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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 770
URGENT ISSUES IN FREIGHT RAIL SERVICE

EX PARTE No. 770 (Sub. No. 1)
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**SUPPLEMENTAL COMMENTS OF THE BROTHERHOOD OF
LOCOMOTIVE ENGINEERS AND TRAINMEN ONE YEAR
AFTER THE OPENING OF THESE DOCKETS**

The Brotherhood of Locomotive Engineers and Trainmen (“BLET”), a Division of the International Brotherhood of Teamsters Rail Conference, concurs in and adopts the Supplemental Comments in the above-captioned dockets that were recently filed by the Brotherhood of Maintenance of Way Employees Division/IBT; Brotherhood of Railroad Signalmen; International Association Of Boilermakers; International Association Of Machinists And Aerospace Workers District #19; International Association of Sheet Metal, Air, Rail and Transportation Workers Mechanical Division; National Conference of Firemen and Oilers, 32BJ/SEIU, and the Transport Workers Union of America. BLET writes separately to draw attention to specific problems with the service provided by the Class I railroads that are of particular concern to BLET and its members: the continued inadequate numbers of engineers and trainmen employed by the Class I’s, and the effect of very long trains on rail service.

Since the Board held its hearings in Ex Parte 770 last April, a great deal of attention has rightly been focused on the size of the train and engine (“T&E”) service work forces of the Class I’s. Even some carriers have said the insufficient numbers of train crews has been a significant factor in their service problems. Certainly, the prolonged Burlington Northern Santa Fe

(“BNSF”) Southern Trans Con embargo and the shockingly numerous Union Pacific (“UP”) embargoes were caused in large part by inadequate T&E staffing. As a result, the Board required the Class I’s to file specific reports on T&E service hiring, training, retention, and monthly availability. The carriers have responded by touting their hiring efforts. To read their reports and the statements of their top executives, one might believe that the carriers have seriously increased their numbers of T&E operating employees. But that is not so.

As shown on the attached chart, the number of BLET members employed by the Class I’s is down from 2021 and even down from the end of 2022. At the end of 2021 there were 26,740 BLET members employed by the Class I’s; worse yet, there were 25,597 BLET members employed by the Class I’s at the end of 2022. Stunningly, as of April of this year, there were fewer BLET members employed by the Class I’s (25,514) than at the end of 2021 (26,740), and even fewer than at the end of 2022 (25,597). So, despite the carriers’ reports and public relations announcements, BLET membership among the Class I’s is actually **down** since the hearings last April. And, of course, total Class I BLET membership is down 20% since 2016, and 14% since 2019 (while carloadings are at 95% or pre-pandemic levels). The Big 4 Class I’s collectively employ fewer BLET members now than they did at the end of 2021. CSXT and UP currently employ fewer BLET members now than they did at the end of 2022; BNSF and Norfolk Southern increased their forces by a whopping 6 and 7 engineers respectively since the end of last year. For the Big 4, their own reporting to the Board, which includes all operating employees, shows that total T&E employment (which includes conductors, trainmen, and yardmen) was up by only 1,283 from the end of 2021 to the end of 2022 (a mere 3% increase); and total T&E employment at the end of 2022 was 9,910 below 2019 employment (down 14%).

So, despite all of the talk by the railroads about ramping up T&E hiring to meet demand, and despite hundreds of filings with the Board in Docket Ex Parte 770-1 that purport to show effort to increase their T&E service workforces, their employment of BLET members is actually down from December of 2022, down even further from December of 2021, substantially down from December of 2019, and way down from December of 2016. And while total T&E employment ticked up from December of 2021 to December of 2022, the change was miniscule, and the carriers' T&E workforces are still well below the December 2019 numbers.¹

BLET, as the union representing employees who operate the trains, also wishes to highlight the impact of the use of very long trains on rail service. Running very long trains is one way that the Class I's have reduced their T&E workforces; and Class I's proudly inform their investors of their "achievements" in running ever longer trains. But they do not acknowledge how the very long trains have contributed to the degradation of rail service. As BLET General Chairman Chad Lambert, Local Chairman Joel Mueller, and Division No. 9 President Bradley Bell demonstrated in Ex Parte 772 (UP embargoes), when carriers build and run two and three mile trains, they create congestion and other operating problems because their sidings and yard tracks are not long enough to contain such trains. As a result, very long trains cannot make way

