our team was responsible for maintaining a section of the Southern Transcon, a corridor extending from Southern California to Chicago, Illinois, with one of the highest rates of traffic compared to all other mainlines. High traffic rates impact availability to obtain the track authority required to comply with many FRA-mandated inspections. Under normal circumstances, experiencing heightened stress and a feeling of pressure to get the job done are common; notwithstanding the high-stakes, safety-sensitive nature of the work I did as a Signalmen. I took great pride in the fact Signalmen adapt and learn to work in a field that most people would find difficult to manage; at a point, though, adapting is no longer tenable. One must recognize what is being asked to give of themselves to an employer who boasts increased profits year over year, while asking the employee to do more with less.

PSR, or Precision Scheduled Railroading, has virtually turned the company I once loved to work for from a safety-driven, brother's keeper business model into a caricature of Scrouge McDuck, whose primary concern is pleasing its shareholders. Since PSR became a mainstream model of operation, focus switched away from maintaining infrastructure. Funds diverted towards new construction diminished the available balances for replacement parts required to repair degrading equipment. Furthermore, overtime restrictions impacted time allocated to maintaining this equipment, as attention had to be diverted to completing FRA inspections.

Issues created by PSR were further compounded when it became abundantly clear that management's priority was foisting the illusion it was in compliance with the FRA. Often times, supervisors would ensure the FRA inspector was sent to the territory with the fewest issues and escorted by a Maintainer that would be the least likely share the true state of affairs. I, personally, witnessed this occur during my time as a Maintainer and also while traveling the system in support of Maintenance-of-Way operations.

One of the most noticeable impacts of PSR was the number of fatalities directly related to its implementation. Aside from the glaring observation that my employer was killing people to make a profit, PSR had an additional effect that was not instantly apparent. Working daily with the compounded stress of a deteriorating employee/employer relationships, struggling to maintain my territory in a way that complies with the regulations I am obligated to, and returning home to my family, trying to offer them the same level of attention and care as I had previously began to wear on me. I was fortunate to not have any injuries, but I cannot say the same for many of my peers.

In closing, I would like to share a scenario I dealt with on a daily basis, which is a direct result of the PSR operating model. A siding at Milan, Kansas, is frequently used to park trains; due to a recent decision to increase the length of trains, many that tie up at this location do not comply with the required distance a parked train must be from a crossing. Regardless, BNSF continues to use this siding, even though the end of the train sits close enough to Monroe Streets that it often falsely activates the crossing. This is a major safety issue for the community, who frequently use this crossing to access homes within the adjacent rural town. Additionally, placing trains in sidings designed for shorter consists obscures the public's vision of oncoming trains. A pedestrian who has become distrustful and complacent of a frequent falsely activated crossing is more likely to ignore the mechanism designed for their safety. I saw this happen daily. When line-of-sight was obscured by a parked train, cars would assume since the gates were up it must be clear to pass. If the gates were down while a train was parked near the crossing, the public would assume the parked train was the cause and narrowly miss the oncoming train they did not expect. Reporting this issue did not produce results. Feeling an obligation to public safety, I would dedicate much of my time protecting this crossing while trains were parked, time that otherwise could have been spent upkeeping my territory.

PSR has required less employees do more work for an employer whose demands are ever increasing. Record numbers of employees are burned out from this new method of operation and have sought employment elsewhere. Wages are not competitive and do not represent the risks employees put themselves in to the ensure profits for BNSF. Rises in fatalities, injuries, and supply chain issues are all a direct result of Class 1 railroads' poor implementation of Precision Scheduled Railroading. Employees' safety should not come last behind shareholder dollars.

Very Respectfully,

Justin Pier

From: mle@brs.org
To: "Mike Efaw"
Subject: FW: Letter of resignation 10-21-2021
Date: Tuesday, April 19, 2022 4:36:44 PM

From: a.carter@brs.org <a.carter@brs.org>
Sent: Thursday, October 21, 2021 4:46 PM
To: 'Mike Efaw' <mle@brs.org>
Cc: John McArthur <jomcarthur@brs.org>; 'Ronald Rich' <r.rich@brs.org>; 'Dustin S. Ward' <D.WARD@BRS.ORG>
Subject: FW: Letter of resignation 10-21-2021

Just received another resignation. This guy has not only been moved around continuously, he is harassed daily because of it. I have had several encounters with management about him. They would take his maintainer truck from him because he lived too far away but it was the only position his seniority would hold. Then they would get mad because he would check out on the weekends and threaten him with his job.

From: Justin Cain <jscain01@up.com>
Sent: Thursday, October 21, 2021 3:23 PM
To: Andrew Greenwood <adgreenw@up.com>
Cc: Craig Ray <CERAY@UP.COM>; Donnelle Roe <DLROE1@UP.COM>; a.carter@brs.org
Subject: Letter of resignation 10-21-2021

To whom it may concern,

I wanted to send a formal notice of my 2 weeks notice to resign from Union Pacific Railroad. My last day will be November 5th by end of business day. I regretfully wish this was not the way I was hoping to end my employment as I wanted to retire. But as for the living situation having to be on a cot at night away from my family and not having a steady home to be able to move my family to is just too much at this time after almost 7 years of employment. Over the past 3 years I have been to 30 different areas maintaining across the southern region in zone 4, all with no guarantee for more than a month without being forced or bumped. I also do not agree with the vaccine being forced upon the employees as a requirement for working the job. I thank everyone for the opportunity and privilege for the experience of working in the Signal Dept. I will miss most co-workers across the system that I've had the pleasure of working with. Thank you again, and best wishes.

10-21-2021
Justin Cain
Union Pacific Railroad
Skilled Signal Maintainer
817-304-0267

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The cost cutting initiative of PSR (Precision Scheduled Railroading) and reduction of forces has affected every moving piece of railroading since its implementation. PSR's strict emphasis on train scheduling directly affected not only my abilities, but also the abilities of the Signal employees I oversaw.

On a regular basis, employees from my crew were being pulled to fill temporary positions in the Signal Maintenance Department. This practice not only added extra tasks to an already shorthanded Signal crew, but it placed these Signalmen in locations outside of their place of residence. This practice is the Carrier's attempt to fill positions that were open due to cuts and to relieve an already over-stretched Signal Maintenance workgroup.

Being a first-hand witness to the job cuts over a four-year duration, the expectations have become "do more with less." Signal crews being assigned large and complex signal projects that were once performed with a crew of 7-10 Signalmen are now expected to be completed safely by 3-5 Signalmen. Along with the added workload, the time allowed to complete any on-track test or task has been cut in half, due to the size of some of the trains equaling miles in length.

At one time, Union Pacific Railroad had an engaged Signal workforce of high-level expertise that could perform various functions. Now, because of PSR and the attached operating ratio (Operating ratio is the company's operating expenses as a percentage of revenue), Signal employees are exhausted and fearful. Union Pacific has waived any concern in an industry where fatigue is a constant risk factor, and it is content with exposing employees to additional fatigue by asking them to work longer and faster with fewer members on a crew. Joint Signal and Maintenance-of-Way capital project windows that were once given a work window of 12 hours are now expected to be completed in a window of 8-10 hours with fewer employees. One of the past projects we completed was arguably one of the most complex signal projects in the area. We completed this specific project with a total of three Signal employees. Historically, projects of this capacity were constructed with a crew size of 7-10 Signalmen.

Union Pacific Management is being held to an overwhelmingly tight operating ratio, that is closely analyzed by Wall Street. Union Pacific Railroad's obsession with lowering the operating ratio (2007=79.3%, 2021=57.2%) has led to deferred maintenance and a reduction in employees. The carrier has failed in giving thoughtful consideration to the severity of its understaffed departments, potential on-site safety risks involving material, and outdated and unsafe equipment. This tight scrutiny and management mindset is creating a culture that is not conducive of safe operations.

Over the past four years, I have witnessed multiple co-workers, who were assets to Union Pacific Railroad, resign from the industry out of concern of the railroad's current indifference for employees being over worked, understaffed, and management's neglect for safety concerns regarding the above. Through this cost cutting initiative, I have firsthand experience with errors in blueprints and programming sent out from an overworked and understaffed Signal Design Team. I have been asked to perform duties outside of my scope of work because of a strained and understaffed Maintenance-of-Way Department, and I have been involved in more emergency work caused by derailments over the past four years than any other time in my 15-year career. In many of those situations, had there been people or businesses within the proximity, the ramifications would have been catastrophic.

Jeremy R. Farr

From: Gary Gant <garygant2@gmail.com>
Sent: Sunday, September 26, 2021 10:15 PM
To: Aaron Carter BRS
Subject: Resignation

I am resigning from my position as a signalmen with Union Pacific railroad. Thank you so much for the opportunity to work in this position for the past eight years. I would like to explain a few reasons for leaving. I have dedicated eight years of my life to Union Pacific Railroad. The pay isn't worth the stress it put on my family to work out of town especially after downgrading our hotel choices. The \$.36 a mile isn't enough to travel to and from work. Having eight years and not know if I'm going to be forced into maintenance. Causing chaos by cutting off jobs and not creating enough to replace them which ends in multiple days of no pay. Again thank you for the opportunity.

*Sincerely,
Gary Gant*

Dear Chairman Oberman,

I started my railroad career with CSX in June of 2011. I was hired as a Signal Maintainer in the Signal Maintenance Department. I was walking into the rail industry without any real knowledge of how it operates, I was a blank canvas for CSX. Luckily, I was hired when new employees were still given a chance to learn the Signal craft from wise and experienced Signalmen before they retired from the industry. My background was in the automotive repair industry, which is cutthroat, even between employees within the same shop. Starting on the railroad and working as a team to repair the signal system was enjoyable to me. It was refreshing to know I could rely on other members of the signal team to help get the workload done.

As my career and experience grew, management's tone was very favorable towards us, the frontline workers. Frontline, mid-level, and upper-level management would hold meetings, where they would ask for input for improvements and if there were any concerns or questions. Management seemed to genuinely care about us and made us feel a part of the team in making decisions, which helped improve CSX's operation. I would report everyday eager to resolve any issues the railroad was having. There was also a mutual trust between labor and management to allow labor to handle business.

In the months leading up to March 2017, myself and others did not know what to expect from the rumors of a hostile takeover by the Hunter Harrison group and Wall Street hedge fund. Once Mr. Harrison was named CEO, upper and mid-level management did not know what changes were in line for the frontline. As time proceeded, the frontline started hearing rumors of job cuts and crack downs on rules compliance. Although the company always wanted employees to follow the rules, it became a new crusade of the company, all in the name of "safety". In reality, it was to find "low hanging fruit" (what management called subpar employees) to fire. As it further progressed, the managers' persona became that employees should be scared for their jobs. CSX became a company of "do your position 100% perfect or you will get fired."

CSX cut Signal positions under the PSR implementation. CSX then expanded the territory assignments to the remaining employees, which increased the responsibilities and workload of these employees. I would plead and question management as to the justification for cutting positions. Management would just shrug its shoulders and say *"sorry, we have to live with it and have to do more with less."* This change within CSX completely demoralized us frontline workers. Now, employees feel they are just a number in corporate world, instead of being a part of a team looking to improve the railroad operations. I bid from a Signal Maintainer position to an Electronic Technician position in late 2017. CSX abolished the Signal Maintainer position I vacated since it would not directly displace anyone, but indirectly it still limited options for junior employees with the job cuts. The position would have been filled by another employee had it been allowed to complete the bid cycle. Instead, mid-level management took the stance, we have to cut and do "more with less." Removing this position forced the remaining Signal Maintainers to increase their work load and travel further distances. After this instance, people were worried about bidding into

other positions since it apparently gave managers an opportunity to cut a job without “displacing” an employee.

Even frontline managers felt powerless during this transition, and they still do. I had a good rapport with my frontline manager and a level of trust with him, even he would be asked on conference calls by mid-level managers if they feared for their jobs in the middle of PSR implementation. This mid-level manager expected managers to say yes, they feared for their positions. This was the death of the CSX I hired on with. The company cultivating and nurturing employees to retain experienced workers was now gone. CSX’s PSR had become “do more with less,” with managers now telling us “If we do not like the job, leave.”

At one time, there would be a line out the door of applicants trying to work for the railroad. It was a job everyone wanted to get into for the pay, benefits, and retirement. Currently, CSX is having a hard time backfilling the vacancies they have from people leaving the industry. Pay is falling behind, Carriers want to gut the healthcare, and the one remaining steady piece is the railroad retirement, which is not directly managed by CSX. We are just wondering if it will be worth it just to wait for the retirement or move on and establish at another company.

We had positions in Selkirk Yard open for years without CSX attempting to hire externally. This placed more workload on remaining employees in the yard to cover the open shifts. It has been only recently that CSX actually hired externally to fill those positions. Years ago, an upper-level manager stated he would just cut a traveling team to fill the vacancies in Selkirk Yard. The frontline had to inform him the junior employees in the traveling team did not live remotely close to Selkirk Yard. All the company would be doing is furloughing employees for no reason, but the mentality of the railroad was employees will just go to any position offered to them to keep a paycheck, even if it is 200 miles away with no housing or meal expenses.

After speaking to fellow signal employees in other areas, it was clear other areas had seen similar or worse job cuts than I had seen. Employees with 60 to 70 miles from one end to the other end of the territory. These elongated territories created are not sustainable for the longer term, it is only a short-term gain for the company. It forces us to only complete the required tests and move to the next location. This leaves no time for routine maintenance to be performed or other duties. Failing to perform the required maintenance will result in more trouble calls. Instead of being proactive, CSX will become reactive and only solving the fires as they occur. I have fellow co-workers telling me the only time they have to perform maintenance is on a trouble call, in the middle of the night. These are not ideal conditions to perform this work, since it is dark and they are struggling just to make sure the flash light is in the right spot.

Employees and myself have voiced their concern over performing routine maintenance, CSX has now turned this around on us and are currently on a “teaching” campaign to show employees how to incorporate everything into the test. The lack of long-term planning from CSX is depleting their workforce from actually getting help from another employee when a task requires two people to

perform it. It is difficult to complete two-man tasks when your next maintainer is 60 miles away and loaded with his own tests to perform. The team aspect of completing a task is no longer reachable.

Reducing the head count also has transpired into another difficulty for trouble call response. Less personnel to respond to calls requires the remaining employees to take more after-hour calls. CSX complains about call response in certain areas, but when I, or other employees, bring up the fact there is half the amount of people in the area, this is not a valid reason for them. CSX is attempting to have employees respond to calls through fear of disciplinary action, instead of actually having proper staffing to handle railroad operations.

I had a fellow co-worker respond to a highway-rail grade crossing with a broken gate. This road is a four-lane highway and heavily traversed by vehicles. The employee got on site and verified the broken gate and which parts are needed to repair the crossing. He then put out a message to other employees to let them know additional help would be needed. I informed him I would respond, we just needed proper authorization. He discussed the situation with the manager; the manager decided to go a different route and sent another employee. I know the original employee was close to “outlawing,” a term we use to say we have reached our limit on hours of service law. The manager had talked the employee into staying past his maximum time to finish the job, instead of calling out another employee, costing the company more overtime to pay another employee to respond. This decision by the manager was a direct result of PSR. Managers would always be willing to send a second person to an issue or send an employee to relieve the outlawing employee. Yes, additional overtime would be spent, but managers would rather make sure the task was safely performed the first time within the law than pressure employees into doing things for fear of spending additional overtime.

The lack of personnel even impacts when the Signal Department has to cover projects with other departments. Signal Department assists Maintenance-of-Way (MOW) employees with their projects regularly. Normally, multiple signal employees would be on site to perform the work with several MOW employees. Now, CSX attempts to only have one signal person out at the MOW project to save on an overtime possibility. This directly impacts the signal person on site by having to protect and manage the signal work task on their own. Even in these MOW projects, CSX turns a blind eye in hopes employees will continue to work after outlawing to wrap up the project.

Even though CSX is telling us “no more job cuts,” they continue to abolish positions and expand territories. This was as recent as August–September 2021. CSX implemented “One-CSX” to be a kinder and gentler railroad to employees. Management comes around and attempts to listen to our concerns. I believe this to be a ruse and smoke screen to make it seem like CSX is changing its ways. We have voiced staffing levels as an issue, managers listen but shrug it off. The program says CSX will listen to suggestions, but managers turn down the suggestions immediately. It was convenient that multiple managers, in different locations, had the same talking points to turn down

common suggestions in these meetings across the network. I feel this has become an empty promise from CSX; they are telling us they care, but their actions are the opposite.

The most surprising action fellow coworkers have done is quit CSX since the PSR implementation. Who would have thought a railroad employee would quit after spending time and effort getting into the industry? The culture change at CSX is the reason why employees resigned from CSX. Employees felt CSX became toxic. CSX uses the words of “safety” as a hill to die on, but in reality, it was a way to twist and hold employees accountable. If CSX cared about safety, it would allow avenues for a close call reporting system and a safe place to talk about these close call incidents to improve them. In the current system, we fear retaliation about talking about situations since it could result in a possible rule violation. If I experienced a close call situation, I should be able to talk to a manager about it. If I bring it up to a manager, they are fearful of being required to file a report, which then would be discussed on a conference call. The major safety calls that actually discuss the real issues are only for managers; on these “safety” calls, managers try and find rules the employee broke when the situation occurred. Most managers attempt to find broken rules to earn gold stars and be recognized by upper-level managers. This does not trickle down to workers as a process improvement for the next employee, it becomes “hey, this employee failed this rule, you should pay more attention to the rule book, and we are going out to the field and inspect if employees were following this rule”.

PSR made employees have to fight for provisions of their union agreement that CSX thought they could just take away. CSX either did this by distributing misinformation or just blatant disregard for union agreements. The sad part is the union’s hands are tied in these matters by the laws in place. Some provisions of the RLA are good, but CSX knows the BRS is bound by law to arbitrate the issue at hand. CSX is more than willing to kick the can down the road, which will take 2–3 years to solve. They exploit this process, which leaves the union fighting with both its hands behind its back. Outside of the rail industry, unions can seek self-help when the company is out of control, but in this industry, the government has set the precedent that almost everything has to be arbitrated. Employees would not be leaving if they knew the union had the ability to place a check on the company, but in the current situation the process is rigged. It requires the unions to carefully plan to navigate issues through arbitration for years, instead of handling the issue at hand at the current moment.

CSX made these changes for Wall Street; unfortunately, with the new compensation package being proposed at the next shareholder meeting, executives will be compensated by keeping the operating ratio and other metrics at the same level or better. This will only incentivize the Board to keep the workforce level low to keep the metrics the same and reward them for gutting the company. Shortly after Hunter Harrison took over, I remember receiving a picture of Michael Ward with the words “do you miss me yet” on it. I can tell Mr. Ward wanted to make CSX a better company, but he also knew to do this in steps, not a big slash and dash campaign for only short-term gains. Mr. Ward played the long-term game, by making adjustments over time.

Although, this regime at CSX can pat itself on its back for slashing the operating ratio and boosting profits, it has killed the culture CSX once had with engagement from the frontline workers. Currently, we are protecting our crafts by doing what we know has to be done. Management can think their input is running this railroad; to the contrary, it is the pride of the remaining employees in our craft ensuring the railroad is still operating. Us remaining employees have invested our time and abilities into this railroad and do not want our crafts to succumb to the damage PSR has done to the rail industry.

Thank you for the consideration.

Sincerely,

Dan Jacopino

CSXTN General Chairman and proud member of BRS Local 86

April 21, 2022

To whom it may concern,

BNSF publicly states that they are the only Class I railroad that has not implemented Precision Scheduled Railroading, but their employees know this is not true. BNSF may have not adopted PSR as it pertains to classification yards, but they certainly have embraced this model when it comes to manpower and extreme cost cutting measures.

As a Maintainer I personally saw BNSF pend crossing malfunction calls on my territory to cut overtime costs in violation of FRA regulations. One particular crossing call came in on a Friday night and BNSF pended it until regular hours on Monday. This was reported to the Signal Operations Center as a crossing gate light that was hanging off the gate. Though pended, BNSF ultimately had to call me out to repair this crossing on overtime before Monday. A concerned train crew coming through this crossing reported the crossing gate did not come down. I found that the gate light had become tangled in the crossing mast and prevented the gate from coming down to protect that lane of traffic. It was a very dangerous situation that could have been remedied by an easy repair when the first call came in. In order to save a few dollars in overtime BNSF was willing to allow a crossing gate to stay in the "up" position while trains were running at maximum authorized speed through this crossing.

In another instance I had to go outside of the railroad and make a complaint directly to the FRA because I could not get railroad management to spend the money to repair crossing defects that I noted a year and a half prior. Specifically, there were burned out light bulbs at a crossing that needed replaced which required a signal crew with a bucket truck. I was repeatedly told that they did not have the manpower available to make the repairs. After a car/train collision occurred at this crossing I reached out to the FRA about this issue. I made it known to my supervisor I was cooperating with the FRA and he brought a signal crew from a great distance away to make the repairs. This should not have been necessary and I want to stress the fact that most employees are so terrified of retaliation on BNSF that they will not report these types of problems to the FRA.

I will mention one last PSR related problem that is hard to pin down but is quite serious. Historically on BNSF, a Signal Maintainer would be assigned to take care of a geographic territory and would move his family to a location on that territory. These territories are typically from 50-150 miles in length. Provided he was not bumped off the job, he would be on that territory for many years and become the resident expert over that section of track. When an issue arose, he would be familiar enough with the area to know right where to go to solve the trouble. This was especially important when it came to repairing malfunctioning railroad crossings where the safety of the public is concerned. A Signal Maintainer who has been on his territory for a few years can work quickly and intelligently to save the railroad millions of dollars in train delays and protect the public from dangerous accidents.

As a Signal Inspector I had my own testing responsibilities, but a major part of my job was working with these Signal Maintainers to provide assistance and guidance when they experienced signal system problems. Due the BNSF's PSR-style manpower reductions I witnessed the complete breakdown of this age-old dynamic in a short amount of time. Territories that had been maintained by the same person for decades became revolving doors as employees from hundreds of miles away were forced into them with no desire to stay. The natural consequence of this was that they had little interest in becoming the expert on their section. When trouble calls came in, not only did they not know what specific piece of equipment to repair, they were often lost as to how to even find the location of the crossing or signal where the trouble was reported. As the local Inspector, I aided these maintainers as best I could, but they always left these jobs at the first opportunity to get back to their home state. I cannot really blame them. Sadly, I watched these territories, which were once well kept, fall into disrepair as the positions either went unfilled or were filled by some poor young man who just wanted to bid back home.

When a territory becomes vacant, the adjoining Signal Maintainer is often tasked with overseeing it until it is filled. This puts this Maintainer behind on taking care of his own section and before long both territories suffer. This was an occasional problem before BNSF adopted PSR-style manpower tenants. Now it is much worse –dangerously so. I know of one Signal Maintainer who was recently instructed to cover 4 territories for 3 weeks. It is important to understand this is an impossible request to fulfill. When a crossing malfunctions at 3:00AM 200 miles away, and then a power switch machine at a control point won't throw 200 miles the other direction, this employee must decide which problem gets fixed and which one must wait. One affects the safety of the public and the other affects customer service. Deciding between public safety and customer service is not decision we ever had to make before PSR came to BNSF.

Brandon Pettit

4/21/22

DEFERRED SIGNAL TICKETS

The Brotherhood of Railroad Signalmen received 35 highway-rail grade crossing tickets deferred by the railroads. The deferred tickets were a combination of gate arm failures, power off indications, and broken or burned-out lights. These failures necessitated the railroads issue speed restrictions or stop and proceeds in order to expedite rail traffic over the troubled grade crossings.

