

Dear Board Members,

Please keep in mind, that I sacrificed ~4 hours to simply write this out, I am a Locomotive Engineer.

HIVIZ Ramifications:

Fatigue: Exacerbated by 'Grand Pools,' putting inexperienced front line supervisors (FLS) in charge of train line-ups, and overriding FLS decisions from a centralized location.

Poor line-up predictions ultimately lead to fatigue issues as employees are unable to predict when to get the proper amount of rest for a trip.

For example, **Employee A** works from 0300-1300 **Monday**. The employee previews the predicted line-up on a Grand Pool before going to sleep upon arriving at home. The employee is projected for a call upon his/her FRA mandated rest at 2300 that night. The employee falls asleep and gets ~8 hours of rest (ideal situation in the middle of the day.) Upon waking up at 2300, the employee discovers that their projected call time has shifted to 10 hours later (0900). The employee is fully rested and cannot fall back asleep. The employee eats and prepares for his/her call; 0900 approaches and still no call. The employee checks the system and is now not projected for anything as an overdue train symbol (in red font). As one can imagine, the employee is now reaching his/her natural Circadian sleep cycle limit (16 hours awake/8 asleep). Finally, the employee gets his/her call for an on-duty time of 1400 on **Tuesday**. Keep in mind, this employee has been awake from 2300 the previous night, is now called for a 1400 on-duty time, and may have to work 12 hours. This scenario would result in the employee ultimately being awake from 2300 on **Monday** until 0200 on **Wednesday** (26 hours cumulative). This is not speculative, hypothetical, or any other pejorative that the Carriers will try to hoodwink those without direct knowledge of the railroad, this happens at least once a week to me personally and is common in the terminal that I work in (almost 10 years of observation in TYE).

Poor line-ups have been exacerbated by three changes in the past 10 years: 1) inexperienced FLS, 2) centralization of decisions (no direct knowledge of the terminal/territory, and 3) consolidated 'Grand Pools.'

1) The Carrier has consistently refused to promote front line supervisors (FLS) from the TYE (Transportation) craft. Employees in the TYE craft understand how trains move across a territory, how the Working Boards in their particular Terminal behave (call patterns, maintenance windows, etc), and can empathize with employees who experience poor line-up predictions. Instead, the Carriers hire individuals who have just graduated from University and/or individuals from other Crafts within the company who do not know how trains move across and through the territory/terminal. This results in poor predictions, inefficiency, and trains not being ready for crews upon their on-duty times.

2) Ultimately, this has led to a 'solution' being that most of the decisions for train movement being handled from a centralized headquarters where individuals who may have never seen the territory/Yard/terminal (e.g. Corridor Superintendant in Lincoln, NE deciding when a train will be placed in a specific track for a train in Birmingham, AL whose instructions are altered by another individual in Ft. Worth, TX). Such instructions leave employees directly outside of a railyard waiting on a specific track, when there are multiple other open track available. I have personally waited, in such a situation, for 8 hours for that track when there were no factors to account for the delay other than poor management.

3) To solve some of these issues, the Carrier implemented 'Grand Pools,' and significantly altered how crews are organized. Instead of being neatly organized by territory (e.g. a terminal had 4 Pools and an

extra work Board: East, North, West, South, and extra to fill in where necessary), the Carrier initially consolidated all of the separate Pools into 1 Grand Pool. Employees could not predict which direction they were going and the line-ups were entirely chaotic in this scenario. Additionally, the Pools had different travel lengths: East - 366 miles, North – 215, West – 108 miles, South – 115 miles; as you can imagine, preparing for a trip East was significantly different than planning for a West or South trip. The Carrier finally listened to the complaints lodged by the employees, but only after taking away and ignoring long-standing rights/agreements that the employees enjoyed. So, to be safe for themselves and the Public, the employees were the ones who were forced to make sacrifices. Now there is an East Pool and Grand Pool (West/South/North); the West/South/North Pool still experiences significantly inaccurate line-up predictions while the East Pool is observably better.

