



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

EP 770 (Sub-No. 1)

308023

February 29, 2024

Mr. Jim Vena
Chief Executive Officer
Union Pacific Railroad
1400 Douglas Street
Omaha, NE 68179

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Office of Proceedings
February 29, 2024
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Public Record

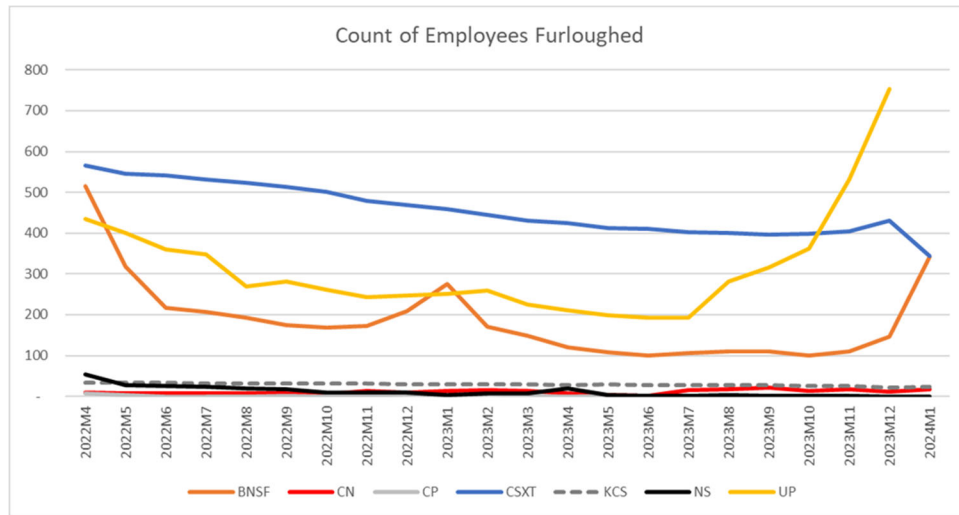
Dear Mr. Vena:

I am writing this letter to reiterate my significant concerns regarding recent decisions by Union Pacific Railroad (UP) to furlough maintenance of equipment workers. It has come to the Federal Railroad Administration's (FRA) attention that UP has again chosen to prioritize cost-cutting measures over ensuring safe operations, jeopardizing the well-being of both UP's workers and the public.

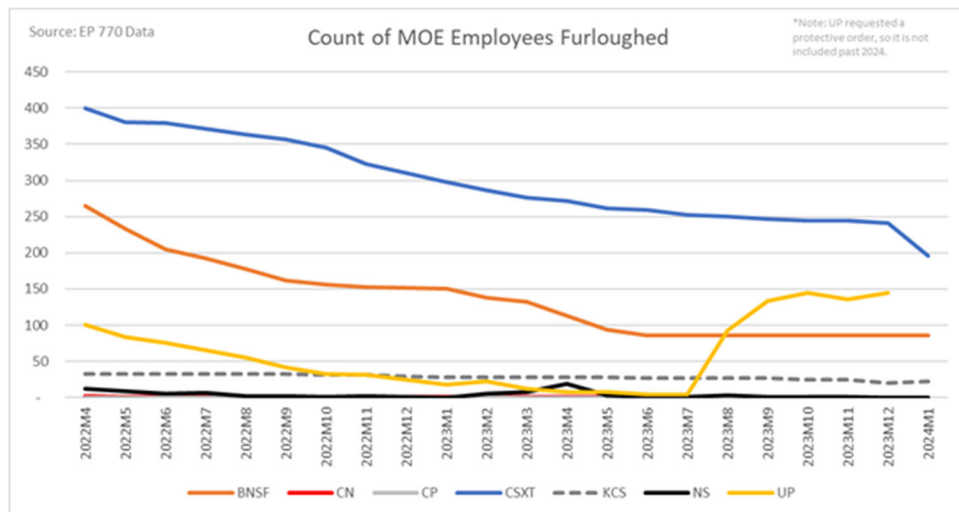
The Federal Railroad Administration (FRA) has previously communicated our concerns to UP regarding the potential risks of reducing staffing levels in critical departments such as mechanical operations. Despite FRA's warnings and recommendations, and at a time when Class I freights should be prioritizing ways to improve a decade-long record of stagnant safety performance, it is disappointing to see that UP is actively disregarding the federal government's concerns.