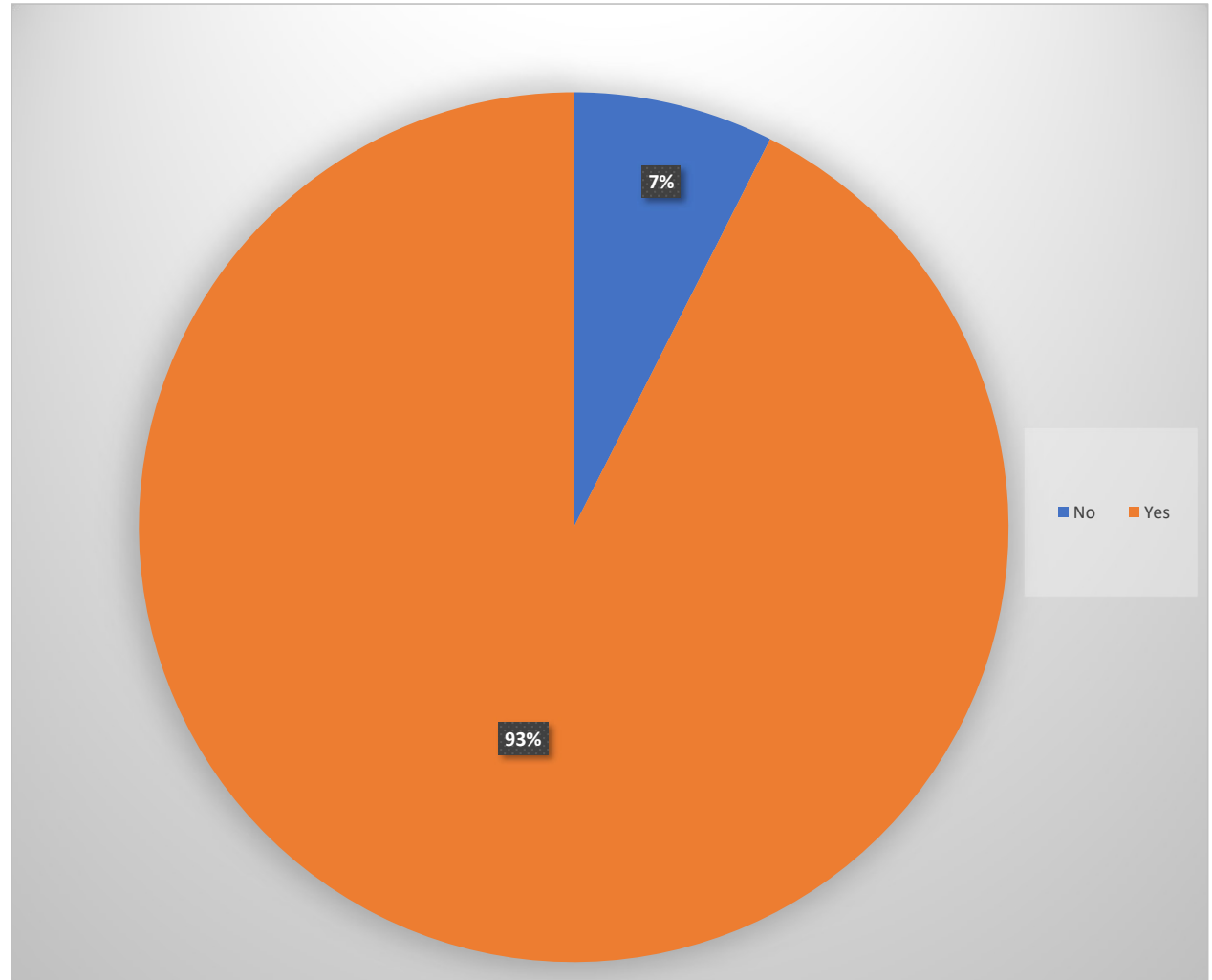
The Organization also received 63 signal system deferred tickets that encompassed code line issues, dark or improper signals, track occupancy indications, slide fence indications, and loss of communication with site. The effect of deferring signal system tickets complicates train movements and requires them to stop and contact Dispatch to receive permission to proceed on red signals or a reduction in speed. Some track indications represent a broken rail that can potentially derail trains. Decisions to defer highway-rail grade crossings and signal system tickets predominantly represents the cost cutting measures Precision Scheduled Railroading is know for; however, the slower train speeds impact deliveries and clog an already congested network.

ATTACHMENT C



The Brotherhood of Railroad Signalmen surveyed the membership regarding the effects of PSR related to their on-the-job duties.

Has PSR and
alike operating
models
affected your
workload?



Describe how PSR and alike operating models impact your ability to perform required testing and maintenance.

“Too much of a workload from all the open jobs. You’re having to fill in on territories that you normally wouldn’t have to. You have very little time for required maintenance and handling trouble calls on other territories”

“NS has furloughed and bought out many employees. They have treated people terribly causing many more to quit. That has left the ones of us that remain to try and perform the remaining work. We have went from a department that performed preventive maintenance to a department that barely is able to get the tests complete on time. They have also reduced stock material. Causing us to have to try and use recycled and patch up equipment instead of getting the right part/tool for the job which has created repeat trouble calls.”

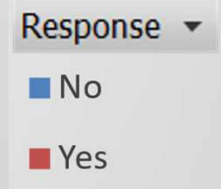
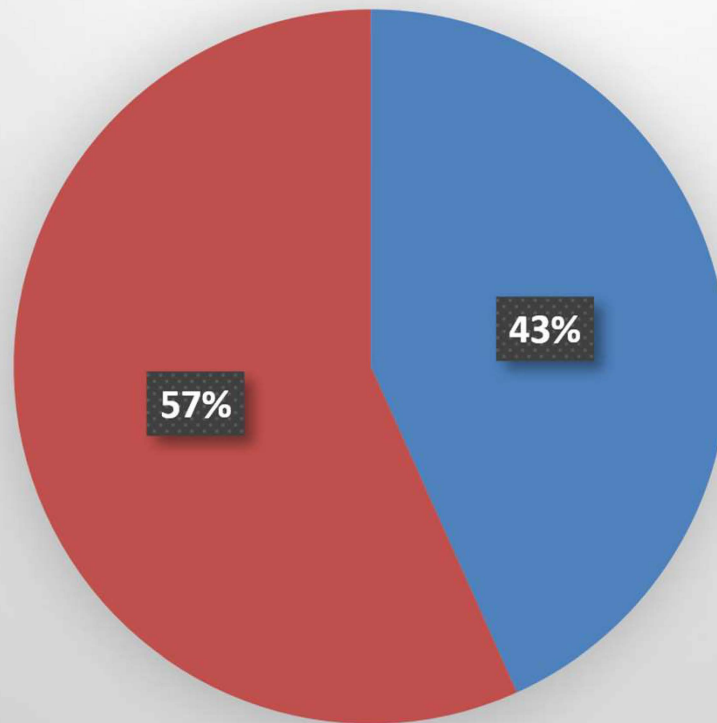
“The Carrier has added more testing to my workload. There was already not enough time in the day to get done what needed to be done as far as FRA testing. The Carrier has even put time limits on testing, though they won’t admit that. Several maintenance people are given 30 minutes to complete a monthly crossing test. It takes that long just to review all the paperwork. This has added stress and causes an unsafe work environment. Coming to work daily with the fear of being fired is not a safe way to work.”

“PSR has made a huge impact on the testing schedule based on a number of variables. We have lost manpower and maintenance sections due to cut backs which in turn requires employees to perform work outside their scope of work making it harder to maintain their sections and upkeep them to an acceptable standard.”

“Through the reduction of forces caused by the PSR model, it requires more employees to do more with less. In 2020 on the subdivision that I work on, it had a staff of fourteen signal maintenance employees. Seven maintenance employee positions were eliminated throughout 2020. This has really affected the coverage for trouble calls due to hours-of-service limitations. Now an employee is more likely to be outlaid during their regular shift and not available to perform the maintenance required to prevent the trouble calls in the first place. It also burns the employees out by having to handle the current workload, which could lead to unsafe conditions and/or injuries due to fatigue.”

“More work with less people. Supervisors are more worried about getting FRA testing done 100% on time, which leads to people taking shortcuts to get tests done to avoid retribution or added scrutiny from supervisors.”

Has your territory been expanded?



Territory expansion explanation.

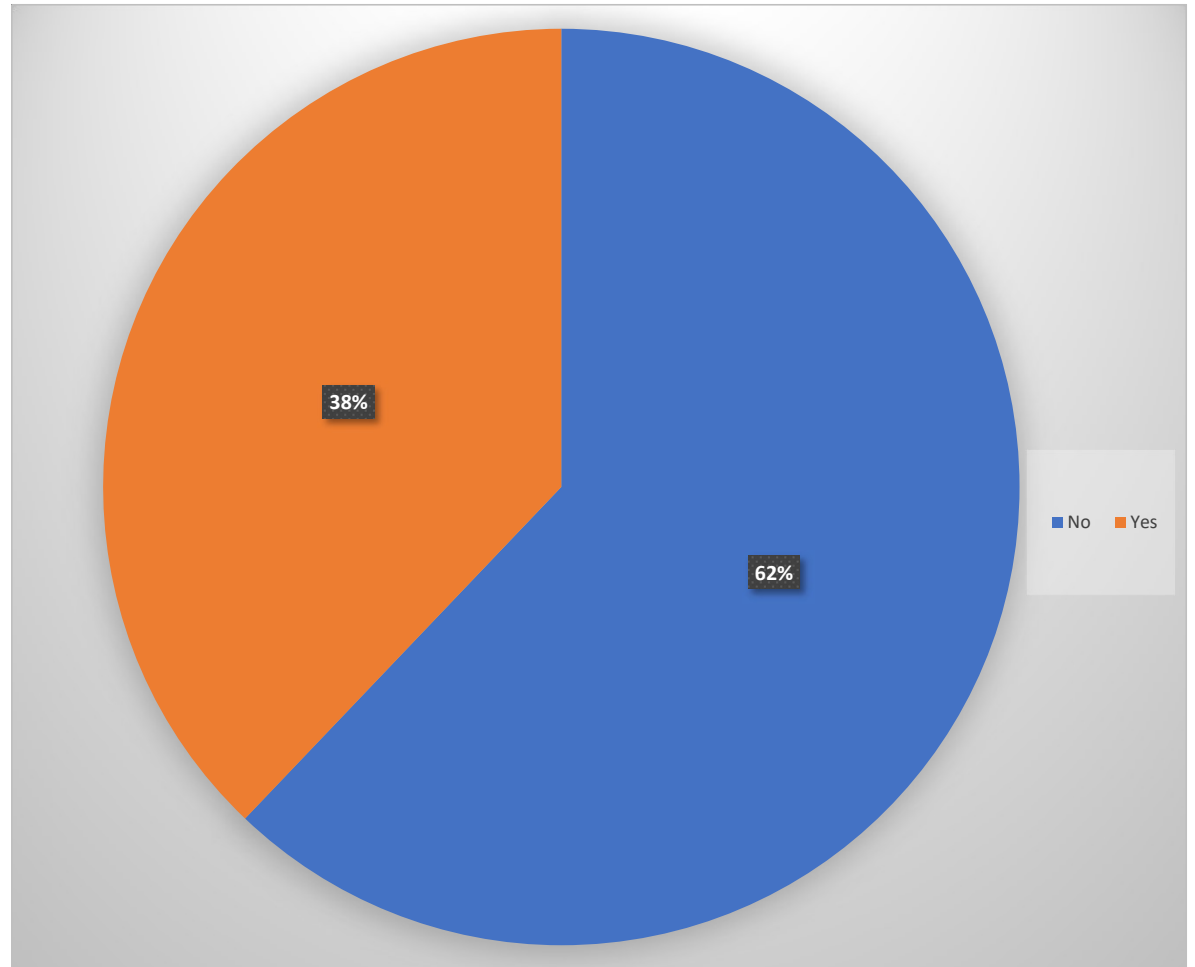
“Maintainer territories have been expanded which increased the length (miles) and amount of testable assets. This allowed CSX to cut positions because of the expanded territories. This also happened to Inspectors and Technicians position as well. Their territories are to the point it takes 3 1/2 hours to traverse their territory. This limits their ability to perform work with having to drive so much on the clock. It is very inefficient for us frontline workers.”

“In my area we had 8 maintainers for 202 miles of rural track with only one major metropolitan area. Now we have about 225 miles and only 6 maintainers. Before each territory was roughly 30 crossings and 12-15 power switches, on average. Now every maintainer has more than 40 crossings and the 12-15 power switches. We must perform at least 4 FRA test every work day to keep up. I am pressured to "test ahead" if I want to take vacation because we have no relief positions then when I get back the next month if I did test ahead I have so many tests at once that I can not possibly complete them on time.”

“Technically, I still have the same territory. However, they did cut our 2 man gang off that helped with tests, trouble calls, switch installs, etc. They expanded my workload without expanding my territory.”

“As a signal maintainer my territory was covered by myself and the local maintenance signal team. With PSR it has eliminated the maintenance team so now when other maintainers have issues requiring assistance I’m expected to leave my assigned territory to assist with that job task as well as cover his territory while he’s on vacation”

Is on-track
protection
easily
obtainable.



Issues with obtaining positive on track safety.

“Lining trains out over sixty miles away makes it harder to obtain exclusive track authority to perform tasks that take a minimum of one hour, fifteen minutes of track n time doesn't cut it when you got to fill out the track-authority form, initiate over-limits double, track n time verification form and up-date your job briefing book with the track n time limits.”

“The trains are longer and are becoming more frequent. The sidings are still not long enough to house most trains so the main is always occupied.”

“Always have trains back to back and dispatchers are refusing to give time because they're being told they have to keep a schedule and not stop trains”

“Trains still run frequently through the area. Most are very long. The dispatchers do not like to let people out for fear of slowing down trains. There are also many days that tests don't get completed because there are trains that do not have crew members aboard that are tied down for days while waiting on new crew members to get on them.”

“It is very difficult to get time to do just a monthly switch test. As I fill this out, I have very literally been trying to do my 2yr. locking tests for 3 1/2 weeks and have yet to get one route done.”

Describe any safety incidents that are related to the implementation of PSR and alike operating models.

“With longer territories and less man power we are required to do more work alone. Whether it is heavy lifting, working on busy crossings, hurrying to accomplish tasks in our small Windows leave a lot of opportunity for things to get forgotten.”

“People are exhausted from working all the time. Crossings are left blocked for days at a time because there are no crew members to move the trains and the trains are so long they only fit a few places. There have been a bunch of incidents where people are not mentally sharp, or prepared to do the work needed done because of all the confusion of running all over the place all the time and lack of material.”

“An increase in train length has resulted in numerous calls from the public about blocked crossings. Trains are blocking crossings much longer than the State and Federal guidelines and restrictions. The general public and Local Law Enforcement contacts the crossing safety hotline to report these issues in an ever increasing number. They utilize the option to report an issue or failure with a crossing knowing they’ll be able to speak to a live person rather than leave a voicemail on a different call in option.”

“Crossing stay blocked because sidings are not long enough to fit the longer trains. For example in Leggett Tx on the UPRR Lufkin sub. A train blocked the crossing for over a hour causing a ambulance to not make it for a small child in time. Resulting in the child passing just a few months ago.”

“Due to fatigue, we have experienced a rash of injuries, track time violations and ill-qualified personnel in some positions without the proper training.”

Additional impacts PSR and alike models have presented.

“Public sentiment with longer trains has made it hard to spend time at crossings that are always being blocked for hours. School busses and other public safety departments are always being delayed. Reducing work force has required employees to cover larger distances and travel farther leaving everyone exhausted. Also, with less employees around our time to arrive in trouble calls has greatly increased. Leaving crossings down longer and teaching the public to go around down gates. With the crossings that are repeatedly down the public doesn't even look for a train when gates are down.”

“The moral is awful!! Everyone is on the edge of their seat waiting to see when/how their position is going away. I've never seen so many people leave the railroad! Managers tell is things are getting better, but we have definitely not see any positive changes in the field. Also, claims and grievances have been at an all time high to do the lack of appreciation for those remaining employees.”

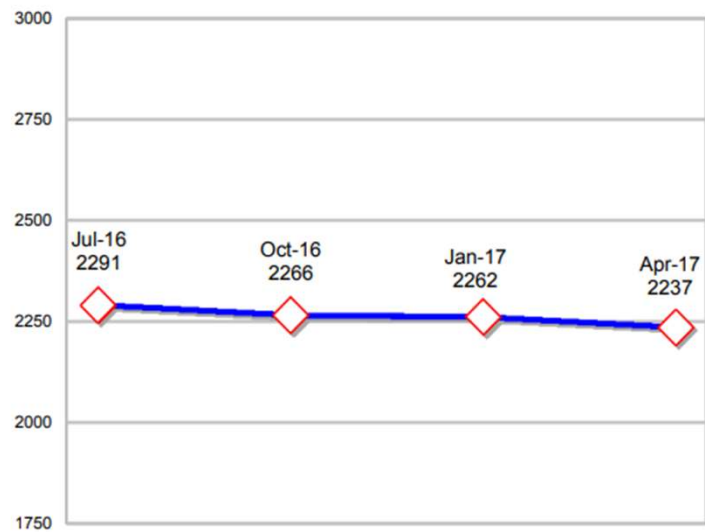
“PSR requires the field personal to do more with less. In my sixteen years on the railroad, I observed safety go from the number one priority to the last priority. When I joined my freight railroad sixteen years ago, we use to aggressively compete for the E. H. Harriman Award, which was awarded to the safest railroad every year. Now safety is an afterthought. I must argue with management over proper testing and inspecting constantly because I understand the consequences of unsafe practices, taking short cuts and the dangers they present. Management looks at everything from a dollar sign perspective. In my honest opinion if it wasn't for positive train control being implemented the rail industry would suffer many catastrophic incidents due to unsafe practices, lack of spending on maintaining its infrastructure, lack of training, and employee fatigue caused by PSR. It has become a safety net which companies now rely on so they can squeeze profitability out of their operations.”

“We are frequently asked to break FRA hours of service laws. Low level management always breaks it because they do not record it. It is not their fault because we have a workload higher than our manpower allotted by PSR.”

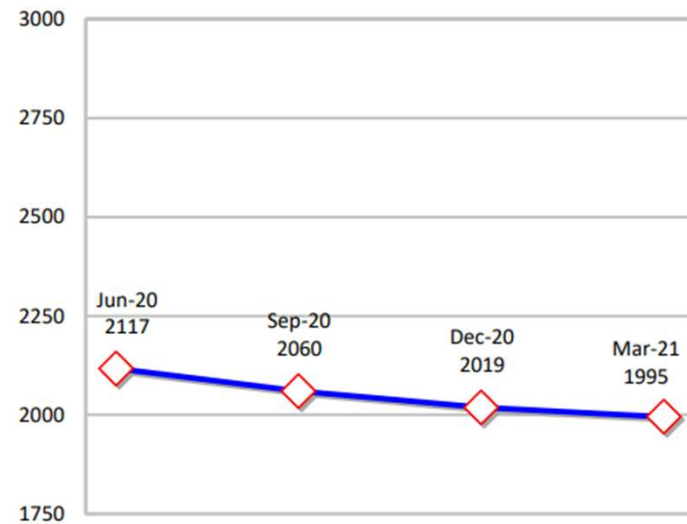
“Our jobs are to protect the public and to assist with the operation of trains safely. We are constantly highly pressured to do more and more with less and less and to split hairs on if it is safe or not. Everyone works at full max everyday every week. Guys are exhausted. Guys are getting burned out. This will lead to short cuts taken, errors made from just being tired. PSR is just one unlucky incident away from a major disaster. We aren't maintainers anymore we are just testers and liability holders for the railroad to push the blame off on when this disaster happens. I believe it will be worse than the crash that caused the emergence of PTC. I see the same thing being done to the other crafts.”

BNSF membership numbers 2016-2021

Burlington Northern Santa Fe
BNSF

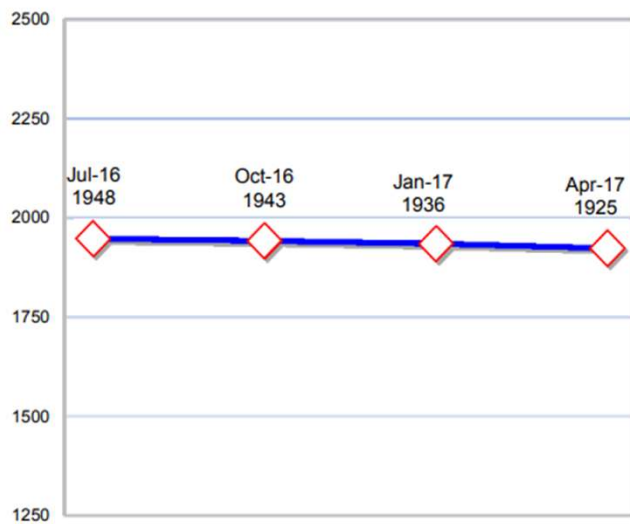


Burlington Northern Santa Fe
BNSF

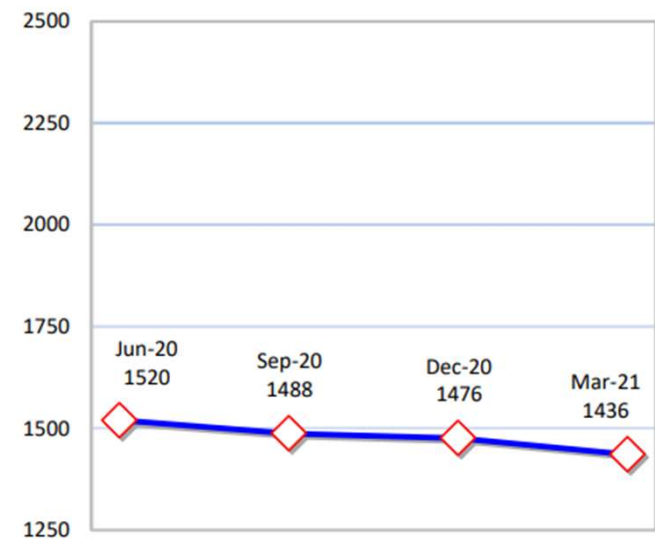


CSX Transportation membership numbers 2016-2021

CSX Transportation, Inc.
CSXT

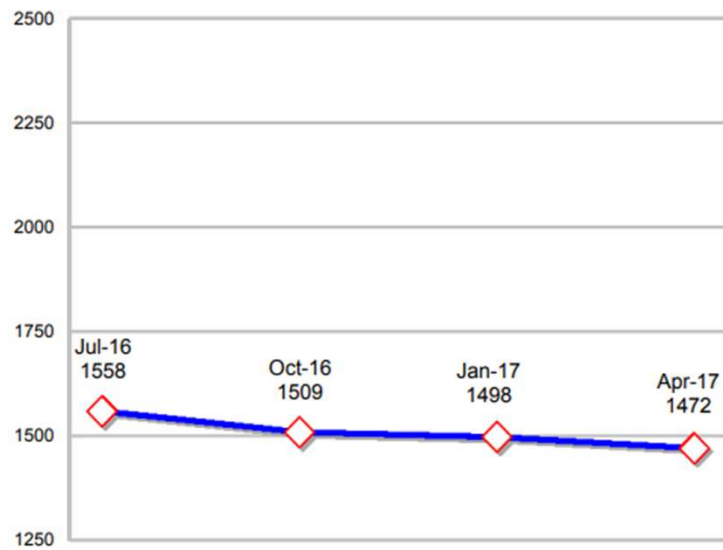


CSX Transportation, Inc.
CSXT

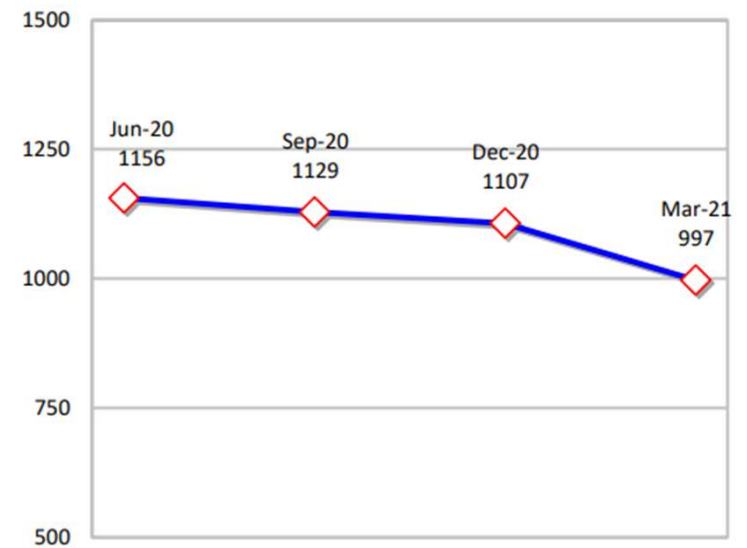


Norfolk Southern membership numbers 2016-2021

Norfolk Southern
NS

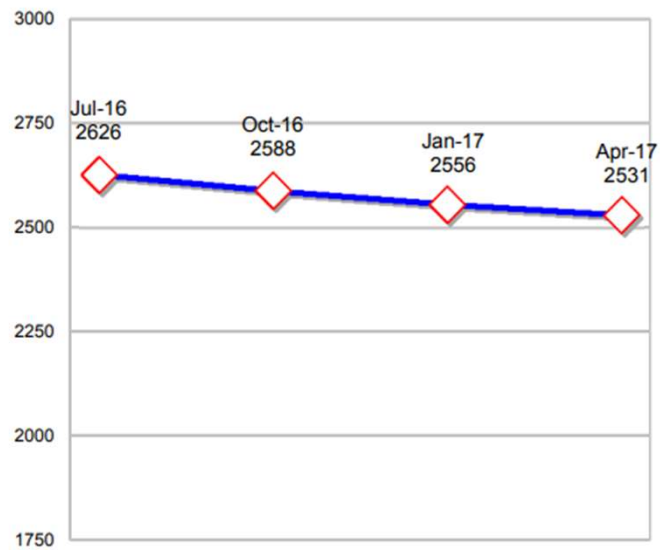


Norfolk Southern
NS

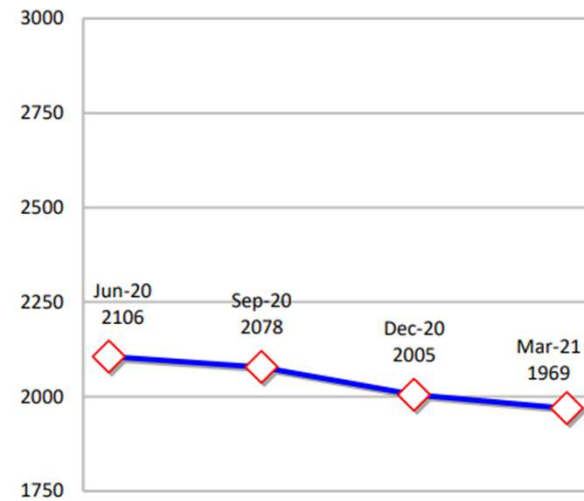


Union Pacific membership numbers 2016-2021

Union Pacific
UP



Union Pacific
UP



Statement of
Timothy M. Tarrant,
BRS Vice President
Commuter/Passenger

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

Statement of Timothy M. Tarrant

1. I am Vice President, Commuter/Passenger for the Brotherhood of Railroad Signalmen (BRS).

2. BRS represents employees working in the craft or class of Signalsman employed by most of the freight railroads in the United States, including all of the Class I railroads, Amtrak, the major commuter railroads, and some regional and short line railroads.