¹ As is noted in the Supplemental Comments of the other rail unions, the carriers cannot justify their failure to increase their cohorts of engineers by claiming that it is hard to fill such positions because they involve frequent travel and irregular schedules. As is set forth in the Supplemental Comments of the other rail unions, Amtrak has been able to increase its cohort of engineers. Additionally, the airlines have substantially increased their numbers of employees, and the work of pilots and flight attendants also involves frequent travel and irregular schedules. The difference between Amtrak and the airlines, as opposed to the Class I's, is that Amtrak and the airlines actually tried to increase their workforces, the Class I's did not because operating margins remain far more important to the Class I's than providing adequate rail service, in total disregard for their common carrier obligations.

for each other when they are running in opposite directions (leading to circuitous routings to maintain system fluidity), they cannot pass each other when one train is a higher speed train, and they clog up yards and even main lines when yard tracks are not long enough to accommodate the trains the carriers want to build. The BLET officers further demonstrated that these problems were occurring in locations where UP had imposed embargoes. BLET wants to highlight for the Board that in their drive to reduce employment, the Class I's have created circumstances that have contributed significantly to the reduction in the quality of the service they have been providing.

As is noted above, BLET concurs with and adopts the Supplemental Comments of the other rail unions; and it joins them in urging the Board to do all it can to enforce service standards and the common carrier obligation. BLET likewise submits that if the Board feels that it currently lacks sufficient authority to remedy service problems and enforce the common carrier obligation, it should so advise Congress.

Respectfully submitted,

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Brotherhood of Locomotive Engineers and Trainmen
Membership Totals - Class I Railroads

RAILROAD	2016	2017	2018	2019	2020	2021	2022	CURRENT
Burlington Northern - Santa Fe	8,811	8,561	8,583	8,719	8,523	8,248	7,879	7,885
Canadian National (WC, IC, GTW)	1,274	1,250	1,330	1,381	1,223	1,322	1,321	1,329
Canadian Pacific (D&H, Soo Line)	755	408	396	396	387	369	356	356
CSX Transportation Inc	5,943	5,650	5,285	5,068	4,770	4,477	4,310	4,251
Kansas City Southern	419	433	437	410	402	398	416	419
Norfolk Southern	6,647	6,425	6,213	6,183	5,666	5,104	4,766	4,773
Union Pacific	8,269	7,879	7,705	7,620	7,254	6,822	6,549	6,501
Total	32,118	30,606	29,949	29,777	28,225	26,740	25,597	25,514
Amtrak	1,651	1,552	1,502	1,512	1,485	1,463	1,529	1,538
Total	33,769	32,158	31,451	31,289	29,710	28,203	27,126	27,052

(totals are end of year totals)

Employment (Actual)					
Group		2019	2020	2021	2022
CSX	MoW	5,105	4,903	4,829	4,883
	Shops	3,087	2,649	2,432	2,420
	T&E	7,645	6,622	6,630	7,161
NS	MoW	5,160	4,680	4,203	4,244
	Shops	4,739	3,307	2,542	2,420
	T&E	10,372	8,126	7,576	8,004
UP	MoW	9,647	8,819	8,163	8,099
	Shops	6,881	5,010	4,585	4,802
	T&E	17,123	13,636	13,318	13,648
BNSF	MoW	8,404	8,063	7,954	7,981
	Shops	8,730	7,788	6,621	6,405
	T&E	18,206	14,401	14,629	14,623
Total	MoW	28,316	26,465	25,149	25,207
	Shops	23,437	18,754	16,180	16,047
	T&E	53,346	42,785	42,153	43,436

Source: STB

Employees Per Carload					
Group		2019	2020	2021	2022
CSX	MoW	1,218	1,202	1,295	1,273
	Shops	2,015	2,224	2,571	2,569
	T&E	814	890	943	868
NS	MoW	1,464	1,428	1,673	1,611
	Shops	1,594	2,021	2,766	2,824
	T&E	728	823	928	854
UP	MoW	865	879	985	1,009
	Shops	1,213	1,548	1,753	1,701
	T&E	487	569	604	599
BNSF	MoW	1,216	1,176	1,274	1,196
	Shops	1,171	1,217	1,531	1,491
	T&E	561	658	693	653
Total	MoW	1,142	1,126	1,251	1,221
	Shops	1,380	1,590	1,944	1,918
	T&E	606	697	746	708

Source: 10-K's

- With traffic rebounding from the pandemic effects and the railroads continued struggle to increase employment, the carloads per employee have climbed.

THE LABOR BUREAU, INC.



Unions Supplemental Comments Ex. 2