The safety of railroad operations is paramount, and any decisions that compromise this fundamental principle are unacceptable. Furloughing maintenance of equipment workers puts a strain on workers across the railroad, leading to fatigue and potential errors that could have severe ramifications for both workers and the public. Further, you must ensure that the most highly trained and experienced personnel are performing these critical inspections and repairs to your locomotives and freight cars. It is imperative that UP prioritizes safety above all else and takes immediate steps to address this issue, an issue disproportionately affecting UP workers since your railroad continues to furlough employees at a rate, based on available data, far outpacing that of any of your Class I peers.

UP Furloughs through January 2024

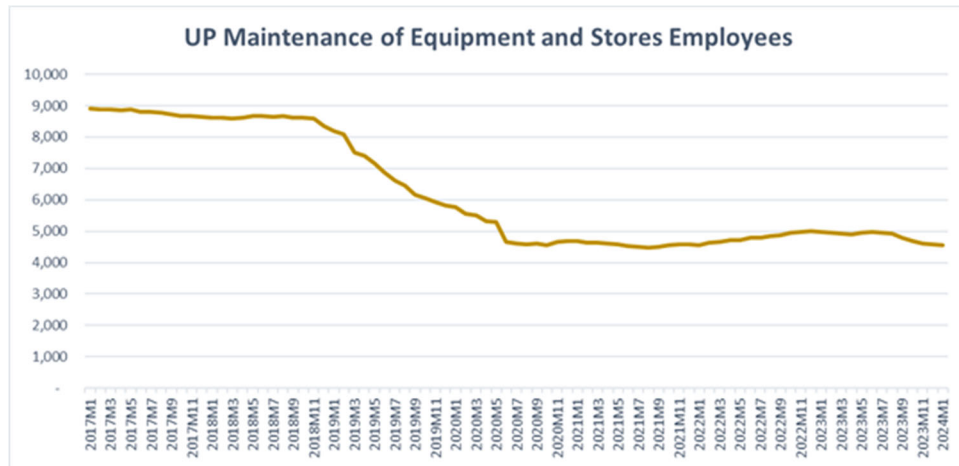


UP's count of employees furloughed increased in December from 532 to 751—with 145 of the furloughed workers being Maintenance of Equipment and Stores employees. Source: EP 770 Employment Data Submitted to the Surface Transportation Board



Maintenance of Equipment furloughs had been gradually trending down for more than a year, from 101 in April 2022 to 4 in July 2023, but it took just one month for it to jump back up to almost 100 again in August. From there furloughed Maintenance of Equipment employees continued to climb to 145 by October, which is where that count remained in December 2023. Source: EP 770 Employment Data Submitted to the Surface Transportation Board

UP Employment Data through January 2024



Source: 49 CFR Employment Data Submitted to the Surface Transportation Board

The data in the above graphs demonstrates a disturbing trend that makes me question UP's commitment to safety. I will also note the furlough data does not include January 2024 due entirely to UP's unprecedented decision to file a motion for a protective order on its EP 770 employment data submissions. Should that order be granted, UP will become the only Class I railroad where FRA cannot track furlough counts, further causing me to question UP's priorities. As I stated in my January 18, 2024, letter to the Surface Transportation Board (STB), the metrics reported in EP 770 provide FRA and the U.S. Department of Transportation with invaluable insight into factors that affect the safety, reliability, and efficiency of railroad operations. Secreting those metrics behind a protective order undermines the transparency promoted by STB's decision to extend that employment data through 2024.

I urge you to reconsider the recent and potential future decisions to furlough maintenance of equipment workers, and to instead develop an alternative sustainable plan that ensures safe and efficient operations. FRA is committed to upholding the highest safety standards for our Nation's rail network, and I expect full cooperation from UP to address this critical issue.

Your prompt attention to this matter is greatly appreciated, and I look forward to learning about your thoughtful resolution to this pressing concern. The safety of the rail network and all those who rely on it must remain our top priority.

Sincerely,

Amit Bose
Administrator

cc:

The Honorable Martin J. Oberman, Chairman, Surface Transportation Board