3. Prior to becoming Vice President, Commuter/Passenger, I was Vice President, East for BRS. In that capacity, on July 25, 2019, I attended a meeting with several CSX Transportation Executives, including Jim Foote and Ed Harris, and a number of Officers from BRS and other rail unions.

4. At the July 25, 2019, meeting, I described to President/CEO of CSXT Jim Foote and his management team, the work and home life of typical CSXT Signalmen as well as the negative changes to the way Signal work was required to be performed on CSXT after implementation of the new cost-cutting business model. In summary, I explained that the ongoing job cuts created an instability in the CSX signal department workforce which was resulting in good and experienced workers quitting because they could not afford to change their residences multiple times to bid positions that would likely be cut again.

I also explained that the job cuts, in particular on maintenance and repair positions, were resulting in already too large territory sizes and workloads being increased which resulted in serious safety concerns, a lack of maintenance, and the potential for workers to feel pressured to take a shortcut.

I concluded by explaining the problems with continuing their operating model which included deferred signal and crossing trouble tickets due to a lack of manpower (deferred trouble tickets result in trains not being able to operate safely and efficiently due to signal and crossing malfunctions), a lack of maintenance, increased safety risks to its workforce, equipment, and the general public, its experienced workforce leaving, and violations of the Collective Bargaining Agreements.

Attached to this statement are notes I used for the meeting which describe in more detail the concerns I expressed to CSXT management.

5. After I was finished speaking, and after other Labor Organization Officers stated similar concerns, then Executive Vice President of CSXT Ed Harris responded by referencing me, and then stating that it was true that CSXT was asking its workforce to do more and that if they did not like it, maybe CSXT was not the place for them to work. This was particularly concerning as every person in the room who spoke had legitimate concerns about safety, job instability resulting in experienced people leaving, and a lack of manpower to properly perform their work.

Date: April 19, 2022

A handwritten signature in black ink, appearing to read 'Timothy M. Tarrant', written over a horizontal line.

Timothy M. Tarrant, Vice President, Commuter/Passenger

ATTACHMENT A

Effects of PSR on BRS Membership

Job Cuts

- Instability - The amount of job cuts in the signal department had led to many signal workers choosing to leave rather than take a chance at moving for a new job. We have good people who want to stay with the Railroad, contemplate quitting because they can't go through the expense of moving their family for a job, only to be displaced again or even worse furloughed in two weeks, a month, or 6 months. This will result in forcing further moves or not having a job to go back to. This is disruptive to their lives which also affects their work.
- Increased Sizes in Maintenance Territories. – Signal maintenance positions are jobs that require a heavy burden and responsibility, not only in the nature of the work, but also in covering calls outside of work. Having the responsibility of ensuring the signal system is functioning properly is paramount to the safety of every train move, worker safety, and the safety of the general public. Signal Maintainers are required to perform a myriad of safety essential FRA testing at strictly enforced timed intervals, to perform regular maintenance of mechanical and electrical equipment to reduce the chance of failures, and even to safely remove from service and return to service the signal system, crossing warning devices and other safety critical equipment in order for other crafts to complete their work while still safely running trains. Then, they are burdened with after hours calls on their territories and on other Signal Maintainer territories.
- In several areas, already large territory sizes are being expanded which requires additional time to get the work done, as well as requires the maintainer to cover calls on the larger territory as well as other's territories. This leads to an even heavier burden and our employees feel pressured to get it done or else. Further exacerbating this issue is that some managers are threatening to cut more jobs or go to seven-day coverage or some other threatening scenario if a call is missed or a deadline on a test is past. These types of threats seem to come if someone speaks up about the work being too much to cover in a day or if calls are not being answered to what we consider unrealistic expectations. These kind of responses to legitimate work and safety concerns are not conducive to a culture of safety. In fact, it seems that some feel that the FRA Minimum rest requirements are sufficient. The FRA minimum rest requirements are just that, the MINIMUM, not what the norm should be.
- Potential problems with continuing with this model. –
 - Already, we are seeing trouble tickets being deferred until the Maintainer is back on duty which does nothing more than increase the chance of an accident. The Signal System should always be repaired with undue delay. Part of this is being done in an attempt to save costs and also to preserve

a Maintainer's call availability. If there were enough Maintainers to actually cover the territories, deferred tickets would not be an issue.

- Violating the CBA's in order to ensure coverage on trouble calls. Again, if the proper manpower was in place, there would be enough available employees to cover calls.
- A much higher potential of "cutting a corner" or taking a shortcut in doing safety critical tests, getting on-track protection, or returning equipment to service is becoming the new reality. Simply put, increased territory sizes result in not enough time in the day to get all the testing work done, let alone the maintenance and troubleshooting work. Again, some Managers have already threatened additional job cuts, and territory and hours changes which makes employees feel pressured to get the work done and far more likely try to take a shortcut or make a mistake. I don't need to explain how tragic the circumstances can be if corners are cut and safety precautions are not taken when dealing with signal systems, grade crossing warning devices, and on track safety. It is imperative that you hear this as these issues are coming up more and more. We are informing you now that the result PSR is having on the signal department is compromised safety.

ADDENDUM C

International Association of
Sheet Metal, Air, Rail and
Transportation Workers
Mechanical Division

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

Statement of Larry Holbert

I am an International Representative of the International Association of Sheet Metal, Air, Rail and Transportation Workers

The International Association of Sheet Metal, Air, Rail and Transportation Workers Mechanical and Engineering Department represents employees working in the craft or class of Sheet Metal Workers employed by most of the freight railroads in the United States, including Class I railroads, Amtrak, major commuter railroads, regional and short line railroads.

When the Class I railroads adopted the new cost-cutting business model that they call Precision Scheduled Railroading, they began to dramatically reduce the number of Sheet Metal Workers they employ. Compared to 2016 the number of Sheet Metal Workers employed by each of the Class I railroads has been reduced to current as follows:

CN 2016-18 employees, 2022-12 employees.

CSXT 2016-270 employees, 2022-102 employees.

KCS 2016-4 employees, 2022-1 employee.

NSR 2016-251 employees, 2022-76 employees.

UP 2016-247 employees, 2022-72 employees.

BNSF 2016-290 employees, 2022-295 employees (this increase is due to the carrier re-calling furloughed members back with-in the last two weeks).

While the Class I railroads say they are now trying to fill positions and claim they are having a difficult time doing so, there currently are the following numbers of furloughed Sheet Metal Workers employees on each of the Class I railroads: CSX – 99, NS – 86, UP – 88. The number of furloughed employees on Union Pacific is misleading as this Carrier has exercised their asserted right to remove all employees that had less than three years of seniority once the

employees were furloughed more than 365 consecutive days. Although UP claims to be trying to hire and having difficulty, these furloughed employees who already have training as sheet metal workers could be recalled; but UP has not done so.

In recent years we have seen an unprecedented number of Sheet Metal Workers retire early or quit mid-career; until recently it was almost unheard of for Sheet Metal Workers to quit after acquiring a number of years of seniority because the jobs were always considered good jobs with good benefits. But the jobs have been degraded by the railroads with respect to working conditions and by pressure to work fast, cut corners and ignore or defer repairs. Employees have reported to us that they have been forced to do too many consecutive days of overtime and that is damaging to their personal lives. Some employees have reported that they feel that they can't in good conscience continue to perform the work under current conditions where they are pressured to cut corners, defer maintenance and skip steps so that they are being required to work not to the standards they were trained to, and standards they adhered to through their careers until recently. The lack of a pay increase for nearly three years while inflation has kicked in, other jobs are seeing real increases in pay and the railroads are making record profits has also been cause for mid-career quits. Some employees have informed us that the decision to leave was due to the fact that these force reductions have forced senior employees to work second shift from 3:30pm to 11:30pm and/or third shift position from 11:30pm to 7:30am with rest days of Tuesday and Wednesday.

The railroads are telling the Board and the public that they are trying to hire and that they are experiencing the same post-pandemic hiring difficulties as are being experienced by other industries. But where the railroads differ is that they cut tens of thousands of jobs before the pandemic in order to lower their Operating Ratios to continually boost profits, the value of their stocks and executive compensation. Also, as they hire new people, existing experienced employees are leaving, so the railroads are not growing their workforces, and the workers they have are less experienced than has traditionally been the case in this industry. If the railroads had not cut employment so deeply before the pandemic, if they had not alienated so many of their employees, if they had recalled furloughed workers, the railroads would not be having so much difficulty in growing their workforces.

While the railroads have touted their hiring plans, even if they meet their goals in hiring, that will not mean that they will have restored their workforces to what is necessary to satisfy the requirements for safe and adequate rail service. First, the railroads do not intend to restore anywhere near the number of jobs they cut. Second, while they can hire new employees, those employees will not soon compare in skills to those who were furloughed or left the industry. Training for work as a Sheet Metal Workers normally takes a minimum of 90 days and it generally takes about 3 years for a new employee to become a fully competent Sheet Metal Worker.

The quality and adequacy of rail service also suffers because of the pressure put on Sheet Metal Workers to work quickly, skip steps, and defer maintenance and repairs. Because our

members cannot do their jobs properly and as they were originally trained to do them, there have been and will be negative impacts on service. Locomotives are not being serviced as they once were. Prior to PSR an annual inspection of a locomotive included 200 – 300 tasks for all crafts. Now most carriers have reduced their inspection task list to 50 items or less- the basic FRA required minimum, which is not all that is needed to ensure a properly functioning fleet of locomotives that can adequately serve the railroad's customers. Managers today tell shop employees that their main job is to turn around locomotives back into service, not to make sure that they are in proper working order. Because inspections and repairs are being curtailed, problems will be found when locomotives are in use rather than when they are in the shop. When locomotives are not adequately inspected, maintained, and repaired before they are put into a consist, they may fail and stop or slow down the entire consist or even derail.

We appreciate the Board holding hearings and investigating the impacts of the new business model on rail service and we hope that the outcome is that the railroads are required to provide the sort of service that they provided their customers for many years and as was promised when the STB and ICC authorized the merger and control transactions that created the current Class I railroads.

Date: 4-19-2022

Larry Halbert
SMART International Representative

ADDENDUM D

Transport Workers Union of
America

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

Statement of John R. Feltz
International Vice President and Railroad Division Director
of the Transport Workers Union of America AFL-CIO.

TWU represents employees working in the craft or class of Journeyman Carman employed by CSXT, Norfolk Southern, Conrail, Amtrak, and five major commuter railroads.

When the Class I railroads adopted the new cost-cutting business model called Precision Scheduled Railroading, they began to dramatically reduce the number of Carmen they employed. From 2016 to the present the number of Carmen represented by the TWU who were furloughed from CSXT is thirty-eight the number of Carmen furloughed from NS is one hundred and fifty-one.

The railroads are telling the Board and the public that they are trying to hire and that they are experiencing the same post-pandemic hiring difficulties as experienced by other industries. But where the railroads differ is that they cut tens of thousands of jobs before the pandemic in order to lower their Operating Ratios to continually boost profits, the value of their stocks and executive compensation. Also, as they hire new people, existing experienced employees are leaving, so the railroads are not growing their workforces, and the workers they have hired are less experienced than has traditionally been the case in this industry. If the railroads had not cut employment so deeply before the pandemic, and if they had not alienated so many of their employees, the railroads would not be having so much difficulty in growing their workforces. It doesn't make sense for Class I railroads to say they are now trying to fill positions and claim they are having a difficult time doing so, when all they have to do is recall furloughed Journeyman Carmen. Their reason they would rather hire a new employee than recall a furloughed Journeyman Carman as always is money. Student Mechanics work at a lower rate of pay during their training.

We have seen an unprecedented number of Carmen retire early or quit in the middle of their career. It was unheard of, until recently for a Carman to quit after acquiring a number of years of seniority because the jobs were always considered good paying jobs with good benefits. But the jobs have been degraded by the railroads with respect to working conditions and by pressuring employees to work fast, cut corners and ignore or defer repairs. Members have reported to us that they have been pressed to work so many consecutive days of overtime that it has become damaging to their family lives and health. We had two NS members working in Elkhart Indiana

who were disciplined because they declined to work overtime due to being fatigued from the number of successive days of working forced overtime, which was due to the lack of manpower. Our members have told us that they can't continue to perform their work under the threat of being disciplined for delaying the movement of freight, if they don't cut corners, defer maintenance, skip steps and not perform to the standards they were trained to do. I have asked members that are currently working to put in writing the details that I have just explained, but they refused for fear of retaliation from the railroad they are working for. I was able to locate three TWU members who resigned from the NS for the very reasons that I mentioned. I have attached a copy of their letters explaining their reasons for resigning.

While the railroads have touted their hiring plans, even if they meet their goals in hiring, that will not mean that they will have restored their workforces to what is necessary to satisfy the requirements for safe and adequate rail service. First, the railroads do not intend to restore anywhere near the number of jobs they cut. Second, while they can hire new employees, those employees will not soon compare in skills to those who were furloughed or left the industry. Training as Student Mechanic to become a Journeyman Carman takes three years and twenty-two days of intensive training.

CSXT has closed six rail yards (see below) and NS has closed twenty-three rail yards, nine of which still have train traffic in the yard (see below). To supplement their lack of man power in those nine yards that are "closed" NS has forced untrained Train and Engine Service Conductors to perform Journeyman Carman's work. As previously mentioned, this is work that required three years and twenty-two days of training to become a qualified Journeyman. This action of forcing unqualified Conductors to do this work puts the lives of people living in every community that a freight train travels through in jeopardy if there is a derailment.

Norfolk Southern Yards that are closed

- 1) Jackson Yard, Michigan-Inspections performed by Conductors
- 2) Macedonia Car Shop, Ohio
- 3) Fairlane Yard, Ohio
- 4) Sharonville Yard, Ohio
- 5) Reed Yard, Ohio
- 6) Lordstown Yard, Ohio
- 7) Canton Yard, Ohio
- 8) Mansfield Yard, Ohio
- 9) Ashtabula, Ohio
- 10) Hawthorne Yard, IN
- 11) 47th Street Yard, IL
- 12) Colehour Yard, IL
- 13) Kankakee Yard, IL
- 14) Park Manor Yard, IL
- 15) Ashland Yard, IL

- 16) Lancaster Yard, PA-Inspections performed by Conductors
- 17) York Yard, PA- Inspections performed by Conductors
- 18) Annville Yard, PA-Inspections performed by Conductors
- 19) Shireman Town Yard, PA-Inspections performed by Conductors
- 20) Northumberland Yard, PA-Inspections performed by Conductors
- 21) York Haven Yard, PA-Inspections performed by Conductors
- 22) South Fork Yard, PA-Inspections performed by Conductors
- 23) Lewistown Yard, PA-Inspections performed by Conductors

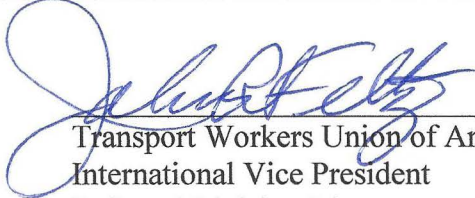
CSX Yards that are closed

- 1) Stanley Yard, Toledo, OH
- 2) Erie Yard, Repair Track, PA
- 3) Rochester Yard Repair Track, NY
- 4) Kenmore Yard, NY
- 5) Niagara Yard Car Shop, NY
- 6) Syracuse Yard, Car Shop, NY

The quality and adequacy of rail service also suffers because of the pressure put on our Journeyman Carmen to work quickly, skip steps, and defer maintenance. Carmen are now required to fully inspect any railcar in 60 seconds or less (reduced from 3 minutes pre PSR). After defects are found supervision will sometimes remove FRA bad order defect cards from the cars so they aren't sent to the repair shop which means cars with defects are sent out on the road. Carmen are being threaten with discipline for sending cars to the shop for maintenance. In some cases, the Carman is required to inspect the brakes while equipment is rolling. Instead of inspecting the entire train, in some cases, the Carman is required to inspect the train from one side rather than required two sides. Because of this there have been and will continue to be negative impacts on service. The results of deferrals of maintenance and repairs are derailments that cause delayed pickups and deliveries of cars to customers as well as lost and damaged commodities.

We appreciate the Board holding hearings and investigating the impacts of the new business model on rail service and we hope that the outcome is that the railroads are required to provide the sort of service that they provided their customers for many years and as was promised when the STB and ICC authorized the merger and control transactions that created the current Class I railroads.

Date: 4/21/2022


Transport Workers Union of America
International Vice President
Railroad Division Director

ATTACHMENT A

To whom it may concern,

I used to work at the Chicago Calumet train yard for NS as a carman and I loved my job. Due to some unfortunate layoffs, I accepted a transfer to the Elkhart, Indiana yard. What I thought was a train yard ended up being hell. I have never been so disrespected and harassed as much as I was working for 2 years in this yard. Zach Erb, Dominic Farndale, And James Whaley ran this yard like they were some "higher life form" and we were only peons sent to serve their egos. When we were in the R-Yard doing our jobs and inspecting cars, we were constantly harassed to be faster and to get tracks back. If we did not comply with being faster, they would start to follow us around the yard hoping we would make a mistake so they could get us with an infraction. James Whaley once walked with me down a track- more of a jog- in the east bound because he wanted to be faster than my partner. He said, "I am going to be upset if Cory beats us down this track." Now, how can I do my job when I am running down track trying not to trip over the ballast rocks and other debris left laying around? In the Outbound tracks we were strongly encouraged to ignore obvious bad orders because if we turned anything in, the person who missed it in the R-Yard would be punished, which probably wouldn't have been missed if we were allowed to do inspections like they should be done. A lot of people in the yard did speed up and did ignore a lot of things but were pushed to under constant threat of losing their job. They thrived on turning us against each other because the people who did do their job correctly are considered "inefficient" employees and every move they would make was watched and scrutinized. In the Rip Track they wanted cars out as fast as possible, and if you followed the guides and procedures, which is the correct way and would normally take you longer than someone who did not follow the correct procedures, you were considered slow and constantly threatened that your job would be abolished. After they pulled so many out of service, fired, and forced people to quit, we were short workers and were forced overtime constantly. I came in towards the end, so it wasn't as bad on me, but there were quite a few who worked 16hr days, 5 days a week. If you were burnt out and couldn't stay for another shift, you were told to go home, *but you won't have a job tomorrow*, so they had employees walking around a train yard like zombies. That is not safe. Whenever I was dropping blue flag protection, I waited until I had visual confirmation, so my partner was clear of the track before I dropped it. Dominic Fandale and James Whaley were watching me and came into the yard and harassed me that I was being slow and wasting time, threatening to send me home for delaying freight. There are plenty of examples of times we were treated like garbage and harassed, but this letter would not end if I were to name them all. In the end, I was laid off and later asked to come back, but because of the terrible working conditions, I turned down a 32 dollar an hour job which should say a lot considering the railroad is a great career, but management has made it not worth it.

Thank you,



Garrett Childress

I quit Norfolk Southern due to the non existent work/family life balance and fear of discipline. Manpower was short due to furloughs, people being gone for disciplinary, and medical reasons. The remaining workers were forced to work 16 hour days to cover the vacancies. Some employees worked three to five sixteen hour days back to back. The carman on vacation relief worked more than five doubles in a row. It was time to rethink my career when my children asked when I would be at home so I could play with them.

Having employees work sixteen hours on as little as four hours of sleep is unsafe when they will be driving and working around moving equipment. Trains routinely blocked the entrance to the yard preventing employees from leaving work. A bulletin was issued stating that employees were to leave property at the end of the shift, regardless if they were exhausted or not. Employees can be disciplined for attendance if they mark off as not being well rested despite the company rules stating that they must be well rested to perform their duties.

The carrier's stance on how accidents never happen only leads to employees not reporting injuries for fear of repercussions. Unsafe walking conditions, such as product leaking out of cars onto the walking paths, spikes, tieplates, and other debris create tripping and slipping hazards.

Proper repairs don't get made to equipment because the number one priority is moving freight. Shortcuts are taken frequently because to do it the right way might get you unwanted attention.

Norfolk Southern had the most hostile work environment I've ever been in. In Iraq terrorists tried to kill me, at NS it's the company. The carriers hold the pay and retirement over people's heads and think it will keep employees. The senior carmen who don't have to worry about being forced over many days may stay but good luck keeping on new hires. I enjoyed the job but couldn't continue with the stress it caused my family.

Signed, Thomas Ragan



To whom it may concern,

I have been asked several times why I quit the railroad. It is always hard to explain to someone outside of the railroad why I quit a great paying job with incredible retirement benefits. When I started at Norfolk Southern, I was told it was the best job I would ever have. I admit the first couple of years it was a great job, it paid very well, and it felt honorable to protect the public's safety. The common individual has no idea how much danger they are in while waiting for a train to pass. I took great pride in finding defects to prevent serious derailments.

Unfortunately, just two years into my career things began to change. Safety had always been top priority, however, there was a major shift happening. I cannot remember the exact day it happened; I remember we were informed the E.H. Harriman Award would no longer exist. This was very significant because for nearly two years this award was talked about in every pre-shift meeting. It was explained that the award was blamed for unreported injuries, but it was well known just because the award wasn't talked about injuries were not accepted. While most people along with myself agree injuries are unacceptable, we think along entirely different lines. While the typical person will think of an injury as something that can affect how a person will live the rest of their lives or how it may affect their family, it was always different at Norfolk Southern. If you had an injury at work, no matter the severity it was known you had the strong possibility of losing your job. It was always stated that all injuries are preventable, and I agree but obviously they still happen. Knowing if you didn't report an injury, you would be fired, however if you were injured you still had a strong possibility of losing your job. As you can imagine this put you in a bit of a situation and caused extra stress on employees.

The biggest cause of injuries or ailment came from walking conditions in the yard. There was walking stone in most areas. But if there was a derailment this walking stone was not replaced even after numerous complaints; instead, the walking stone was replaced with larger stones that created uneven walking conditions. When an area, such as the receiving yard, was reconditioned, it was done in a manner that created a drastic embankment between tracks making it incredibly difficult to walk between the tracks up to a railcar to inspect and bleed the air. These conditions were horrible on your feet, ankles, and knees.

One of the biggest health and safety issues came when there was a push to get air through a train quicker. At the time we were given instructions to carry air. Though this did not speed things up it was simply "I told you to do this, do it or else." Carrying air meant turning an air valve completely open and buckling hoses as we walked. Even though we wore hearing protection the noise was so loud we were not able to hear the radio. The radio was your lifeline. It is imperative to know that a track was going to be shoved on right next to you. If you could not hear the radio, you did not know, which could be extremely dangerous. Carrying air also caused excessive debris in the air. My largest concern was being exposed to large amounts of silica sand used by the locomotives for traction. My previous employer would not allow employees around equipment being sand blasted. Yet at the railroad we were sand blasting ourselves. When I brought up silicosis in a safety meeting, I was considered difficult and a problem.

