

April 24, 2022

Dear Surface Transportation Board Members:

RE: Urgent Issues in Freight Rail Service – COMMENTS, DOCKET NO. EP 770, April 26 and 27.

My family member, a conductor who partners with an engineer to enable safe delivery of train cars to companies, resigned from Burlington Northern Santa Fe Railroad last week because of the **(1) Toxic work environment; (2) Draconian High Viz Policy; (3) Safety concerns; (4) Mistreatment of customers; and (5) BNSF's complete disregard for the United Transportation Union and Brotherhood of Locomotive Engineers and Trainmen.** Employees have been under a gag order so are unable to talk publicly, or strike, basically taking away their ability to "tell their side of the story."

MASS EXODUS OF EMPLOYEES DUE TO RAILROAD MISMANAGEMENT, HI VIZ ATTENDANCE POLICY, PRECISION SCHEDULED RAILROADING

A dangerously unprecedented number of railroad employees are quitting – over 900 men and women, many of whom have 10, 20 and 30 years of experience with the railroad – after implementation of the Hi Viz attendance policy. If it takes approximately five years to learn all the rules, regulations and skills for safe transportation, then hiring "new" replacement employees will not be safe given the critical knowledge necessary.

When Precision Scheduled Railroading was implemented several years ago, jobs were cut to the bone, working conditions and moral deteriorated, and service to customers, especially to smaller businesses, was unethically impacted and curtailed, and smaller companies were told to use trucks instead of rail due to fewer trains and crews. Locomotives were sold, mothballed or leased, and car counts per train increased. This has created bottlenecks given the reduction in crew and locomotives, but maximized profits.

Burlington Northern has made record profits for their shareholders over the past two years, and Q1 of 2022. My family member loved working at BNSF until Precision Scheduled Railroading severely hampered customer service, and 12-hour days created

dangerous safety issues. The punitive Hi Viz policy recently implemented created an inhumane and toxic work environment, and he felt he had no choice but to leave BNSF.

RAIL TRAINS SIT IN YARDS CAUSING LATE DELIVERIES, COSTING CUSTOMERS MILLIONS

Locomotive fleets remain parked in yards carrying deliveries, trains sit on storage tracks, often in the Midwest, and departing trains sit across the U.S. waiting for inbound trains so they can use their locomotives. Crews often wait hours to get locomotive power, and may have to return the locomotives because they are defective. Customers that call to schedule delivery are often told the railroad will get to it, they are met with hostility, or hung up on. Profit has become the driving factor, NOT THE CUSTOMER.

SAFETY CONCERNS AND ONE PERSON TRAINS

One reason for the lack of concern by the railroads for the mass exodus of employees is that they potentially would like to maximize profits by using one-person trains. An Engineer would drive the train – without a conductor, who monitors safety regulations, speeds for upcoming turns, reports route deliveries, and positions cars on tracks for uncoupling at businesses. Railroad management feels that because of new technology like positive train control, a one-man train is justified. Positive Train Control is manufactured by Wabtec, which is owned by Warren Buffet. A ONE-MAN CREW IS UNSAFE.

CREWS CUT AND SEVERE UNDERSTAFFING BY DESIGN

Understaffing forces many of the remaining employees to work 12-hour shifts around loud and dangerous locomotives, while BNSF employs the punitive High Viz point system, which requires them to be prepared to work on-call for 14-days, all hours of the day and night, disregarding sleep schedules, family commitments, and doctor appointments.

DOUBLE TRAINS AND POOR CUSTOMER SERVICE

Double grain trains decrease speed and increase the days it takes for customer deliveries. When longer trains sit in sidings, sometimes for days, it causes other trains to be delayed as they wait in the cue. When customers call about deliveries, they are often told the train is in transit; however, cargo is actually sitting on the tracks for days due to lack of crews to deliver cars.

BREAKING THE UNION AND PUNITIVE EMPLOYEE TREATMENT

BNSF refuses to negotiate with the union, and The Brotherhood of Locomotive Engineers and Trainmen and United Transportation Union have worked without a contract for several years. Pay is low given the knowledge and responsibility required of rail workers, and there is an appalling lack of managerial trust, respect and support for employees.

My family member, who was a dedicated BNSF employee, is a veteran of the Air Force, and was awarded Airman of the Year. He had a medical appointment at the Veterans Hospital, and his doctor signed his family leave paperwork after he left and sent it in with the Federally approved minimum information before the due date; however, BNSF denied it and made the Doctor rewrite the paperwork with more information. When she emailed the newly required information, she did not backdate the form because it would not have been legally acceptable. The BNSF Terminal Superintendent refused to accept it and punitively sent my family member home without pay for 21 days. The Union Representative scheduled a meeting to discuss the matter with BNSF Terminal Superintendent, and arrived at the meeting location, **but the BNSF manager did not show up for the meeting.** This is unconscionable behavior by BNSF.

SUMMATION: FOR SAFETY AND TRANSPORTATION EFFECTIVENESS BNSF MUST:

- Replace punitive Hi Viz attendance policy. Respect rail workers' need to plan their schedules to ensure adequate rest for safety and health.
- BNSF must be forced to communicate with unions as well as negotiate pay commensurate with responsibility. Their hostility towards unions and desire to render them impotent is not acceptable.
- Rehire experienced rail employees who have left without BSNF treating them with malice. Reinstate benefits and seniority.
- STOP double grain trains. They are slow, create bottlenecks for other train deliveries, and are a danger in transit.
- Locomotives must be brought back into service and not left to sit and corrode.

- STOP the drive towards one-man crews per train. It is dangerous to rely on only one person without a second individual who can help observe safety rules and regulations, road hazards, car and rail conditions, human error, and Engineer inattentiveness.
- Replace the BNSF President and top management. Stop the negligent mismanagement.
- STOP Precision Railroadng, which cuts crews to dangerous levels, increases train lengths, mothballs and sells locomotives, negatively impacts customer deliveries, and creates bottlenecks that severely impact the timely transport of customer deliveries.

It is evident that the BNSF Railroad's mismanagement has created severe impacts throughout the U.S. for consumers, businesses, and BNSF employees. BNSF crews are dedicated and responsible men and women who are employed in a dangerous job and are tasked with the safe and efficient delivery of products and toxic chemicals. BNSF decisions have rendered it impossible for workers to stay with the company. They no longer operate with integrity. They do not seem to care about the customers they impact. They do not care about their employees.

Sincerely,

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