Employee Availability: Grand Pools (cascade/domino effect), deteriorating locomotive conditions (delayed maintenance schedules), consistent deterioration of benefits/pay, toxic work environment

How does all of this relate to **HIVIZ**? Well, it was observed, after implementing Grand Pools, that employees were utilizing their allocated unpaid time off to a greater extent (5 weekdays and 2 weekend days a month). When you take into account **Employee A's** scenario and that pattern of unpredictability becoming increasingly common with Grand Pools, employees utilized their **unpaid** time-off to mitigate fatigue caused by mismanagement and changes forced upon them by the Carrier. Personally, I would feel unsafe on a train carrying 30 rail cars of Hazardous and Toxic material through a densely populated area in **Employee A's** situation, but now **Employee A** is forced by the HIVIZ policy to operate under these conditions or face termination. Instead of being unsafe and going to work at 0200 on Wednesday, **Employee A** uses unpaid time off. On average, this causes employees behind **Employee A** to also take time off as they were not anticipating going to work, this causes a cascade of employees taking time off to address the unpredictability and avoid going to work fatigued. When the Pools were separated, turns would hold their place and an Extra Board employee will fill the temporary vacancy created by **Employee A**.

Example of a unidirectional Pool with assigned turn order:
Turn#1 **Employee A**

Employee A takes unpaid time off. (sacrifices pay)

Turn#1 is now vacant and an Extra Board employee is called to fill the temporary vacancy.

Example of multidirectional Grand Pool with 'self-healing' turn order:
Turn #1 **Employee A**

Employee A takes unpaid time off. (sacrifices pay)

Turn #1 is removed and Turn #2 **Employee B** is now next to be called.

Employee B, not being able to predict the poor line-up prediction nor Turn #1 being removed, now manages his/her own fatigue by taking unpaid time off.

Turn #2 is removed and Turn #3 **Employee C** is now next to be called....

As you can imagine, this cascades rather rapidly as employees scramble to assess their current situation and if they are rested enough to safely operate a train for up to 12 hours.

Employees are no longer in control of their fatigue: they cannot predict their schedule, they are consistently being paid less, they cannot take time off when needed with harsher and harsher retributive policies, and all of the practices that helped employees manage fatigue are being taken away.

Disability (FMLA)/Age/Females: Who is primarily suffering for all of this mismanagement? Those with disabilities, those who are older, and women. These demographics statistically require more time off to cope with personal conditions. The time that they had to cope with said conditions has now been eliminated (5 weekdays & 2 weekend days per month). In order to earn points back, one cannot even take FMLA time off. To earn 4 points back (30 point max ceiling), one must work 14 days contiguously. A single unpaid time off event costs between 6-10 points per event.

Example:

Points Start at Max ceiling of 30 points.

03/01/2022 Unpaid leave (subtract 7 points from the available 30 = 23 points remaining)

03/02/2022-03/12/2022 Working/Available

03/12/2022 - FMLA appointment (resets 14 day count to earn 4 points back)

03/13/2022- 03/22/2022 Working/Available

03/23/2022- Unpaid layoff (23 points balance – 7 point = 16 points remaining)

03/24/2022-04/04/2022- Working/Available

04/05/2022- FMLA appointment

04/06/2022-04/16/2022- Working/Available

04/17/2022- Unpaid leave following Paid leave (16 points balance – 7 points – 3 conjunction penalty points = 6 points remaining)

04/18/2022-04/30/2022- Working/Available

As you can see, the employee is losing ground consistently and is often forcing themselves to go to work while experiencing unsafe levels of fatigue. Many of the increased medical issues and sicknesses can be attributed to another new policy called delayed maintenance schedules for locomotives and tracks. During the pandemic, the Carriers did not clean the cabs (6ft x 8ft), resulting in more employees falling ill. This practice is still in-place and now the locomotives are not being maintained other than for FRA regulated defects. This has resulted in rougher riding locomotives (e.g. increased vibrations, regular mechanical failures, etc) that exacerbate medical issues and longer work hours. This is resulting in the loss of ~30 employees/week in the TYE craft (Locomotive Engineers & Conductors) at BNSF alone.

How much more is expected of these individuals? Would you tolerate such an employer?