Though many of these issues affected workers health my biggest issue came back to what made my job important, protect the public. The push to get cars out faster was dealt with by hiding defects or threatening jobs. If you were not compliant you were not a team player. Everything from thin flanges, parts hanging off cars, failed brake sets, and even damaged side bearings were being snuck back into

trains or foreman would pull bad order tags off cars to prevent delays. I understand the need to make money and money is made by moving freight however freight should only be moved safely. When we were told that broken side bearings were now acceptable, I could not believe it. I still have the image that was passed out showing the entire center of a side bearing missing with a note stating, "not condemnable." We were told the FRA approved this decision however nowhere was any FRA agent's name or even the return email stating that fact. I could not in my best conscience allow cars to leave the yard with this defect. Because of that decision I was informed by fellow carmen that supervisors told them I was a target for discipline.

I could write an entire book about how I felt I was mistreated, strong handed, or how management would make up reasons to discipline me. However, in the end I felt like the public's along with my own safety just did not matter as much as Norfolk Southern profit. Making the decision to walk away from a great job saddens me to this day. I always enjoyed what I did and the people I worked with however the risk just simply outweighed the reward.

Tony Mikel

A handwritten signature in black ink, appearing to read 'T. Mikel', on a light gray background.

Norfolk Southern Carman

Elkhart Indiana

July 2011 – May 2018

ADDENDUM E

Brotherhood of Maintenance of
Way Employes Division/IBT

Statement of
Peter Kennedy,
BMWED Director of Strategic
Coordination and Research

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

Statement of Peter E. Kennedy

1. I am the Director of Strategic Coordination and Research for the Brotherhood of Maintenance of Way Employees Division/IBT.

2. BMWED represents employees working in the craft or class of Maintenance of Way Employee employed by most of the freight railroads in the United States, including all of the Class I railroads, Amtrak, and the major commuter railroads, and some regional and short line railroads.

3. When the Class I railroads adopted the new cost-cutting value extraction business model that they colloquially call Precision Scheduled Railroading or “PSR”, they began to dramatically reduce the number of Maintenance of Way Employees they employ. Since December 2016 the number of Maintenance of Way Employees employed by each of the Class I railroads has been as follows:

2016	BNSF	CN	CP	CSX	KCS	NS	UP
	7124	1391	641	4482	433	3647	7946
2017	BNSF	CN	CP	CSX	KCS	NS	UP
	6654	1388	612	4101	426	3408	7528
2018	BNSF	CN	CP	CSX	KCS	NS	UP
	6523	1360	590	4403	429	3431	7448
2019	BNSF	CN	CP	CSX	KCS	NS	UP
	6449	1244	428	3931	425	3406	7000
2020	BNSF	CN	CP	CSX	KCS	NS	UP
	5834	1324	370	3849	404	3029	6036
2021	BNSF	CN	CP	CSX	KCS	NS	UP
	5801	1247	594	3883	379	2917	6056
2022¹	BNSF	CN	CP	CSX	KCS	NS	UP
	5672	1259	553	3877	376	2872	5947
% Change	-20%	-10%	-14%	-14%	-13%	-21%	-25%

¹ 2022 headcounts are based upon dues payments in the month of March 2022.

4. In recent years we have seen an unprecedented number of Maintenance of Way Employees retire early or quit mid-career. Until recently it was almost unheard of for Maintenance of Way Employees to quit after acquiring a number of years of seniority because the jobs were always considered good jobs with good pay and good benefits. But the jobs have been degraded by the railroads with respect to working conditions and by pressure to work faster with less coworkers and resources often over larger service territories, cut corners and ignore or defer repairs. Employees have reported to us that they have been pressed to do too many consecutive days of work accompanied with high amounts of overtime and that they are getting little rest, which is damaging to their personal health and family lives. Employees have reported to us that they can't in good conscience continue to perform the work under current conditions where they are pressured to cut corners/defer maintenance/skip steps/not work to the standards they were trained to and met through their careers until more recent years with the adoption of PSR. The lack of any pay increases for nearly three years or improvements to away from home expenses and travel allowances coupled with high inflation all the while the railroads have been reaping record profits and other jobs/industries are seeing real increases in pay, has also been cause for mid-career quits. Many employees have called various BMWED Officers to advise they have resigned from the railroad and explain their reasons for leaving, while some have even emailed. A most recent example is the resignation of former BNSF Track Inspector Daniel Cooksey, who emailed several BNSF officials, included BNSF CEO Katie Farmer, his immediate resignation and detailing the reasons why. Some existing employees have provided statements describing how the jobs have been degraded and working conditions have deteriorated since the advent of the new value extraction business model. These employees requested to be maintained as anonymous due to fears of retaliation by the railroads for submitting the statement. Copies of those letters and statements are attached as Attachment A to this statement.

5. BMWED has surveyed our members about the impacts of the new value extraction business model. 2,466 Maintenance of Way Employees Members responded to the survey. A very large majority say that they have been adversely affected by the new way of working and that it has impacted their ability to do their jobs properly. Attachment B to this Statement is a summary of the survey results.

6. The railroads are telling the Board and the public that they are trying to hire and that they are experiencing the same post-pandemic hiring difficulties that are being experienced by other industries. But where the railroads differ is that they cut tens of thousands of jobs before the pandemic in order to lower their Operating Ratios to continually boost profits, boost the value of their stocks, and boost executive compensation. Also, as they hire new people, existing experienced employees are leaving, so the railroads are not growing their workforces, and the workers they have are less experienced than has traditionally been the case in this industry. If the railroads had not cut employment so deeply before the pandemic, and if they had not alienated so many of their employees, the railroads would not be having so much difficulty in maintaining and growing their workforces and the level of service disruptions would not be of such a magnitude

7. While the railroads have touted their hiring plans, even if they meet their goals in hiring, that will not mean that they will have restored their workforces to what is necessary to satisfy the requirements for safe and adequate rail service. First, the railroads do not intend to restore anywhere near the number of jobs they cut. Second, while they can hire new employees, those employees will not soon compare in skills to those who were furloughed or left the industry. Training for work as a Maintenance of Way Employee is an on-going process that spans each employee's entire career. Many Class I freight rail carriers hold "new hire employee" training during which a new employee spends at least forty (40) hours in a "classroom" setting learning the basics about maintenance of way tools, the railroad's various standards and requirements, Federal track standards, Federal requirements for on-track worker protections, company requirements, etc. Thereafter, the employees spend at least another forty (40) hours "out of the classroom" in a controlled setting such as an inaccessible yard track performing "hands on" training with tools and materials that are used for performing Maintenance of Way work. From there, the new hire employee is then assigned to go work "in the field" gaining routine, practical, hands-on experience and they are often assigned a "mentor", who is generally someone from the craft that has many years of experience in performing Maintenance of Way work, to help guide the new employee and train them on the job. Additionally, many of the Class I railroads identify their new hire employees by some sort of designated marking, such as a specific-colored hard hat or a certain color stripe on their hard hat to signify that they are a new employee. Some railroads require the employee to wear the designated marking for a minimum of one (1) year of service, while other railroads require it for two (2) years of service. The railroads own designated markings demonstrate that an employee cannot simply be hired from a job fair and be qualified and proficient at performing Maintenance of Way work for at least one (1) year and often longer. To this point, a rail carrier cannot designate an employee as a qualified individual to perform unsupervised track restorations and renewals as well as track inspections unless the individual: has at least at least one (1) year of "experience in railroad track maintenance under traffic conditions" or "a combination of experience in track maintenance and maintenance training from a course in track maintenance or from a college level educational program related to track maintenance; and has demonstrated to the employer knowledge and understanding of track restoration and renewal requirements; can detect track deviations; and can prescribe appropriate remedial action. There are additional requirements for training and qualifications for the carrier to designate a qualified individual to perform track restorations and renewals and inspections on continuous welded rail (CWR). There are also additional requirements for training, rules and regulatory requirements for employees who operate on-track equipment such as tie handlers, tampers, ballast regulators, etc. The salient point is that hiring new employees is not a quick solution to remedy the ongoing service disruptions in the immediate: The hiring of new employees only addresses the headcount issue and does not address the immediate skill shortage that the railroads have created by their deep cuts through their value extraction business model that degrades railroad workers, denies rail customers reliable service and disrupts the supply-chain and the American economy.

8. The quality and adequacy of rail service also suffers because of the pressure put on Maintenance of Way Employees to work more quickly, rush or reduce practices that ensure safety, ignore defects, defer maintenance, and be responsible for inspecting and maintaining

greater territories with less manpower and resources. The railroads new business model does not allow our Members to do their jobs properly as they were originally trained to do them, and there have been and will continue to be negative impacts on service. These negative impacts will be in the form of the slower movement of goods through the supply chain because of an inadequate workforce both in size and skillset, reduced train speeds account of slow ordered tracks resulting from deferred maintenance, derailments that occur from reduced in-person inspections, deferrals of maintenance and lack of repairs over the larger territories with less manpower, etc.

9. We appreciate the Board holding hearings and investigating the impacts of the new value extraction business model on rail service. We hope that the outcome is that the railroads are required to provide the sort of service that they provided their customers for many years and as was promised when the STB and ICC authorized the merger and control transactions that created the current Class I railroads.

Date: April 21, 2022



Peter E. Kennedy
Director of Strategic Coordination and Research

ATTACHMENT A

Peter Kennedy

From: Freddie Simpson
Sent: Wednesday, April 6, 2022 1:05 PM
To: Peter Kennedy; Rich Edelman
Subject: Fwd: End of My Employment with BNSF

Sent from Fred Simpson

Begin forwarded message:

From: "Cooksey, Daniel C" <Daniel.Cooksey@bnsf.com>
Date: April 6, 2022 at 12:56:13 PM EDT
To: "Jones, Keith D" <Keith.Jones2@bnsf.com>, "Hunt, Phillip" <Phillip.Hunt@bnsf.com>, "Cech, John C" <John.Cech@bnsf.com>, "Hammond, Matthew S" <Matthew.Hammond@bnsf.com>, "Farmer, Katie M" <Katie.Farmer@bnsf.com>, "Rhodes, James C" <James.Rhodes@bnsf.com>, "Dunaway, Gregory E" <Gregory.Dunaway@bnsf.com>, "Lavorata, Alyssa" <Alyssa.Lavorata@bnsf.com>, "Ivey, Bernia C" <Bernia.Ivey@bnsf.com>, "Freshour, Dane A" <Dane.Freshour@bnsf.com>, "Lundon, Megan Jane" <Megan.Lundon@bnsf.com>
Cc: "Patton, Kota" <Kota.Patton@bnsf.com>, Bruce Glover <bglover@bmwe.org>, Freddie Simpson <fns@bmwe.org>, Joshua Merrier <joshua.merrier@gmail.com>, "Monson, Christopher A" <Christopher.Monson@bnsf.com>
Subject: End of My Employment with BNSF

4/6/22

To Whom it May Concern,

I would like to thank you all for allowing me to be employed by BNSF Railway since June 6th, 2011. This Job has taken me around the United States by rail doing maintenance throughout the system. Successfully raised a family from the road as I am sure most of you have experienced is not easy task. This was managed by going from laborer, machine operator, Forman, to the job I loved as track Inspector. At this time, I can no longer see myself working for BNSF under the Twin Cities East current management. This is the area I lived and worked in since my seniority would hold. I have been involved in many things including being 1st on scene to trains vs public accidents. I managed scenes with dead body's (9), found stolen cars, motorcycles, found missing persons, and dealt with putting myself in areas nobody should ever walk to make sure it is safe for train traffic and the employees. I have been a witness and a victim to many failed leadership issues throughout my career. But the one that is happening in St. Paul right now is downright wrong. For 3/4 of the year of 2021, I was the only inspector for 4 subs, 3 yards, multiple industry tracks. With the answer No help Available. This is where my tolerance stops.

Yesterday I walked out of a Forman meeting that I once again was put into a position to protecting the best interest of railroad on past Fra defects with management. Which I have been trained to do. After many years of falling on death ears and having to elevate issues to

Division Engineer. Matter of fact over the last 2 years I have asked for a sit down 3 times with the D.E. and it has never happened. I am sick of fighting to be heard and stressed out (causing health issues). Yet expected to jump for the railroad at any time of day when needed. So, currently, I give up my position effective immediately . The rest of my vacation per union agreement will need to be paid out.

The truck and tools were all left at Jackson Street Shack. Tools and everything verified by work group 0957 4/5/22 . Computers(2), hot spots(3), tablet(1) and phone(1) has been turned over to fellow track inspector Chris Monson (St. Cloud) for trust reasons.

Thanks

Daniel Cooksey

B0065425

Ex - St. Paul , Monticello , Midway , Wayzata Track Inspector

Dear Chairman Oberman,

This is a letter I hope that will raise awareness about the precarious status of the railroad and the services it provides to its customers and the supply chain based on my experiences of over a decade of performing the service of maintaining track maintenance on a class one railroad.

When I was initially hired, we were short-staffed on many gangs but we always seemed to get the job done and keep the railroad running without any major disruptions. But in the last 5 or 6 years, there has been a dramatic increase in furloughed employees, employees that have been fired, and retirements leaving positions that the railroad simply has not backfilled. These actions all appear to be part of a deliberate plan and operation by the railroad as part of their Precision Scheduled Railroad business plan. The furloughs, firings, and refusal to backfill positions provide initial cost savings but have directly hurt the work force by creating skeleton crews that can hardly keep up with the constant demand of work. This impacts culture and morale of the workers. The work that traditionally was performed with a crew 5-10 times larger than the current the workforce has resulted in a physically and mentally overloaded workforce. The railroad has reduced the size of several of their gangs, including their production gangs which perform large scale track construction, maintenance, and repair projects. Then the railroad put several pieces of on-track equipment such as tie inserters, spike pullers, spiking machines, etc. in storage so they were no longer being used. Now the railroad is trying to bring a lot of this equipment back in service and trying to assign the workforce to operate the equipment, but because they have depleted its workforce so much, they cannot assign anyone that has the skills and qualifications to operate it. The end result is that the track is not being maintained as well as it should be, so the track routinely gets slow ordered and the rail service gets riddled with numerous disruptions of service for customers or no service at all for days.

The workforce is exhausted with workloads and responsibilities increasing daily while also having to deal with inflation and rising fuel prices. Many of the maintenance of way employees on the railroad are on system productions gangs and district productions gangs, which requires them to travel 6 to 14 hours to work one way and then 6 to 14 hours back home after the workweek. This is assuming they can even get home. The costs of their commute to work are extremely high and they are not even breaking even to drive to work after fuel and vehicle wear and tear (U.S. average of \$4.11 per gallon for fuel and the U.S. vehicle average of 24.9 MPG). Their commutes continue to get even longer and more expensive as the railroad continues to redistrict its territories, so that we must travel farther to even get to work.

We have not received a wage increase or an increase in our travel expenses in nearly three years. We have watched hundreds of our coworkers get furloughed, get fired, retire early or even quit. Just recently, 10% of the guys from my local lodge and that I worked with, all of whom had anywhere from twelve to nineteen years of service, quit the railroad to find employment elsewhere. Some of them went on to the construction trades, operating heavy machinery and equipment and they joined the Operating Engineers Union. Some of them also went into business for themselves. Regardless of where they went, they left the railroad after over a decade of service, which was unheard of when I first hired on.

The railroad has simply made it clear that we are supposed to be working more and paid the same, all the while the railroad brags of record profits and lower operating ratios. But they never mention how this has ruined the morale of its workforce and diminished their services to their customers or how it has contributed to the supply-chain disruptions. We do not anticipate that the railroad will change its business model anytime soon unless they are forced to do so. But there will likely continue to be more decreases in the experienced and skilled workforce because they will continue to voluntarily quit because they're tired of being overworked and this will only continue to lead to more service disruptions and supply-chain issues.

Respectfully Yours,

An Exhausted Norfolk Southern Maintenance of Way Employee

Surface Transportation Board
The Honorable Chairman Martin Oberman
395 E Street SW Washington, D.C. 20423

RE: Docket No. EP 770 (Urgent Issues in Freight Rail Service) Public Comments Submitted

Dear Chairman Oberman,

The members of this Local work and maintain the track, bridge and equipment infrastructure on strategic rail lines that service the greater Chicago, Illinois area. We would like to give an account of our experiences from workers directly on the ground as relates to the depleted rail service concerns raised by the railroad customers and the STB.

Staffing Issues- Over the past 10 years the railroads have dramatically furloughed, fired, ran off, or did not replace retiring workers. Their policy of “do more with less” has been detrimental in keeping the railroads maintained and unable to transport trains over the tracks in an efficient manner. With less workers on maintenance crews, it takes longer to perform maintenance work and many jobs have been rolled into one job creating an overload on the workers. Lower maintenance standards and repair times create lower train speeds and add into train traffic and congestion. The way the railroads react to winter storm cleanup has significantly changed in the last 5 years to where there are not enough workers to repair and maintain the infrastructure to allow trains to run during and after winter storms.

Inconsistent management practices- Over the past 10 years our members on the Chicago Rail lines have seen no less than 25 different supervisors assigned to our area. Each supervisor has brought different rules, regulations, and policy’s that directly conflicted with their predecessors’ rules regulations and policies. Imagine if you will, the stress this puts workers under that affects maintenance operations of having to change standard track repair operations and relearn every new unworkable idea these inexperienced supervisors come up with every 6 months. The majority of these 25 plus supervisors that have come through this area have little to no experience in the rail industry, and little to no experience in maintenance or construction operations. Cutting corners and trying to get by cheaply has negatively impacted maintenance operations and the ability to keep trains rolling.

Egregious Violations of Labor Contracts- The railroads have a standing policy of purposely violating labor contracts that they entered into with the workers. They then disregard any remedies to address or fix the violations they have committed. Many of these purposeful violations are to hire inexperienced contractors to do the work that rail workers specialize in. While this is a separate issue outside of this board many times our members will have to come back after the inexperienced contractors have left and fix or repair their poor workmanship. Not only does this lower worker morale it adds to the timeliness and performance of maintenance operations, this also affects the ability to keep the trains rolling. Our members are owed hundreds of thousands of dollars from the railroad’s violations of our contracts and they also refuse to remedy these situations.

Deficient Facilities- the railroads have many facilities which are falling apart and they refuse to fix. Some are to the point where they cannot be repaired and are dangerous to inhabit. Many facilities are rodent infested, have inoperable bathroom fixtures, contain mold and do not get cleaned on a regular basis. Again, trying to get by cheaply is the railroad’s standard and when done on every department of the railroad it affects the overall ability to make sure the trains run to their fullest potential.

Closing of facilities- The railroad has closed or sold hundreds of facilities like yards, sidings, maintenance shops, and employee reporting points. They then will reopen them often months or years later. This creates unstable operations by constantly making and restructuring the company and affects the traffic of trains, but also the ability of the workers to be able to focus and adapt to an unstable working environment.

In closing I hope these comments are considered and that they will help you to improve the rail industry and bring it back to its former glory that serves all Americans and not just a few Wall Street shareholders.

Respectfully,

Anonymous Maintenance of Way Worker

I was hired on 11/2006 with BNSF Railway. I have held positions of truck driver, grinder, welder, Group 3 and 4 machine operator, section foreman and Track inspector. I have held the position of track inspector for over 10 years. When I started as a track inspector in Newcastle we had 3 inspectors with 7 day a week coverage. You knew when your days off came they were going to happen because there was someone to cover your territory. When they eliminated the relief inspector that all went away. I worked over 40 days straight last summer due to heat runs. Plan a camping trip, nope have to run heat today because there isn't anyone else qualified to inspect your territory. The other inspector goes on vacation, now you have 100 miles to do for the week. When I was hired on there were 1,800 plus employees on the section man roster in my seniority district (400). That is the date everyone is hired on with in the MOW department. Today that number is closer to 800. BNSF has turned the Maintenance Of Way department into the repair of way department. We have completely eliminated any type of preventative maintenance to maintain the track structure. If it isn't broken, slow ordered or out of service it has become impossible to get the manpower and materials to maintain the track. Here are a couple examples.

Last summer we shared an off track under cutter among 3 roadmasters territories. In that time we had the machine a total of 3 weeks the entire season. When the FRA came through and reported fouled ballast condition due to drainage the answer was to crib the mud with a backhoe and fill it with rock and consider that repaired. Over the winter and this spring all of those locations came back. When I slow ordered it due to surface issues it was put on the list to get to this year. Meanwhile we surfaced with the surface correction gang and put more rock on top saying we will get to it.

As a track inspector on the ATI territory from the begin of the "pilot program" I have seen how the automation has become the end all be all. BNSF stance is if the car didn't find it then it isn't there. I have received push back on slow orders I have placed that the condition was within 1/4 of an inch from being a class drop. I was told the car just came through and didn't find it take the slow order off. We have become a company of reports and graphs and not relying on the people on the ground in the field inspecting the territory every day. I have seen the capital plans in my territory get smaller over time. There is one section that is 1.5 miles long tangent track that I have been asking for new rail for 4 years. We have several broken rails due to base break in there every winter. The MRP at the time and I counted the welds in just 4/10 of a mile section and there are over 40 thermite welds between both rails in that section. He had his boss come out and he got it approved to be relayed this season. This seasons plans come out and it isn't on the plan. I asked questions and was told oh that must have not been submitted on time. We will look at it for 2024!!!

I have given BNSF over 15 years of dedication. I loved my job and loved going to work, but it had become so stressful dealing with the kicking the can down the road mentality but reporting quarter after quarter of record profits that I had to do something else.

I resigned at the end of March 2022.

Dennis Stirmel

April 21st, 2022

To whom this may concern.

I was with BNSF for 15 years before I walked away from the railroad. I have held many positions in my career and for the majority of the time, I have held some sort of a leadership role. I have been exempt with the railroad and worked with the production gangs throughout the system as an exempt officer. I have also run many large production gangs as a scheduled employee. I really enjoyed the exempt position. My only exception was the lack of understanding from company leadership on how the work is performed, and not listening to experienced people, like me, on the ground. This is why I was hired as a roadmaster. I knew what I was doing. But, this is not the place to get into this discussion.

For the most part, from the day I was hired at BNSF, the company pushed and pushed to get new, young and motivated foreman and track inspectors in the field. For a lot of us, this was a way to keep from being furloughed during the winter months. But, as it turned out, it turned into a bigger commitment with all the additional training and requirements to get, and keep the foreman/track inspector certification. Once we started down this path, we all were committed to the position for a long time, but mostly for the rest of our career. Because of staffing, we couldn't really bid down to a lesser job with BNSF, or we would be force-assigned back to a foreman or track inspector position. This not only puts people at risk, but adds a tremendous amount of unwanted stress on that person.

Now for me, and others of course, we are always held to a higher standard. We are the leaders in the field. We have to have the answers to any problems, know how to make repairs and to communicate to our supervisors as needed. There was a time when we had great line supervisors in the field that knew what the heck was going on and actually knew how to do the job. Now, not so much. The company ran off most, if not all, the experienced supervisors from the craft. So, we, I, have to come up with the plans, find supplies, order if needed and make the repairs with little or no help. We have so many other responsibilities already. We don't have the time to do our line supervisor's job.

There used to be a time on this railroad when there was transparency. Not anymore. Everything is one big secret. We have absolutely no clue what's going on. What projects are coming up, do we have money and manpower to do the unknown work, do we have the equipment or vehicles to do the job, do we even have a work window in place? These are questions that need to be answered. And when we ask, we are told, "Sure! We are working on it." Or, "We don't have the money." And when the day comes for the project, nothing. No supplies, we lost the money, wrong part shipped, stuff like that. As a track inspector or foreman, this is extremely aggravating when planning out our days, weeks, and months. And when we ask about what's going on, and what happened, we are considered a non-team player. We are called argumentative and placed under investigation. That's really motivating don't you think?

So, we are looked down on. We are the ones that get audited the most because we ask questions. We push the issues. As a foreman/track inspector, this makes the job that much more difficult. We are on the front lines. We are the ones keeping the tracks together and safe. We are the ones asking for supplies to make repairs. We are the ones trying to make the plan work. We are the ones trying to fix track that is over a 100 years old and can't find parts to make repairs. And god forbid there is a derailment. The blame automatically falls on the shoulders of the track inspectors. Management doesn't care we couldn't get time to make repairs, or there are no parts to make repairs, or no money to pay the crews to make the repairs before the issue. We can almost every single time pick the next derailment location. But, when we make plans or suggest we work the location, nothing is done. So, we remove the track from service or slow order the location to keep from having a derailment. Oh do we hear about that.

Track inspectors are the most likely to be watched, audited and investigated. Now granted, when you make a mistake, you have to answer for it. I get that. But when the track inspectors are at the front lines working their butts off every single day, on-call every hour of the day and night, in every type of weather condition imaginable, understaffed, overworked, sleep deprived, you bet there are going to be times we push the limits of our abilities to keep this railroad on track, so to speak.

