

Railroad workers in US reject concessions contract

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Conductors with BNSF Railway in the northern United States have voted down a proposed new contract, opposing the historic concessions presented by the railway and the International Association of Sheet Metal, Air, Rail & Transportation Workers (SMART) local GO-001. The contract, which covers roughly 60 percent of BNSF conductors, would have created a model for concessions industry-wide.

The contract proposed that after new Positive Train Control (PTC) signaling technology is implemented in 2015, BNSF would have been able to replace an on-board conductor on many trains with a roaming, on-the-ground conductor, called a “master conductor.”

After decades of cuts to crew size, there are generally two people that operate freight trains along their route: an engineer and conductor. While the engineer operates the train, the conductor reads signals that direct traffic, communicates with the dispatcher of rail traffic, manages paperwork about the train’s consist (including information on hazardous cargo) and generally works with the engineer to ensure safe and proper movement of the train.

The conductor also handles all work on the ground, which includes throwing switches, switching out freight cars and fixing mechanical problems. This is dirty, dangerous work, and it is done year round, night or day, in all weather, on notoriously unpredictable work schedules that are frequently over 40 hours a week. (For example, the GO-001 local covers BNSF territory in North Dakota, Montana, and Minnesota that experienced weeks of severe continuous below-zero temperatures last winter, during which BNSF operations nearly shut down.)

The proposed master conductor position would have taken the conductor out of the cab on trains with PTC, assigning to the engineer the conductor’s current in-cab responsibilities. Instead, the master conductor would cover a territory rather than individual trains, with an

expanded range of tasks, which likely would result in a reduction of staffing as more productivity was squeezed out of both engineers and conductors.

On the surface, the SMART proposal seemed to be an inexplicable sellout. BNSF railway—owned fully by Warren Buffett’s Berkshire Hathaway—is swimming in profits. BNSF’s northern track covers the booming Bakken crude oil region, and traffic has grown so much that it has overwhelmed the railroad’s capacity and staffing.

A lack of crews in that region last winter even led to incentive pay for employees willing stay available for work on weekends and holidays. Yet simultaneously, SMART was working with BNSF to negotiate an agreement that allows for employee reduction.

What it would have given though to SMART was the upper hand against the Brotherhood of Locomotive Engineers and Trainmen (BLET), which represents engineers, when BNSF does insist on crew reductions. Essentially, SMART decided to work with the company to attempt to ensure its own dues base at the expense of workers in both BLET and SMART.

Railroads have been using the excuse of technological innovations to cut crew size for decades, and at every step of the way, the United Transportation Union (UTU, SMART’s predecessor) and the BLET fought each other for the spoils. Picket lines have been crossed, and both organizations have repeatedly sought to expand their own contract craft definitions to snipe the jobs of the other union. For example, with the introduction of remote-control belt packs to control locomotives in yards, the UTU won an arbitration decision to allow conductors to operate them, taking the jobs of BLET members.

In 2007, a division of BLET negotiated a contract with BNSF allowing for trains to be operated with a lone engineer once a UTU agreement requiring a conductor on every train expired. Now, with PTC on the way, which

will provide constant remote enforcement to prevent a train from exceeding its authorized speed or location, the unions are accepting one-person crews as inevitable.

SMART General Committee Chairman Randy Knudson told BNSF workers that “untold ground service positions have already been lost to what are, by today's standards, somewhat primitive technological advancements. Neither the Protective Department nor the Legislative Department were able to stop any of these job losses. With Positive Train Control and other technological advancements on the horizon, it is the text-book definition of insanity to employ the same old 'fight-'em-till-you-can't fight-'em-no-more' strategy and expect a different result.”

This statement is an admission of bankruptcy by SMART. Rejecting unity with railroad workers in BLET, much less strike action, it offers selling out to the company for the “best” deal possible as the only way forward.

Significantly, BNSF workers have overwhelmingly rejected this attitude in voting down the contract. The multi-billion dollar rail industry and its backers are pushing to squeeze as much productivity out of railroad workers as possible, regardless of the impact on crew fatigue and safety, and the SMART agreement would immediately set a precedent replicated across North America.

But the railroads will come back for more. In response to the rejected contract, John Phelps, Vice President of Labor Relations at BNSF, said, “They have decided not to move forward at this time, and we respect the process.” In other words, BNSF sees this as a merely temporary delay to a long-sought reduction of crew size.

Yet railroad workers will find no unity or way to fight against the demands of the railroads with the UTU or BLET, which work openly with the railroads to present concessionary demands to railroad workers.



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