

Surface Transportation Board
395 E Street Southwest
Washington DC 20423

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RE: EP 770 Urgent Issues In Freight Rail Service

April 20, 2022

Dear Chairman Oberman,

As a BNSF engineer with 21 years of service, I would like to cover the issue of fatigue, and why the railroad industry's focus on Precision Scheduled Railroading (PSR) is actually accelerating employee attrition, degrading health and productivity, increasing the likelihood of accidents and injuries, and placing the public at risk while disrupting on time deliveries. Prior to the railroad I worked as a Safety Director of a trucking fleet and have a BS in Industrial Management. My testimony is based upon my professional experience with safety.

The Class 1 railroads have never taken safety seriously in terms of fatigue, aside from creating videos and pamphlets about the effects of sleep deprivation and how to mitigate its effects. During my 21 years of service, I have never seen the industry actually address workers on duty schedules in a manner that would lead to predictable work schedules and predictable sleep. To the contrary, the industry has moved towards Precision Scheduled Railroading (PSR) cutting over 29% of the work force (45,000 employees), while placing an even greater burden with less predictability upon the remaining work force in order to satisfy stockholders. The industry has made great strides in terms of reducing physical injuries using training and technology over the years, but they have never honestly addressed fatigue because to do so would require them to retain a greater number of employees.

Fatigue is a Serious Safety Issue

Train service railroad workers are expected to be available 24 hours a day, 365 days a year and up to 12 hours on duty with additional time accrued in transport, while waiting for transport or babysitting trains Dead on the Law (DOL). The vast majority of train service railroaders work "on-call" either off the extra boards, or on pool turns awaiting to be called out any time of the day or night. Due to the various agreements, crews can suddenly be moved up and called out 12 hours or more due to manpower shortages, which makes it almost impossible to get predictable sleep. Furthermore, engineer qualified conductors (ground hogs) can be immediately called for work as an engineer without any advanced notice when the engineers board is depleted. The chronic understaffing of the extra boards has been around for decades, but Precision Scheduled Railroading has further reduced staffing levels of the extra boards as the railroads focus on reducing manpower. The net result of cutting the extra board to the bone, is the pool turns become a defacto extra board. Pool turns are then routinely paper deadheaded to move conductors and engineers up to be called out often many hours in advance of their anticipated on duty call times. Call times are not much better at the away from home terminal (hotel), after crews rest out. It is not uncommon for crews to be stuck at the hotel for over 24 hours, waiting to be placed again on duty working home fatigued.

There are numerous sleep studies documenting the physical adverse affects of working variable shifts including: irritability, trouble concentrating, impatience, loss of focus, slower reaction times, degraded short term and long term memory, difficulty making complex decisions and reduced situational awareness. Health impacts include disruption of the circadian rhythm, hormone dysregulation, lack of Vitamin D, digestive issues, hypertension, diabetes, sleep apnea, chronic fatigue syndrome, obesity, depression, heart attack, and stroke.

In addition, because of the unpredictability of their schedules, railroaders experience even higher levels of stress, insomnia, divorce, and excessive sleepiness than the general public.

The recent changes in attendance policies of all the Class 1 railroads due to Precision Scheduled Railroading (PSR), has placed even more pressure on the remaining employees to get the work done, resulting in longer hours at work, less time at home and missed deliveries to customers. Overworked employees are more prone to sickness, injuries, and long term chronic health problems, which creates the conditions where employees end up qualifying under the Family Medical Leave Act (FMLA). As a result, the railroads lose the productivity of the injured employees, and the remaining employees face even less predictability which the railroads claimed would be solved by the new attendance policies. You simply cannot solve the issue of "fatigue", by cutting the work force. Fatigue is a safety issue, and I urge the STB board to require the railroads to implement plans which lead to more predictable line ups, and adequate staffing so customers are not turned away due to a lack of manpower, and safety is not compromised.

Technology Is Not A Replacement For Safety In Terms of Fatigue

There have been great safety advances in railroading recently, including smarter wayside detectors and Positive Train Control (PTC) technology which can safely stop a train. However, because of Precision Scheduled Railroading (PSR), the railroads are leaning heavily on technologies that maximize automation, to the detriment of employees in terms of fatigue. Trains are now double, sometimes triple in size, which makes it more difficult for employees to handle if there are mechanical problems, communicate with each other, let alone open up crossings for emergency response personnel. Automated dispatching and onboard train systems are often running trains slower to maximize on duty times of employees vs the number of trains handled over a given territory, which is increasing the amount of time employees remain on duty. Cuts to mechanical forces, throttle limitations and the tendency to run the fewest number of locomotives online under PSR is putting more demands on equipment and personnel. Often breakdowns in the field have to be solved under very demanding and dangerous conditions which places employees at greater risk.

The railroads are using automated systems for crew calling and train lineups, but that does not automatically translate into more accurate or predictable lineups. Due to poorly automated lineups, crews often spend the maximum time on trains and at hotels wondering when they will go to work, and minimal time at home with friends and family. The stress of being away from home for so much time, while constantly watching the phone to check for the latest lineups, or figuring out how to lay off without violating the attendance policy makes it difficult to meet family obligations and creates fatigue. Employees have to figure out how to work through attendance policies that block their ability to bridge time off to make doctors appointments, birthdays, deaths, and weddings and can be penalized for taking earned time off in certain situations. Transportation workers work more hours than most workers in America, yet the railroads continue to demand even more each year under Precision Scheduled Railroading (PSR) through automation at the expense of worker health, safety and fatigue. I urge the STB to require the railroads to take a hard look at fatigue for the safety of workers, the general public and so goods can be delivered in a reliable, timely and safe manner.

In closing, it does not have to be this way. There already are examples of visionary leaders and companies in America that work with their employees instead of attempting to squeeze the life blood out of them at the expense of safety. Precision Scheduled Railroading (PSR) is just the latest craze in a long line of destruction caused by Wall Street greed at the expense of hard working employees, the public and the shippers.

Thank You,

Kyle Haines
Locomotive Engineer
Hood River, OR