Not only is the pressure coming from our supervisors, it's coming from dispatch, DE's, GDLM's, and many others, when we have to pull the trigger and make a decision to slow traffic, remove from service, or force the situation to get time to run first before a train. The railroad says track inspecting has to be black and white, but I know, as well as every other track inspector, roadmaster, DE, or others that are FRA certified that rides track, sometimes uses their training and experience to make decisions out in the field. And when we have to push the limits of our work and abilities, we may make minor errors, and we get run through the coals. Instead of asking us questions, its, let's make an example out of him/her and drag them through a worthless investigation, while all along, wasting major company time and company money. I've seen this first hand.

This alone, is one of the reasons we can't keep people in the foreman/track inspector positions. Why would anyone want to have the added responsibilities, certifications, and "ass chewings" for a few extra pennies on the dollar. As a veteran foreman/track inspectors, we are always looking for new talent to wear the white hat to help us out. And when we finally find someone willing to take the plunge, the railroad beats them up everyday. I know on many occasions, I said "Shoot! I just want to be a laborer and work." "Why would anyone be crazy enough to wear a white hat out here?"

For years and years, the leaders in the field have told management over and over, we need help out here. Nothing is ever done about this, "More with Less." And on top of this, we keep getting told we make too much money. Huh, really? They complain about the overtime every single day. In fact, I was ridiculed for my overtime every single day as a track inspector in Denver. Not to mention I was covering 2 main line track inspector positions in Denver. My assigned job

took me at least eight hours a day to do. Where do I fit in the other territory? So, I worked dark to dark everyday just to keep the tracks in compliance. Noone else would or could do it. I was handed a disciplinary letter for working overtime. Even though they knew I was always having to work overtime. I sent in daily reports of my activities for the day to keep them up to date, but they never read them. I even added non coherent statements sometimes to see if they were actually reading them. Nope! And told management several times, if they keep giving me crap about my overtime, they can cover the other track inspection position themselves. Well, that wouldn't work and they begged me to keep doing it.

And don't get me started on the vehicle issues and conditions. Our vehicles are in shambles. The vendors we have working on our vehicles can't make them fast enough. I had one track inspector in Denver using 3 different trucks on almost a weekly basis. Can you imagine changing vehicles and tools 2 to 3 times a week for almost a full year? The overtime alone was crazy. You don't have time to do it during the regular 8 hour day. So, he had to do this before or after his duties were done. And, he was ridiculed everyday for that overtime. Could we get another vehicle for him that actually works and was safe? No! Even though I told management for years to start planning for it. Maybe it would save on overtime? No, they didn't care.

Track surface condition is another major issue that we constantly deal with. We can't get track time to surface the track conditions because we run a Geo car almost every week. Too much to catch up on each time. The mud hole issue is a major issue too. These creep up in the spring when the surface gangs are shut down, even though we tell management every single year to not shut the surface sets down, and we are always behind. These issues create slow orders all over the place each year. There is tremendous pressure to drop slow orders. We are constantly pressured to shorten or remove them. Sometimes they disappear without us knowing. And, when we add them again because of track notes, we are ridiculed for adding slow order minutes.

These are just a very few of the issues that plague the foreman and track inspectors each and every day. Foreman and track inspectors are a necessity out here. If we keep beating them up, we won't have anyone left to do the work. I know the company prefers this to happen so they can contract them out. But, what the company doesn't realize, contractors will still be held to the same standard by the FRA. Fines and penalties apply to BNSF employees and contractors.

Now for me, I made the decision to walk away from the railroad. The railroad has done what it need to do for me and my family, but the environment is changing for the worse. Not enough people to work, not to mention, we can't find hard working employees. The body is falling apart and I didn't want to get hurt out here due to the long hours anymore. The only thing I could really do is wait for my DOT to expire, and to become a laborer. But, would that really benefit me and my family. It was just time to move on and try something new.

Because I have limited time to type this, these were just the few things that came to mind today.
If further information is needed, please call me and I'll do what I can.

Eric Nelson
Former Main Line Track Inspector
Denver Colorado
(970) 237-9804

ATTACHMENT B

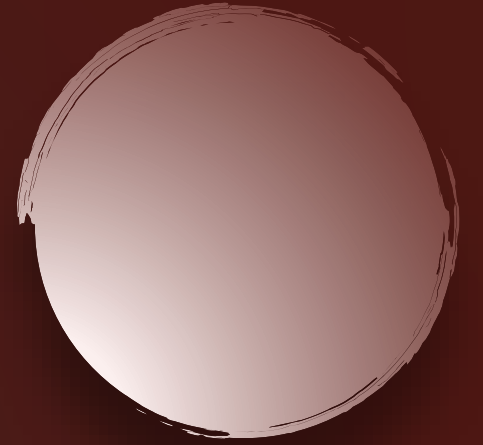


THE BROTHERHOOD OF MAINTENANCE OF WAY PSR SURVEY RESULTS SUMMARY

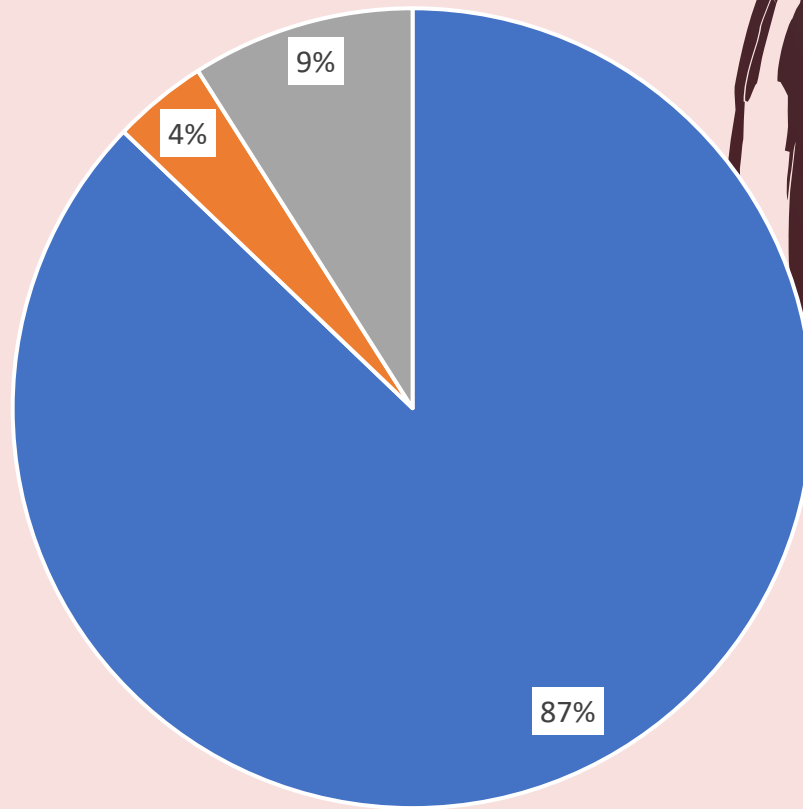
SURVEY STATISTICS:

The survey was offered to all the roughly 26,000 members of the BMWED from December 16, 2019 – January 6, 2020

BMWED received 2466 responses.



How do Working Conditions Compare to 5, 10, or 20 Years Ago?

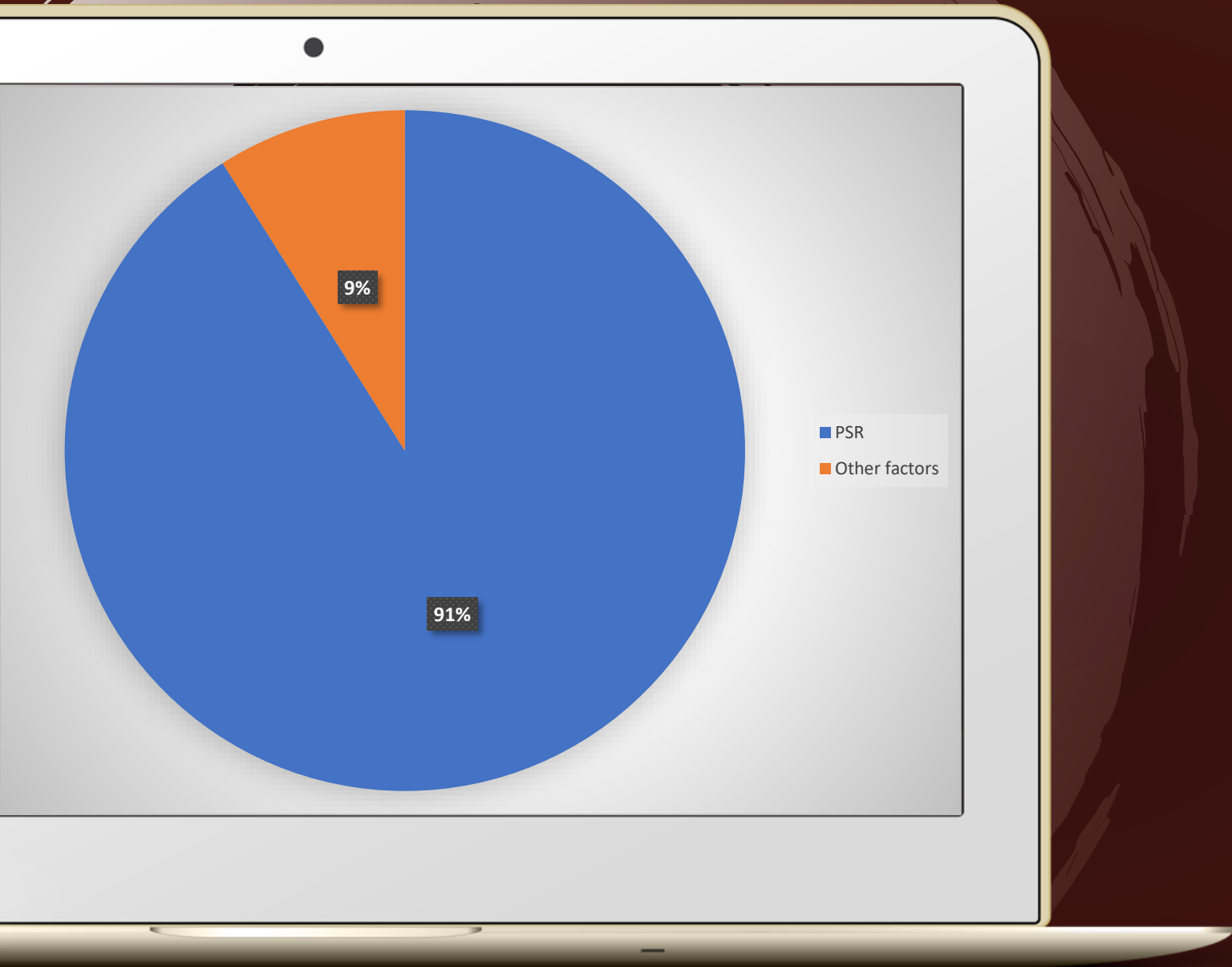


■ Working conditions are worse today ■ Working conditions are the same or better today ■ No comment

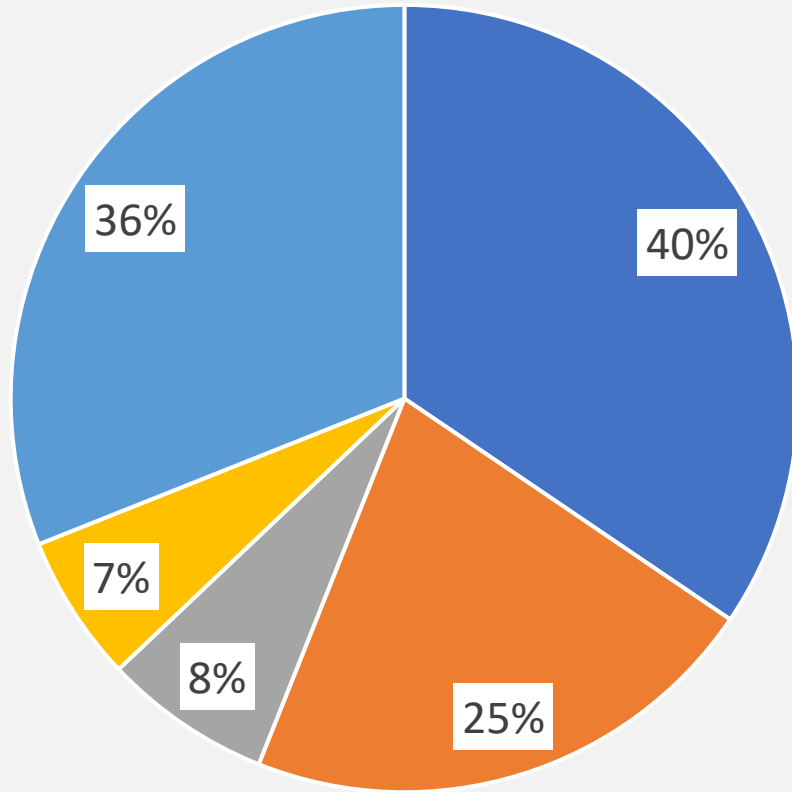


How do Working Conditions Compare to 5, 10, or 20 Years Ago?

- Far less stability. 1st line supervision has been stripped of resources, manpower, equipment and the expectations for track mile inspections and serviceability has doubled, the territories for maintenance has more than doubled.
- Work conditions are definitely more dangerous as the nations largest railroad puts profits before safety. The management is more hostile, infrastructure is NOT maintained.
- We are going backwards. Repairs are being put on the back burner by management. FRA rules are not followed by management.
- I do 5 times the amount of work. I never get finished.
- Our section gang had 6 people before. Now we have 2 with no machine operators and the same workload.
- Rail conditions are markedly improved over the past 20 years. However, inspection methods have declined with the advent of the PSR systems in place currently. While data collection is vital, the loss of hands-on human resources will be a detrimental catastrophe as machines, despite what we are told, cannot spot the beginnings of some failures, i.e.: thawing mud hole locations in early spring, minute cracks in angle bars or insulated joint bars, etc. Human experience will override high speed photos or geo measurements made prior to daytime and radiational heating causing rapid thaws. Even with the pilot programs now going on, for the past year, dispatchers are telling track inspectors that they cannot have track time because they have already met their required rides. This is the mentality that will eventually become a catastrophe for the railway industry.



**91% of
Respondents
Attributed These
Changes to PSR**



- Directly linked this to manpower issues
- Expressed extreme pressure to cut corners
- Expressed a genuine fear of retaliation
- Expressed a genuine concern with deferral of inspection and maintenance
- No comment

How is PSR Enacting These Changes*

* Respondents where able to give more than one response.

How has the Implementation of Precision Scheduled Railroading Affected Your Job?

- Everything is in a rush mode and if you report a defect, the bosses try to write you up for delay, yet my job is safe trains, right? The pressure we face is extreme from both FRA and the company stance - and they are on opposite sides of - they want from the Railroaders who are caught in the middle.
- As an inspector, with an ever-growing workload, the work hours put in are intensive. The contract I am currently under does not satisfy a schedule. The company changes inspectors' hours at will, meaning, compensation for Intensive hours is minimal. The expanded territories due to less manpower is overwhelming and the inspector may not be able to inspect as thoroughly as possible to ensure safe operation. Failure to promote inspectors due to the reductions means there is no vacation relief and basically doubles an inspector's workload to cover, inspections, and response to service interruptions and weather-related events.
- The only goal and way to keep your job is to get the job done at all and at any cost.
- Safety has fallen second to "average train speed". Track procedures that have been in place for decades are being changed and/or overlooked (slow orders), as well as safety and operating rules being changed to accommodate higher train performance.
- Corporate greed has influenced every aspect.
- Production is all that matters to them anymore. They threw out our safety program, took days at home away from us, and drive production at every job briefing.
- I think ! One or more of us will die because of it.

How has the Implementation of Precision Scheduled Railroading Affected Your Job?

- It's not about getting our work done, it's not about being safe, it's all about and only about moving trains. Track inspectors have to defend every single slow order like it's the end of the railroad to have one out there. A 10mph is blasphemy and has to be taken off, but sections are out of hours of service and can't come in, they expect you to simply hightail the whole way, as if drivers who are legally too tired to drive are suddenly less tired on the rails, risking their lives and jobs at every crossing, not to mention the public.

When a person retires, many positions are being done away with rather than put back up for bid, leaving territories to slowly be peeled away to nothing with no one to help out. A safety assistant program was pared down 34% strictly due to cost savings when the year before was praised as one of the main contributing causes to the unprecedented safety record.

People feel as though the companies don't care about our safety because they continue, again and again, to prove the train traffic flow is their 1st, 2nd, and 3rd priority.

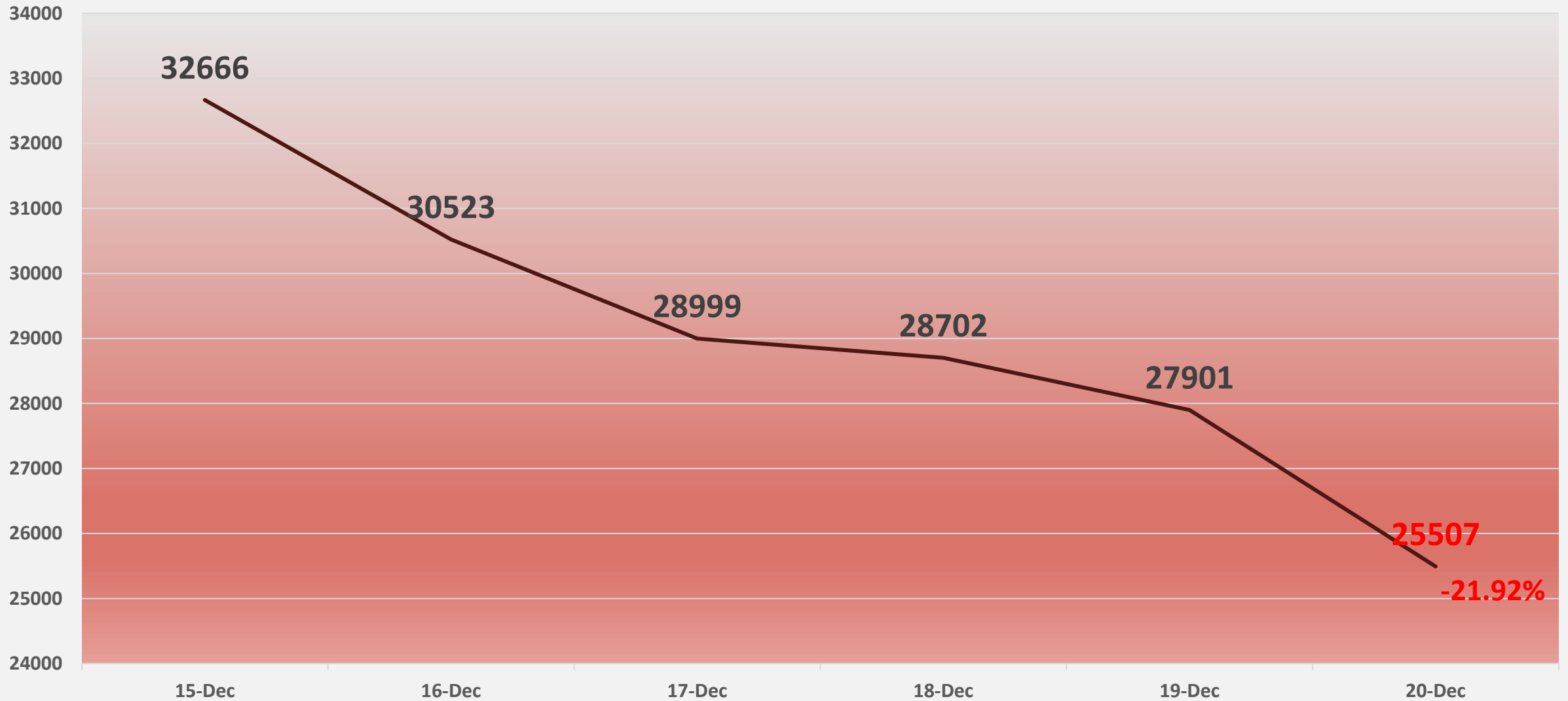
1st - track windows are rarely given for greater than 2 hours, even when far advanced notice is given and the needs for them expressed over and over again.

2nd - dispatchers/chief dispatchers only want you out there to fix what is absolutely necessary to keep trains going; maintenance of way doesn't perform maintenance, we simply band aid the issues to get off their tracks.

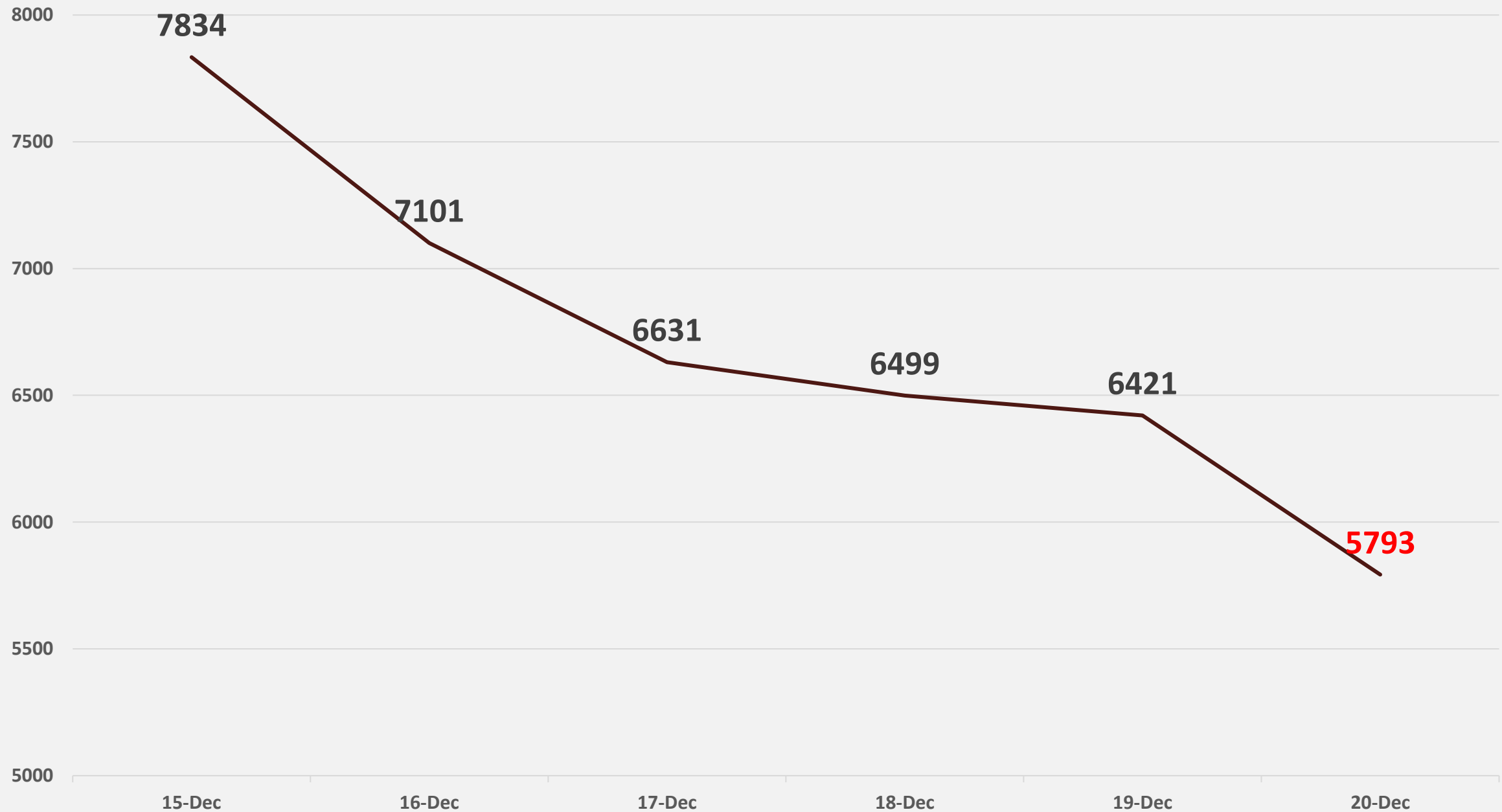
3rd - if you DO get time to do work, you are pressured on all levels to get it done and get off the track as quickly as possible; perceived pressure is real pressure.

**71% Of Respondents Believe Safety is
Being Compromised as a Result of PSR**

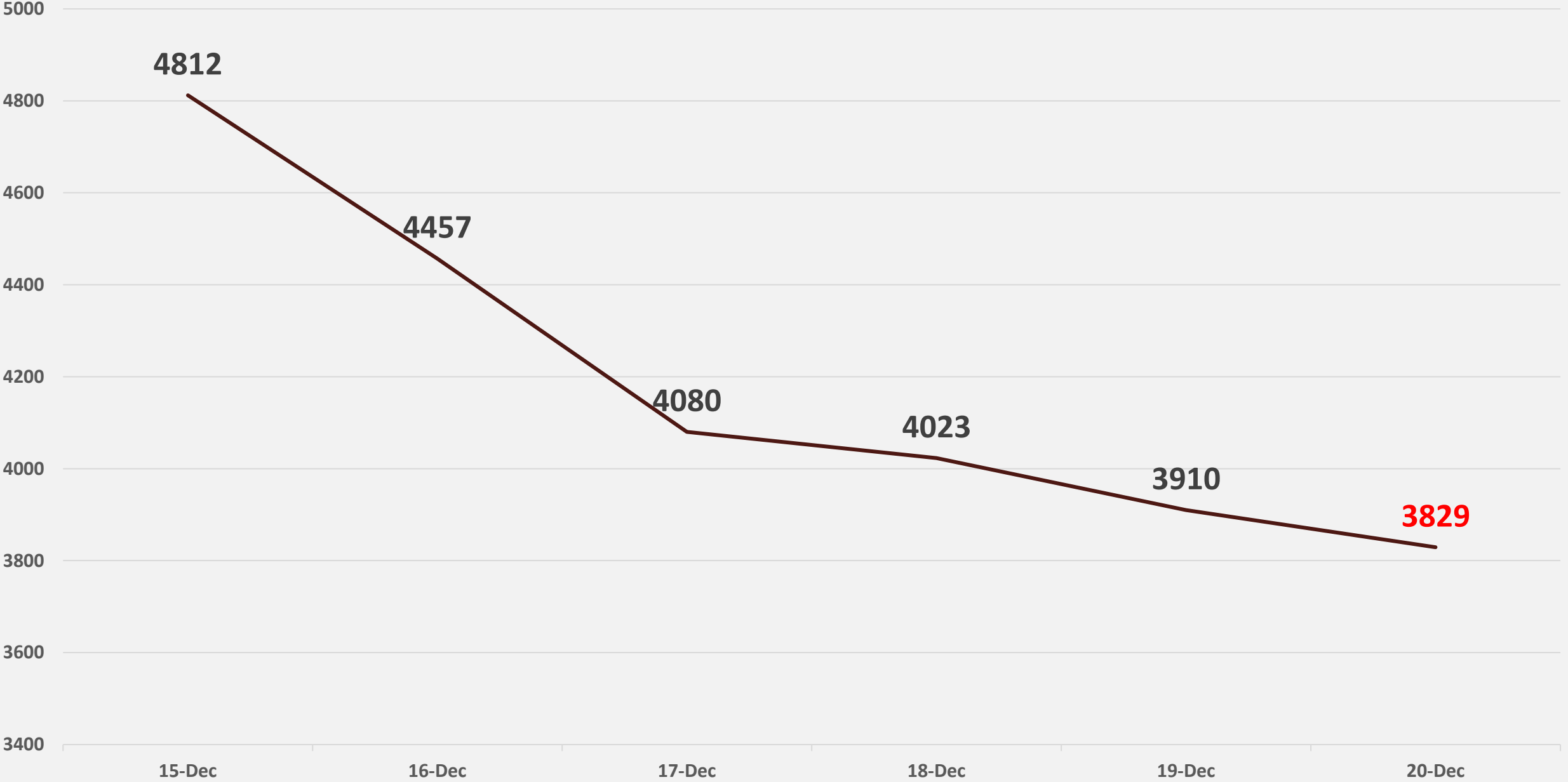
BMWED Membership Numbers



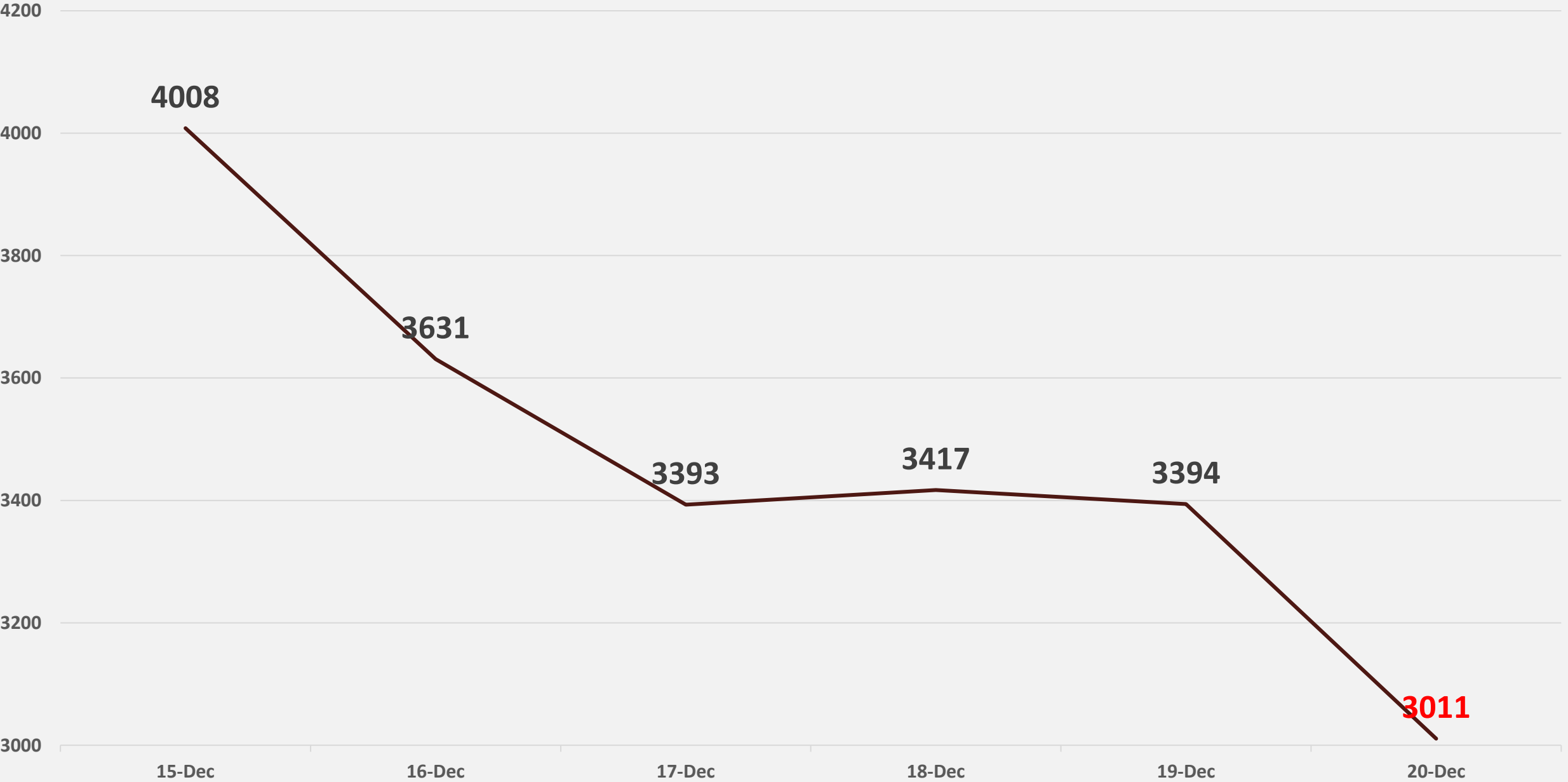
BNSF Membership December 2015 to December 2020



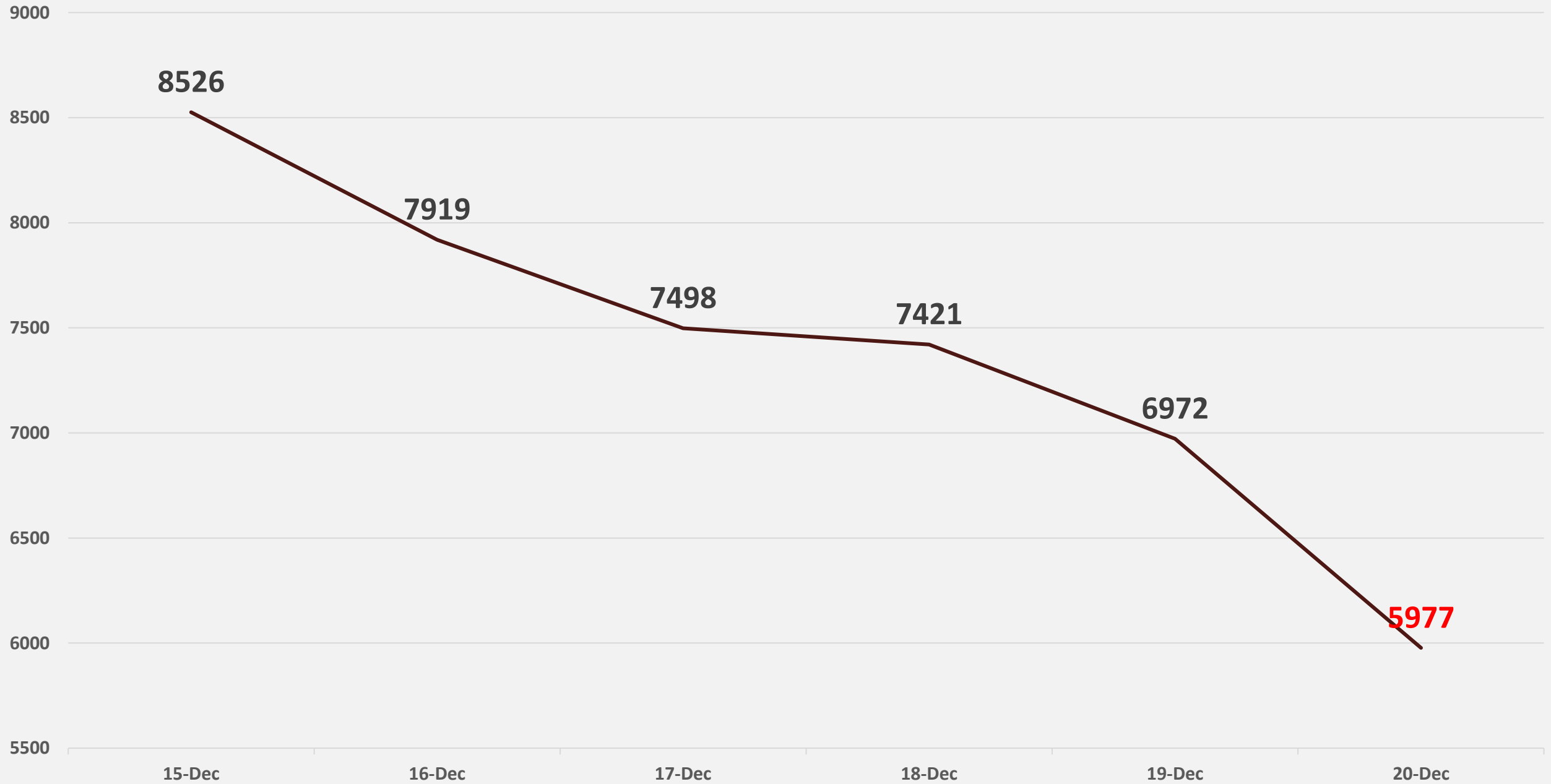
CSXT Membership December 2015 to December 2020



NS Membership December 2015 to December 2020



UPRR Membership December 2015 to December 2020



THANK YOU

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Statement of
Todd Taylor,
Allied Federation of BMWED
Vice Chairman

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770

URGENT ISSUES IN FREIGHT RAIL SERVICE

Statement of Todd Taylor

1. I am a Vice Chairman of the Allied Federation of the Brotherhood of Maintenance of Way Employees Division/IBT. The Allied Federation provides BMWED representation to maintenance of way employees employed by CSX Transportation and by other railroads.

2. In January, an early heavy snowstorm resulted in an Amtrak train being stuck outside Fredericksburg, VA for 30 hours. There was a lot of criticism of Amtrak about this incident, but no attention has been focused on CSXT- which owns and has responsibility for maintaining the track over which the Amtrak train was headed on its way to Washington, D.C.. CSXT had reduced maintenance on the tracks and right-of-way as part of its cost-cutting business model.

3. Prior to CSXT's implementation of its new business model, CSXT had two 4-person maintenance of way basic maintenance teams headquartered (assigned) to the line between Richmond, VA and the District of Columbia. Maintenance of way employees on such teams are responsible for regular inspection and maintenance of the rail lines in the territories to which they are assigned. That work includes clearing of brush and tree limbs near the right of way and clearing snow off the tracks and right of way. The clearing of brush is essentially preventive maintenance, to ensure that tree limbs and vegetation don't obscure vision on the tracks and do not block or impede movement on the tracks.

4. After implementation of the new business model in 2017, CSXT substantially reduced its maintenance of way work force, and consolidated maintenance of way territories into larger territories. It has assigned fewer employees to inspect and maintain larger territories, diminishing their ability to keep up with necessary maintenance and to respond to emergencies (like snowstorms and hurricanes).

5. Between approximately October of 2017 and October of 2021 the headquartered teams for the Richmond -D.C. line were at diminished strength and were never at full strength. Some of the work responsibility was parceled out to other gangs who had responsibility for other, much larger, territories. This meant less ability to clear brush and remove overhanging tree limbs that could fall on the tracks in a storm.

6. One method of clearing brush from the right of way is to use a brush-cutter- a truck with an extension arm that can cut down trees down as large as 10" in diameter and can cut tree limbs and branches that overhang the right of way and may cause issues on the track, such as

obscuring the right of way and breaking off and falling on the tracks in a heavy snowstorm. A brush-cutter had not been used on the stretch of track where the Amtrak train was stuck for 3-4 years prior to the storm in early 2022. (After the storm CSXT deployed a brush cutter to the line in late January of 2022).

7. In about October of 2021 CSXT hired four new employees and assigned them to the Richmond-DC line, but that still meant CSXT had half the number of headquartered employees on the line as it did before implementation of the new business model; and those employees were all inexperienced and unqualified per FRA standards to repair or restore track conditions

8. When the snowstorm hit, the Amtrak train was held where it was on an NSR line because it could not proceed onto a CSXT line because a large number of tree limbs and branches were down on the CSXT line. CSXT sent freight trains into the track segments to try to push the trees off the tracks. This resulted in trees piling up in front of the train engines and some tree trunks were wedged under the engines. This slowed down the clearing of the track and cutting trees out of the way.

9. The four new employees assigned to the line were called out, but none of them had done this work before and none of them had qualifications to control the track so it would be safe for them to work on active track. An experienced employee from outside the territory was called in; he had to work 36 straight hours. CSXT did not call in (likely could not find to call in) any other employees who were qualified to control active track for clearing of the snow and tree limbs

10. Employees from other territories were called in to help. Those employees along with the four headquartered employees had to clear tree limbs and branches, remove the snow and clear switches before the Amtrak train could resume movement

11. In the lead up to the snowstorm, CSXT did not properly plan for clearing the line and did not deploy the equipment that would be needed to clear the track and right of way after a significant storm. And as noted, a brush cutter had not been deployed for at least three years.

12. Prior to implementation of the new business plan, there had never been an Amtrak train stuck on this line for anything like 30 hours due to a snowstorm.

13. This is but one example of the consequences of CSXT ruthless cost-cutting to reduce its operating ratio and increase profits by cutting staffing. This new business model has been applied throughout the CSXT system covering half the nation. A major but reasonably anticipated weather event or other not-atypical event anywhere in the system could similarly find CSXT understaffed to properly respond to such event. While Amtrak has been blamed for the events near Fredericksburg, attention has not been focused on the owner of the track to be traversed by Amtrak, the entity responsible for its inspection and maintenance.

14. The CSXT business plan assumes it is always blue skies, always fair weather, CSXT is not adequately staffed to respond to events that are not regular, but are certainly routine. This time it was an Amtrak train in Virginia that was affected, next time it could be an Amtrak train in

Florida after a hurricane, in Illinois after a tornado, or California or Washington after a wild fire. Or it might be a freight train with Hazmat materials in any of those locations.

15. The consequences of reduced staffing by CSXT and the other Class I railroads are not necessarily obvious on a day-to-day basis, but they are revealed when all optimistic assumptions about operations are not realized. The longer the new business model is continued, the more incidents like the one near Fredericksburg will happen.

Date: 4/21/2022

S. Todd Taylor
Todd Taylor, Vice Chairman BMWED AF

ADDENDUM F

Railroad Retirement Board Employment Data

RAILROAD UNEMPLOYMENT AND SICKNESS APPLICATIONS AND CLAIMS UPDATE

Benefit and Employment Analysis Division

Bureau of the Actuary and Research

February 11, 2022

APPLICATION AND CLAIM DATA

- Railroad Unemployment Insurance Act (RUIA) application data come from the RRB Master and Clearance Records Online (MACRO) database
- Only new RUIA applications since February 1, 2020 are included
 - Data include all new applications during each week but do not include carry over applications for purposes of setting up a new benefit year
- RUIA claims data come from a combination of the MACRO and Unemployment Payment Control (UPC) databases
 - Only processed RUIA claims with a beginning date of February 1, 2020 or later are included
 - Processed claims include all of those approved for payment under either the RUIA or the CARES Act/CARWA/ARPA and any first valid claims which would not be paid due to the 7 day waiting period
 - There is approximately a 3 to 5 week lag for unemployment/sickness claims from the time an application is received to when a claim is fully processed for payment

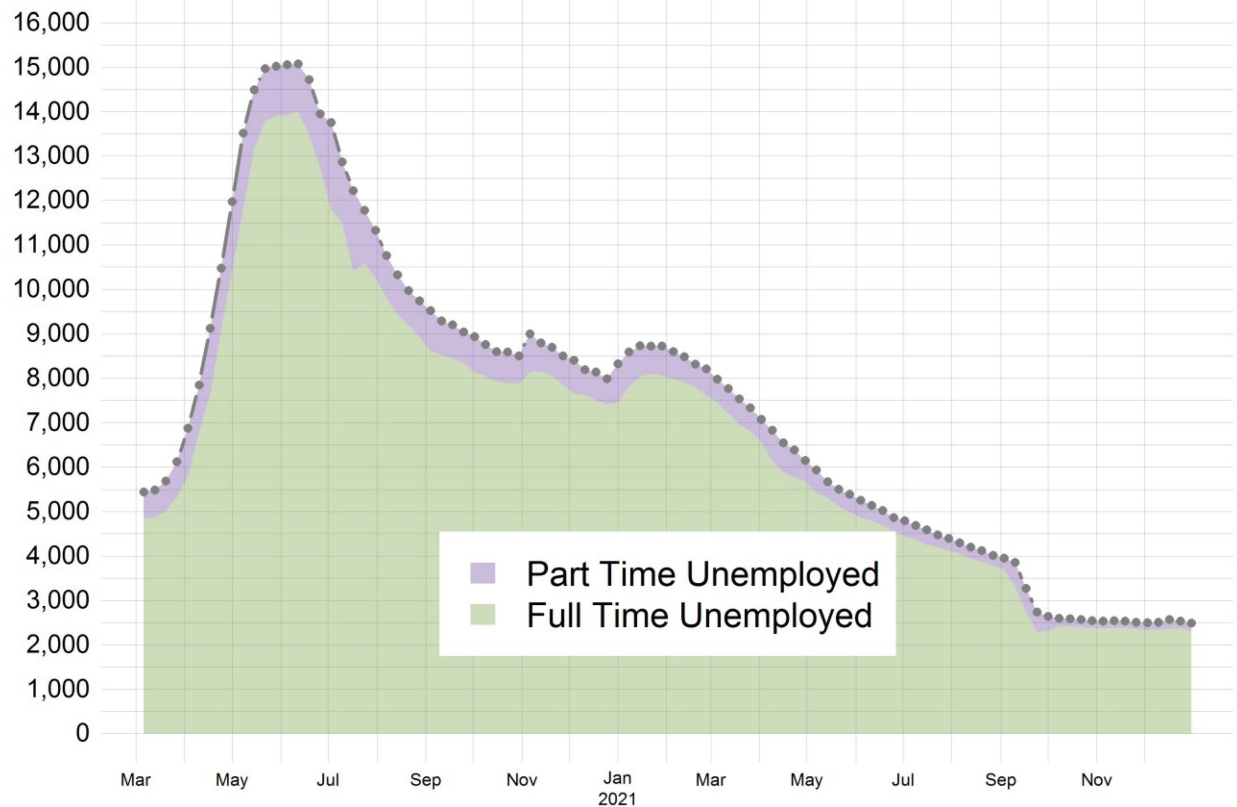
UNEMPLOYED RAILROAD WORKERS

As of the week ending December 31, 2021, around 2,500 railroad workers filed unemployment claims and has held fairly constant since October 2021. The latest number of claims is 54% lower than the number filing in March 2020 right before the pandemic began. Although it appears there are fewer unemployed workers when compared to the start of the pandemic, the rail industry's average employment tells a different story.

Average employment in March 2020 was around 205,000 people. That number dropped considerably over the course of the pandemic and was around 189,000 in December 2021 for a loss of 16,000 people. After accounting for the individuals receiving unemployment benefits in March 2020 and December 2021 as

well as the approximately 9,300 employees who retired after March 2020, there would be around 9,700 individuals who apparently have left the rail industry completely beginning April 2020. The 9,700 unaccounted for rail workers is actually down around 1,600 since the last report was released in December which would indicate employers hiring people. What is not known at this time is whether or not the new hires are former employees or people who are completely new to the rail industry.

Railroad Workers who Filed a Claim and Were Unemployed between March 2020 and December 31, 2021



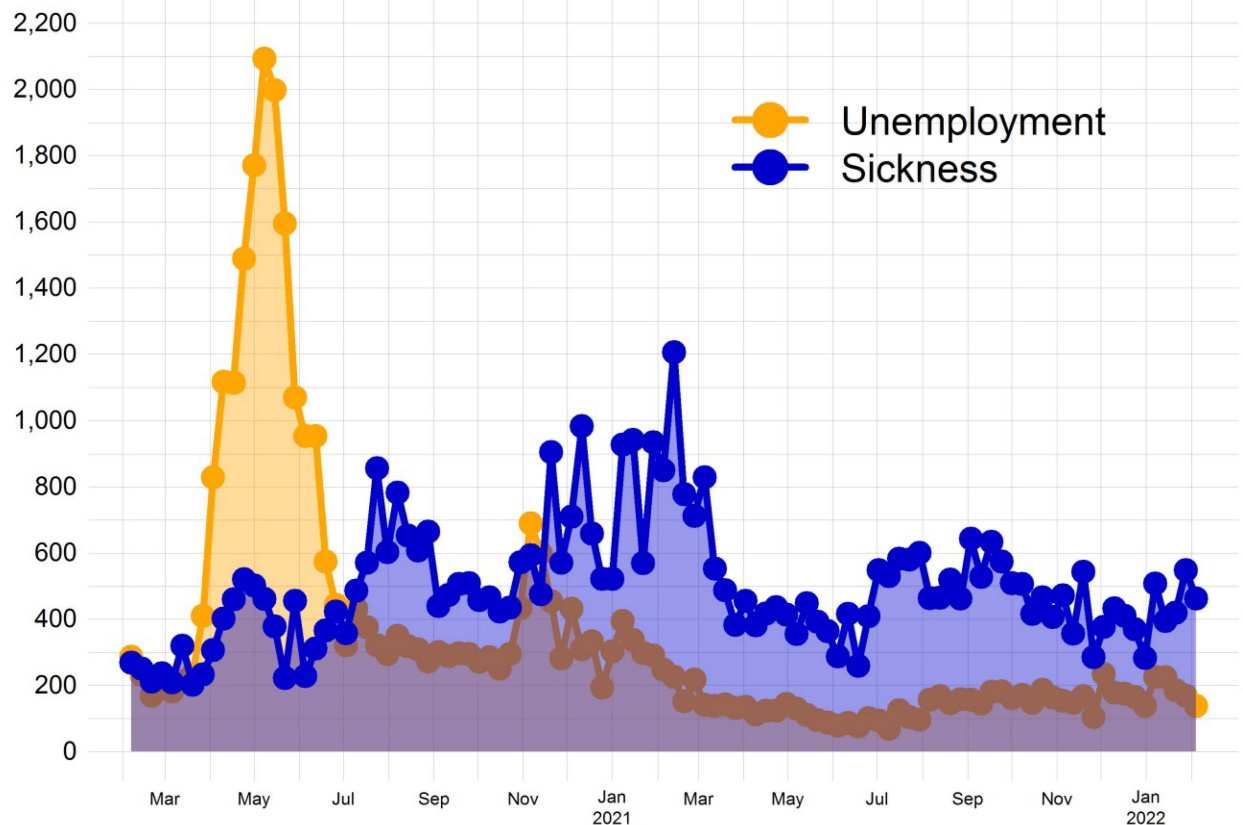
Prepared by BAR/BEA

NEW RUIA APPLICATIONS FOR THE RAIL INDUSTRY

New unemployment applications have been varying around 200 per week for the past several months which is similar to the situation just prior to the pandemic. While there was a noticeable increase during November through December 2020 corresponding to the pandemic's 2020/2021 winter wave, there has not been any subsequent peaks occurring during the time of the delta or omicron variants.

The number of new sickness applications continue to remain elevated when compared to where they were prior to the pandemic. They also appear to track the various cycles of COVID-19 cases with the largest amount of applications occurring during the 2020/2021 winter wave. A more recent but smaller peak occurred during the summer and early fall of 2021 corresponding to increased delta variant cases. Within the last few weeks, viral infection related applications account for over 50% of the applications received consistent with the rise in the omicron variant in the general population.

New Applications Processed Since February 1, 2020



Includes only new applications processed through February 04, 2022

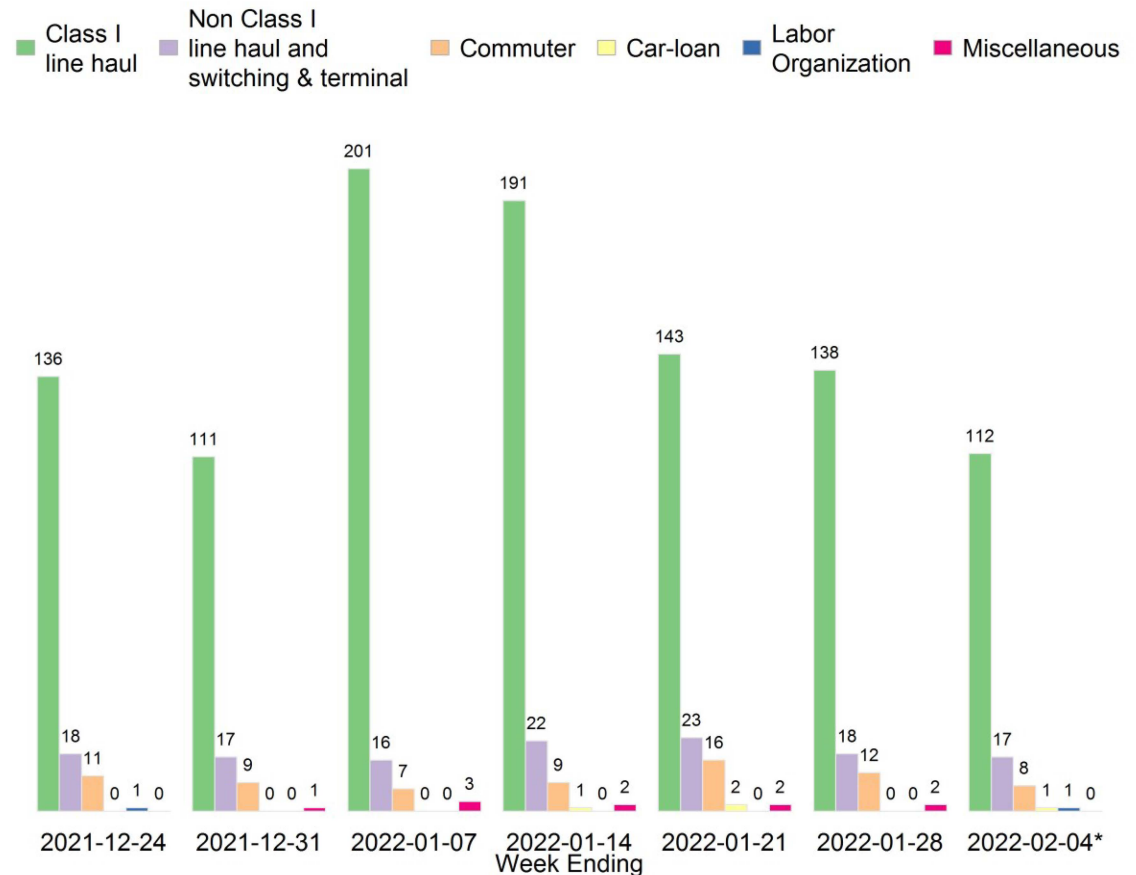
Prepared by BAR/BEA

NEW UNEMPLOYMENT APPLICATIONS BY RAIL CATEGORY

New unemployment applications over the last seven weeks have mostly held steady across all rail employer categories at approximately 200 or less. A drop to near 100 applications was seen during the Christmas/New Year holidays. As of the week ending February 4, 2022, newly processed unemployment applications were at a point lower than what was observed prior to the pandemic's beginning back in late February/early March 2020.

Class I line haul companies continue comprising the largest portion of new applications across the industry while all other categories had fewer than 25 applications over the last seven weeks.

New Unemployment Applications Processed By Week



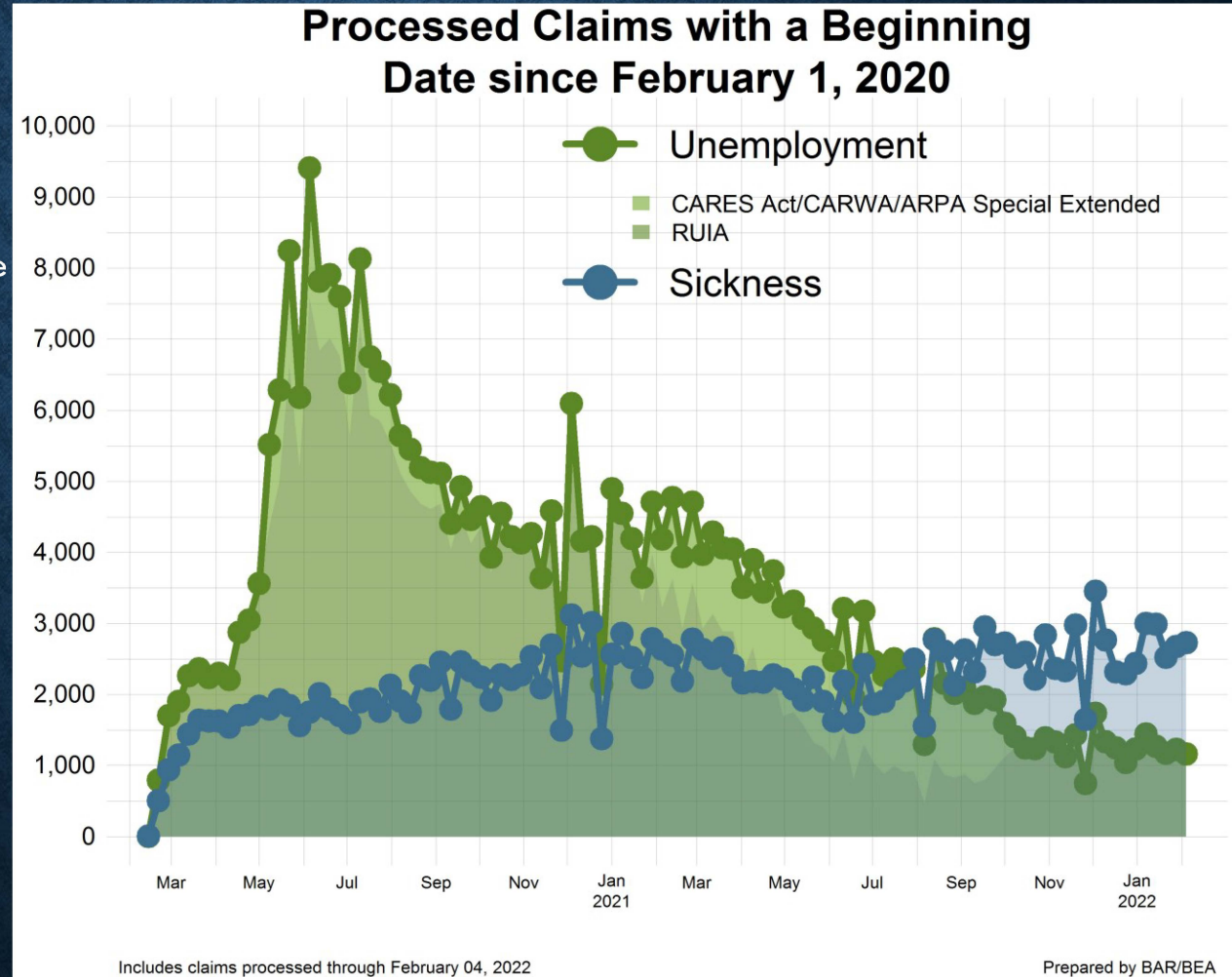
* Includes only new applications processed through February 04, 2022

Prepared by BAR/BEA

UNEMPLOYMENT CLAIMS FOR THE RAIL INDUSTRY

The unemployment benefits provided by the various pieces of pandemic related legislation had the greatest impact between the weeks ending March 29, 2021 and September 24, 2021 when the majority of the processed claims were for special extended benefits with periods of unemployment prior to September 6, 2021. At this point, the number of claims is lower than it was pre-pandemic.

Continuing sickness claims have outpaced unemployment claims since late August/early September 2021 and have been averaging around 2,500 per week. Currently, physical injuries and other musculoskeletal issues still account for almost 50% of the claims while COVID-19 accounts for approximately 11%. The percentage of COVID claims is consistent with that seen during the delta variant wave back in the summer/early fall of 2021 but is not as high as the 2020/2021 winter wave when COVID accounted for roughly 20% of claims.

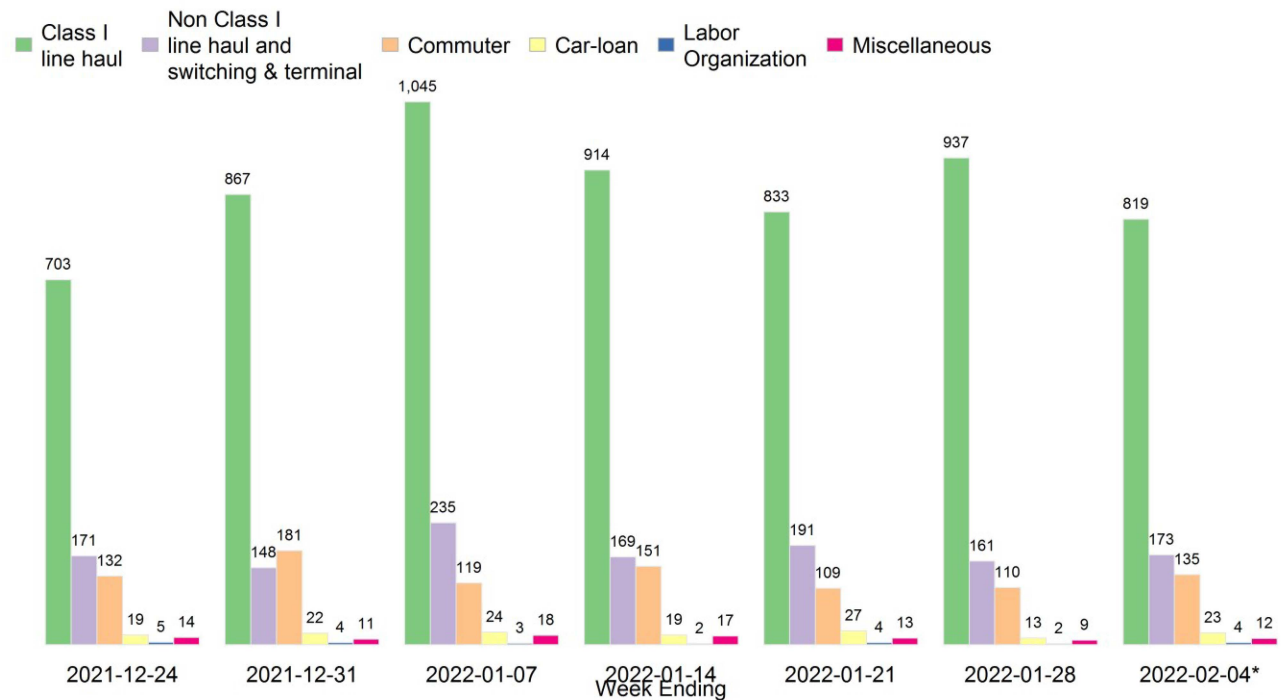


UNEMPLOYMENT CLAIMS BY RAIL CATEGORY

Over the last seven weeks, unemployment claims from all rail employers have held steady at around 1,000 claims per week. This is a substantially smaller number when compared to the range of 6,000 to 9,500 claims per week during June through August 2020 when the pandemic had the greatest effect on rail industry.

At this point in time, average weekly claims numbers are lower than what was observed in early March 2020 right before the pandemic impacted the economy.

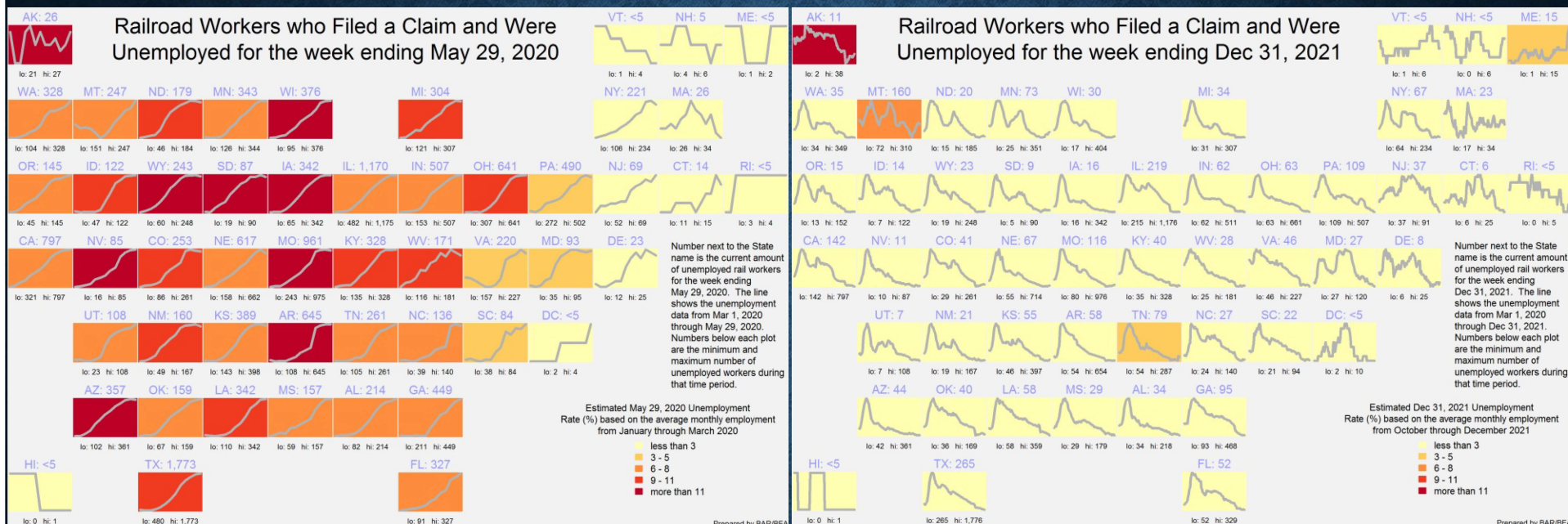
Processed Unemployment Claims with a Beginning Date since February 1, 2020



* Includes claims processed through February 04, 2022

Prepared by BAR/BEA

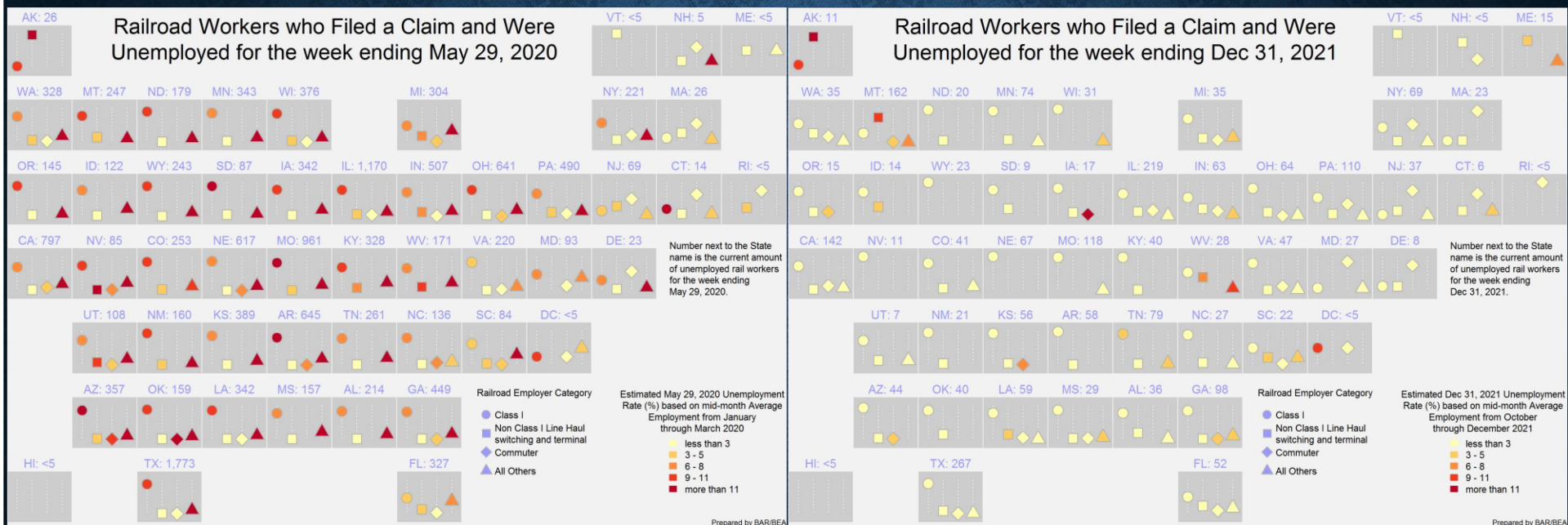
UNEMPLOYED RAILROAD WORKERS BY STATE



The two figures shown above present unemployment snap shots at two different points in time. The numbers next to the State name and colors represent the number of employees and percent unemployment as of the date given in the title. The line is the weekly unemployment data from March 1, 2020 through the title's date with the numbers below the plot still displaying the range. This allows for a comparison between points in time to determine how unemployment is changing during the pandemic.

Peak unemployment occurred in many States around May 29, 2020 (figure on the left). All States have seen improvement in their unemployment rates between May 29, 2020 and December 31, 2021. With the exception of Alaska, Montana, Tennessee and Maine, all States have seen unemployment numbers fall to levels below 3%. Most States as of the week ending December 31, 2021 have unemployment levels less than those observed in March 2020.

UNEMPLOYED RAILROAD WORKERS BY STATE



The economic impacts of the pandemic have affected Class I railroad unemployment the most. As of May 29, 2020 (figure on the left), many States where Class I employees predominate the population experienced unemployment rates greater than 11% for that particular category. By December 31, 2021, all States except Alaska, Tennessee and the District of Columbia showed Class I unemployment levels less than 3%.

The composition of unemployed individuals has changed dramatically in some States when comparing December 31, 2021 to May 29, 2020. For example, the unemployment rate is less than 3% across all employer categories for many States. Wyoming, Nevada and Nebraska have only Class I workers claiming benefits. Montana is the only State to have the majority of claims switch from Class I to non Class I line haul/switching and terminal while West Virginia and South Carolina are getting closer to having that happen.

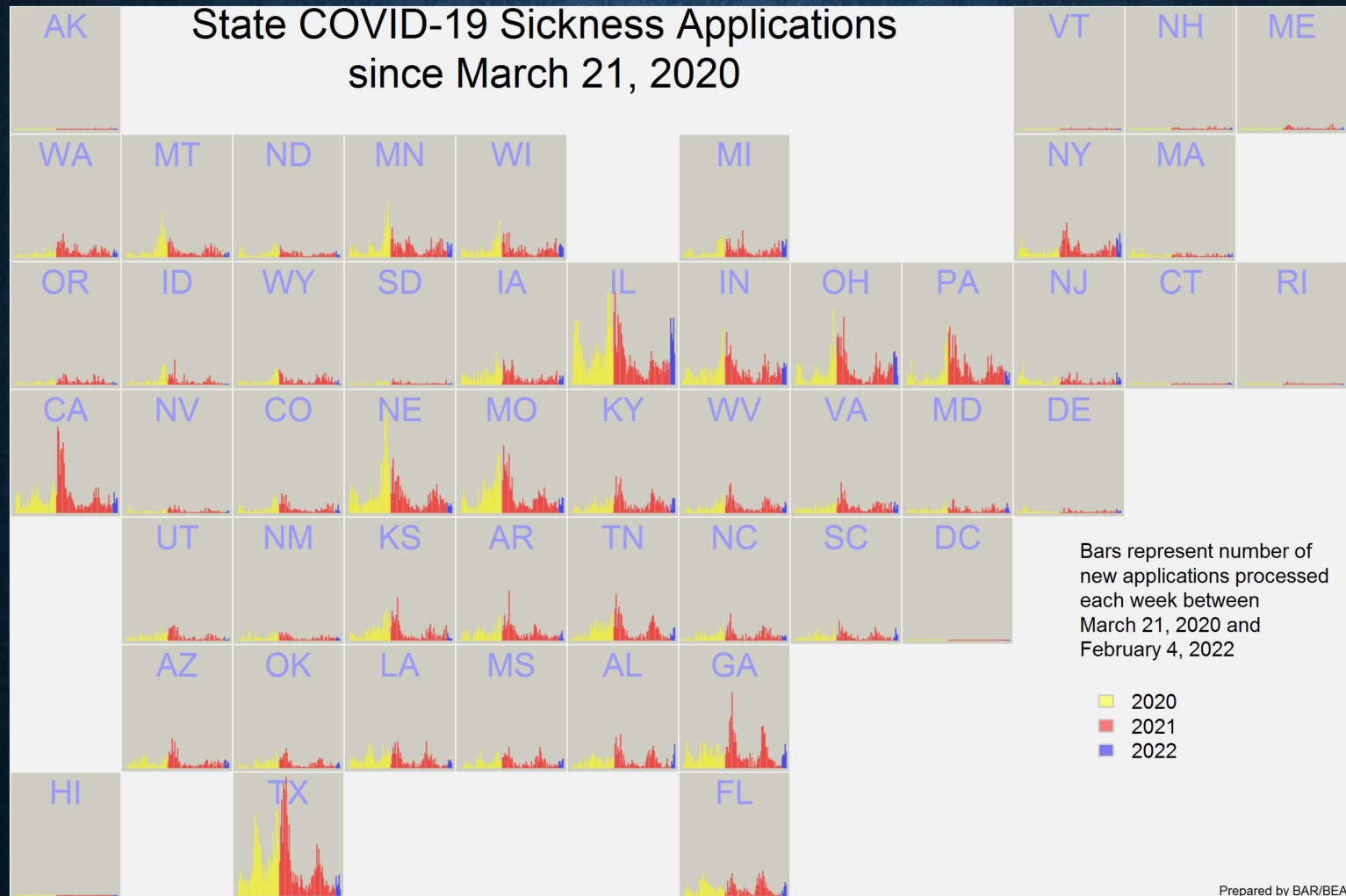
Commuter unemployment still dominates in some northeastern States. With the exception of Montana, Oregon, Iowa, Kentucky, Kansas, Arizona and Georgia, commuter unemployment is less than 3% across the country.

SICKNESS APPLICATIONS FOR THE RAIL INDUSTRY



The effect of the COVID-19 pandemic on sickness applications appears to vary widely by State when comparing the number of applications from 2019 up to February 4, 2022. Since the pandemic began and with the exception for a few weeks during the summers of 2020 and 2021, COVID-19 has been the primary cause of new sickness applications in the rail industry.

COVID-19 SICKNESS APPLICATIONS FOR THE RAIL INDUSTRY

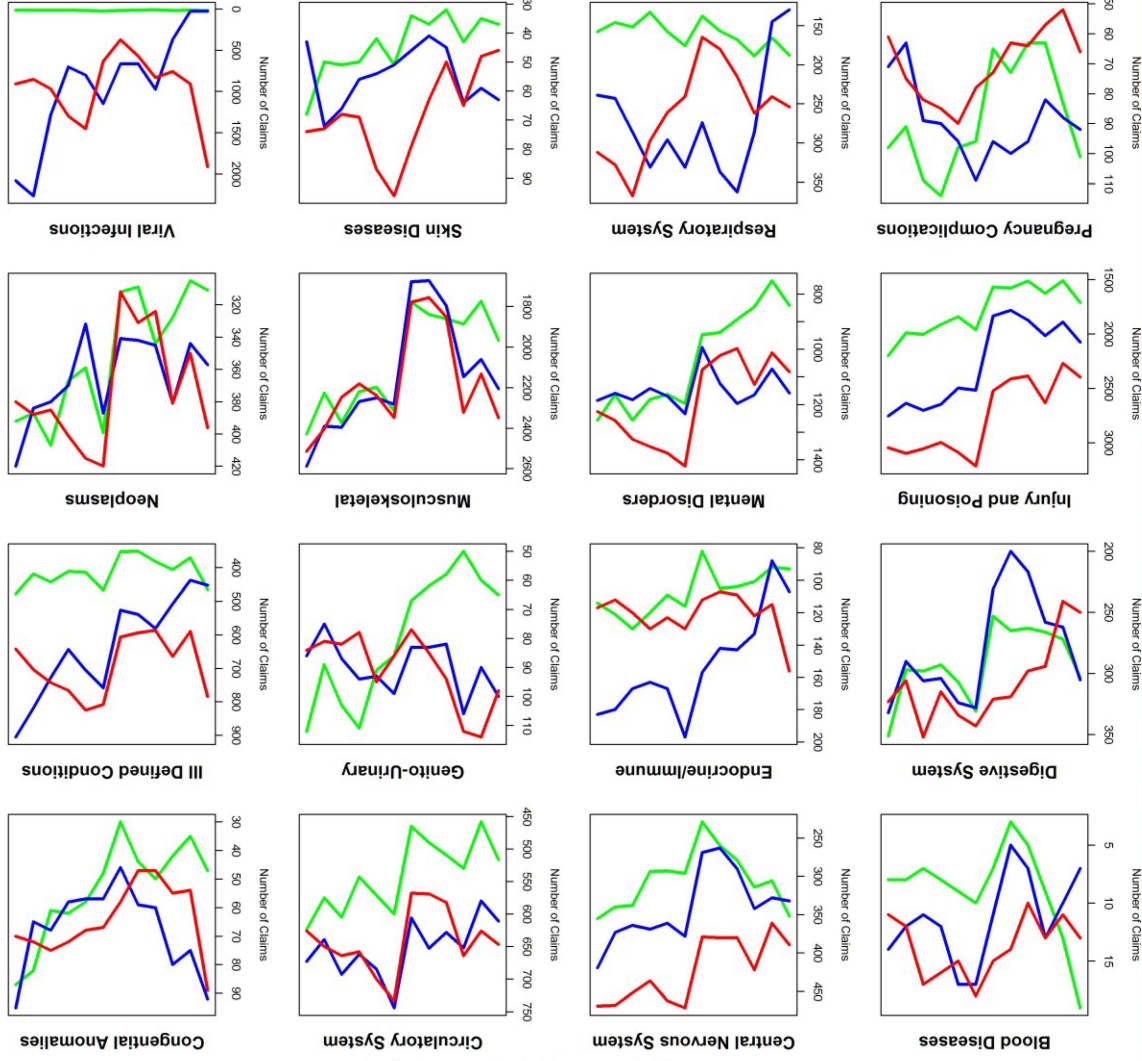


The COVID-19 wave associated with the delta variant can be seen in southern States such as Texas, Florida, Georgia, Alabama and Tennessee during the summer of 2021 while northern States such as Minnesota, Illinois and Pennsylvania began to show a wave in the latter part of 2021. Some States are showing early 2022 peaks in applications associated with the rise of the omicron variant.

COMPARING SICKNESS CLAIMS FROM 2019 THROUGH 2021

Sickness Claims in 2019-2021

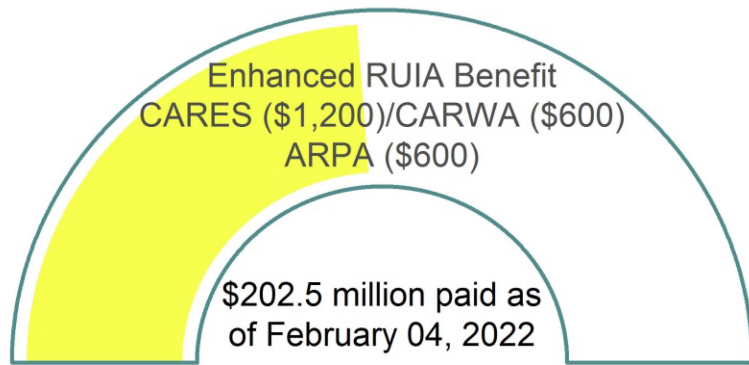
— 2019 — 2020 — 2021



Prepared by BARR/BEA

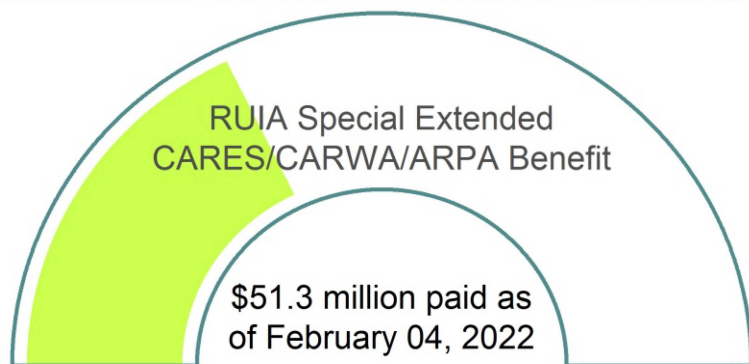
When examining the number of processed sickness claims for 2019 through 2021, there are noticeable increases for viral infections, respiratory problems, circulatory system and ill defined conditions throughout 2020 and into 2021 coinciding with the pandemic. Endocrine/immune conditions which were high during 2020 have returned to 2019 levels. Claims in the injury and poisoning category show an increasing trend over year since 2019, and the cause is unknown. Other categories such as neoplasms (cancer), digestive system and musculoskeletal are not very different from year to year. It is possible that increases in respiratory system, circulatory system, central nervous system and ill defined conditions could be related to unidentified or lasting effects of COVID-19. Peaks in several disease categories around the middle of the year could signify individuals who exhausted sickness benefits earlier in the year and then began claiming again starting with the new benefit year in July.

COVID-19 RELATED BENEFITS

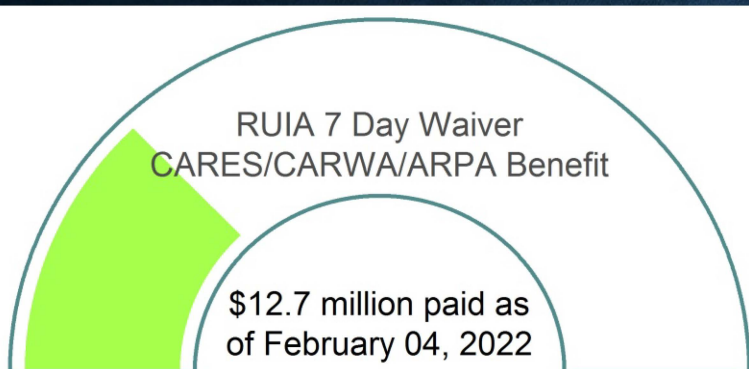


The ARPA act ended all COVID-19 related RUIA benefits for unemployment periods after September 6, 2021. As such, current payment activity is minimal for all benefit types displayed here.

The enhanced benefit paid \$1,200 through the CARES Act and \$600 through CARWA and ARPA for each two week registration period. As of February 4, 2022, about \$202.5 million out of \$425 million (48%) was paid to 26,685 beneficiaries with 1,567 receiving no other RUIA payment other than the CARES/CARWA/ARPA enhanced benefit.



Approximately, \$51.3 million which is around 35% of the total set aside including an additional \$2 million that was appropriated under ARPA was paid for the special extended unemployment benefits.



As of February 4, 2022, around \$12.7 million (25% of the appropriation) was paid as part of the waiver of the 7 day waiting period. This benefit was paid to approximately 30,110 sickness and 25,226 unemployment beneficiaries, respectively.

** Paid benefit data from RUIA Unemployment Payment Control database

BAR/BEA has received requests to provide a State by State listing of the number of unemployment and sickness applications and claims from March 2020 when the pandemic began to the present for comparison to corresponding amounts in 2019.

For purposes of continuity from one annual period to the next, a year is defined as March to February to delineate the time since the COVID-19 pandemic began in 2020. For example, 2019 would include data from March 2019 up to February 29, 2020 and, likewise, 2020 would include data from March 2020 up to February 28, 2021.

State Railroad Unemployment Insurance Act (UI/SI)
Applications and Claims from March 1 through February 4

<u>State</u>	<u>Year</u>	<u>Applications</u>		<u>Claims</u>		
		<u>SI</u>	<u>UI</u>	<u>SPECIAL EXTENDED BENEFITS</u>	<u>SI</u>	<u>UI</u>
AK	2019	4	39	-	13	373
	2020	4	8	164	50	609
	2021	3	11	199	9	232
AL	2019	210	283	-	1,838	1,465
	2020	492	388	291	2,226	2,716
	2021	430	113	342	2,443	971
AR	2019	289	345	-	2,341	2,699
	2020	508	752	862	2,707	8,616
	2021	462	88	1,519	2,692	1,218
AZ	2019	171	202	-	1,143	1,486
	2020	381	404	388	1,625	3,823
	2021	330	143	455	1,867	1,067
CA	2019	907	622	-	7,811	6,454
	2020	1,426	1,588	1,824	7,918	12,291
	2021	1,248	323	2,359	7,479	4,464
CO	2019	115	180	-	933	975
	2020	280	417	239	1,074	4,020
	2021	237	88	801	1,359	1,110
CT	2019	103	25	-	741	214
	2020	91	52	56	695	284
	2021	127	28	59	1,019	288
DC	2019	14	2	-	89	47
	2020	12	20	15	79	95
	2021	10	7	14	39	73
DE	2019	113	25	-	779	303
	2020	129	54	68	819	357
	2021	125	25	93	851	213
FL	2019	291	230	-	2,399	2,153
	2020	483	588	429	2,701	4,478
	2021	486	134	895	2,335	1,833
GA	2019	534	480	-	4,322	3,447
	2020	941	838	909	4,708	7,497
	2021	808	244	2,282	4,297	2,721
HI	2019	2	1	-	7	22
	2020	1	1	6	10	9
	2021	-	-	1	-	-
IA	2019	191	204	-	1,294	888
	2020	514	671	196	1,561	3,542
	2021	421	120	301	1,563	653

State Railroad Unemployment Insurance Act (UI/SI)
Applications and Claims from March 1 through February 4

<u>State</u>	<u>Year</u>	<u>Applications</u>		<u>Claims</u>		
		<u>SI</u>	<u>UI</u>	<u>SPECIAL</u>	<u>SI</u>	<u>UI</u>
				<u>EXTENDED</u> <u>BENEFITS</u>		
ID	2019	75	106	-	620	786
	2020	220	198	282	683	1,698
	2021	159	33	296	817	374
IL	2019	1,109	1,032	-	8,314	6,535
	2020	2,263	2,067	2,430	9,621	18,995
	2021	1,926	549	5,450	9,850	6,121
IN	2019	557	382	-	4,764	2,592
	2020	1,024	978	657	4,948	6,775
	2021	981	337	1,220	5,254	2,030
KS	2019	244	295	-	1,494	1,440
	2020	580	701	454	1,820	5,317
	2021	402	144	967	1,930	1,635
KY	2019	306	299	-	2,669	2,179
	2020	541	448	469	3,167	4,620
	2021	519	136	824	2,870	973
LA	2019	251	281	-	2,274	2,016
	2020	584	571	781	2,163	5,487
	2021	432	161	1,536	2,280	1,664
MA	2019	269	46	-	2,077	458
	2020	251	103	77	1,596	539
	2021	241	57	171	1,661	429
MD	2019	282	75	-	2,175	857
	2020	322	268	183	2,080	1,763
	2021	335	96	443	1,878	1,084
ME	2019	27	14	-	322	79
	2020	41	23	4	206	84
	2021	38	27	9	260	141
MI	2019	236	189	-	2,148	1,211
	2020	431	483	324	2,130	3,755
	2021	468	125	518	2,280	946
MN	2019	225	253	-	1,547	1,111
	2020	616	701	208	1,952	4,933
	2021	510	233	479	1,819	1,458
MO	2019	419	663	-	3,142	2,929
	2020	1,120	1,510	826	3,729	13,483
	2021	874	311	1,910	4,363	2,879
MS	2019	121	132	-	857	926
	2020	307	294	260	1,078	2,353
	2021	284	97	444	1,172	838

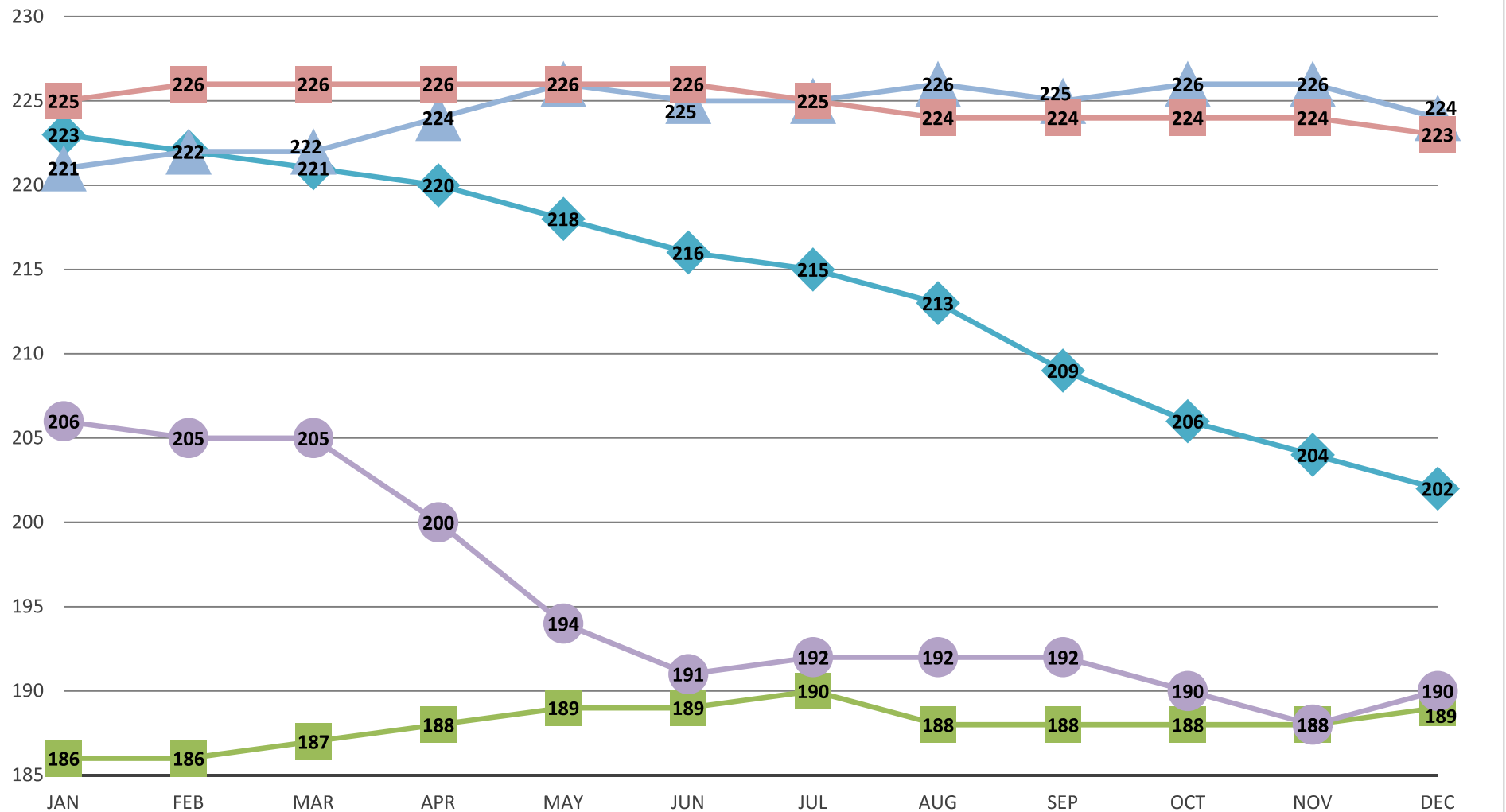
State Railroad Unemployment Insurance Act (UI/SI)
Applications and Claims from March 1 through February 4

<u>State</u>	<u>Year</u>	<u>Applications</u>		<u>Claims</u>		
		<u>SI</u>	<u>UI</u>	<u>SPECIAL EXTENDED BENEFITS</u>	<u>SI</u>	<u>UI</u>
MT	2019	111	373	-	818	2,624
	2020	397	584	538	961	4,618
	2021	280	326	566	1,122	3,259
NC	2019	169	160	-	1,367	1,047
	2020	330	285	238	1,766	2,033
	2021	298	64	492	1,642	817
ND	2019	62	119	-	452	467
	2020	199	280	160	489	2,578
	2021	150	50	338	549	708
NE	2019	686	437	-	4,279	2,472
	2020	1,505	2,573	486	4,907	8,532
	2021	1,041	176	1,009	5,050	1,851
NH	2019	25	4	-	152	97
	2020	33	11	1	171	75
	2021	30	6	7	185	52
NJ	2019	666	126	-	4,044	994
	2020	734	234	238	4,507	1,515
	2021	796	135	454	4,814	1,178
NM	2019	102	81	-	717	655
	2020	172	244	226	728	2,064
	2021	129	66	282	842	555
NV	2019	32	52	-	305	257
	2020	85	114	89	345	1,008
	2021	83	28	207	469	208
NY	2019	592	250	-	4,799	2,260
	2020	721	578	489	4,995	3,490
	2021	785	246	610	4,547	1,863
OH	2019	584	611	-	4,695	3,490
	2020	1,107	1,062	977	5,365	8,727
	2021	971	341	1,423	5,379	2,310
OK	2019	88	144	-	659	763
	2020	254	275	260	961	2,682
	2021	195	67	667	835	862
OR	2019	163	206	-	1,605	1,283
	2020	208	224	282	1,469	2,143
	2021	218	36	355	1,295	607
PA	2019	787	643	-	5,800	4,042
	2020	1,122	964	1,069	6,273	7,761
	2021	1,172	360	1,287	6,821	3,637

State Railroad Unemployment Insurance Act (UI/SI)
Applications and Claims from March 1 through February 4

<u>State</u>	<u>Year</u>	<u>Applications</u>		<u>Claims</u>		
		<u>SI</u>	<u>UI</u>	<u>SPECIAL EXTENDED BENEFITS</u>	<u>SI</u>	<u>UI</u>
PR	2019	-	-	-	-	-
	2020	-	1	-	-	-
	2021	-	-	8	-	12
RI	2019	37	8	-	199	67
	2020	38	10	14	240	80
	2021	43	7	15	322	25
SC	2019	145	97	-	1,374	963
	2020	294	188	210	1,698	1,401
	2021	274	53	389	1,766	484
SD	2019	49	43	-	336	108
	2020	69	119	18	232	1,145
	2021	66	34	167	317	267
TN	2019	293	275	-	2,614	1,134
	2020	678	549	286	3,264	4,104
	2021	553	165	681	2,977	1,371
TX	2019	850	1,221	-	6,329	7,693
	2020	2,147	2,727	2,816	7,119	24,926
	2021	1,477	534	6,045	7,733	7,398
UT	2019	85	61	-	681	446
	2020	239	200	91	750	1,215
	2021	164	27	183	908	377
VA	2019	369	486	-	3,667	2,640
	2020	495	451	545	3,448	4,006
	2021	493	161	659	3,718	1,625
VT	2019	4	6	-	11	55
	2020	7	10	7	11	56
	2021	7	5	18	28	72
WA	2019	284	321	-	1,938	2,120
	2020	372	548	603	2,106	4,018
	2021	467	150	453	2,502	1,417
WI	2019	248	225	-	1,643	965
	2020	494	651	342	1,946	5,380
	2021	447	168	653	1,979	933
WV	2019	160	205	-	1,724	1,574
	2020	384	255	461	2,204	2,725
	2021	337	73	331	1,947	793
WY	2019	172	124	-	1,299	718
	2020	277	403	186	1,282	3,589
	2021	280	62	587	1,363	848

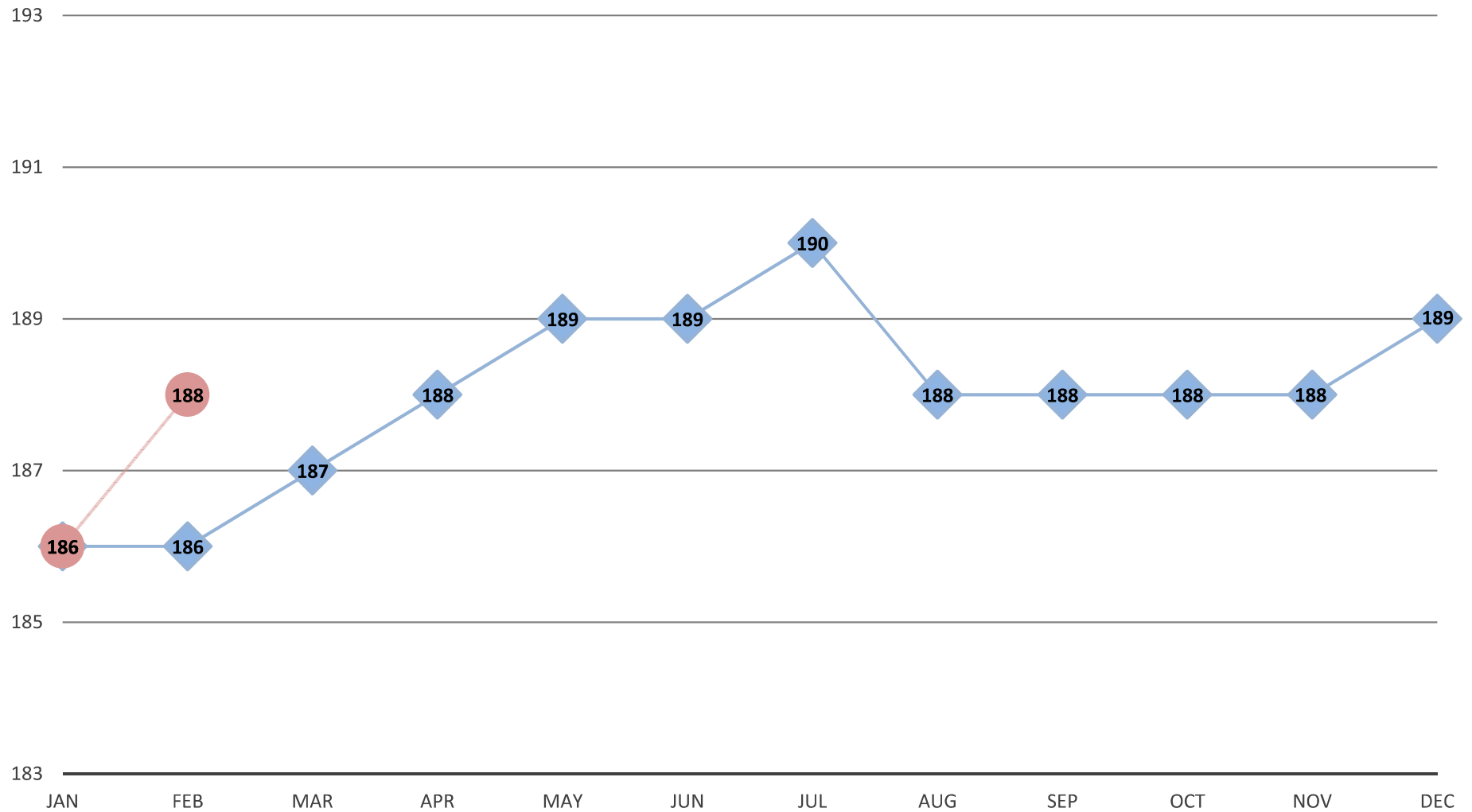
AVERAGE RAILROAD EMPLOYMENT (IN THOUSANDS) JANUARY 2017 - DECEMBER 2021



The calendar year average employment was 225,000 in 2017, 224,000 in 2018, 217,000 in 2019, 195,000 in 2020, and 188,000 in 2021. Calendar year 2021 data will be finalized in December 2022.

■ 2021 ● 2020 ◆ 2019 ▲ 2018 ■ 2017

AVERAGE RAILROAD EMPLOYMENT (IN THOUSANDS) JANUARY 2021 - FEBRUARY 2022



The preliminary 2021 calendar year average was 188,000. In December 2022, all figures will be revised when 2021 data is finalized.

—◆— 2021 —●— 2022

Note: Employment estimates rely on monthly Class I reports to the Surface Transportation Board.