

Letter from a Canadian Pacific rail worker: How deregulation and corporate greed are imperilling workers' lives and public safety

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Are you a worker at CP Rail? Contact us to let us know what you think of the Teamsters' sabotage of your struggle and for information on building a rank-and-file committee to fight for workers' demands.

The following letter was sent to the *World Socialist Web Site* by a veteran CP Rail employee. It details the gutting of safety regulations over an extended period and the dangerous working conditions this has produced.

Since the letter was received, the Teamsters union has sabotaged the struggle by CP Rail workers by agreeing to binding arbitration. This decision robs workers of their rights to strike, take other job actions, and collectively bargain for years to come. To make matters worse, the Teamsters made clear that CP's brutal scheduling regime, which has led to numerous accidents and health problems for workers, will not even be considered by the arbitrator. Workers will have no right to vote on the arbitrator's final decision.

Canadian Railway labour relations and public safety have been on a rapid descent. While there was an ongoing struggle in years predating the Federal Deregulation of Railways Act of 1992, once this Act was in place the decline accelerated at a blistering pace. This process was condoned by all levels of government, which are, in the experienced view of long-tenured rail workers, acting in concert with Transport Canada and the Transportation Safety Board. They are collectively complicit in an arms-length do nothing approach.

This dynamic has been exacerbated by the installment of a United States born and bred, senior management group, overseen by present day CP CEO Keith Creel. Creel has padded the company's senior echelon with a gang of yes men and thugs. Their collective effort has further driven down the overall safety environment. Workers are constantly confronted with their "do it and grieve it" or "are you refusing duty?" mantras. They have effectively reduced the well trained, hardworking men and women of CP into a position of folding under the constant pressure of fear of

dismissal for speaking up when the actions requested of them would put either themselves, their fellow co-workers, or the public at elevated risk.

CP's present method of operational decision making is known in the business as "calculated risk management." In other words, let's try this and see if it works. If it doesn't, let's find a reason, any reason, irrespective of whether or not it is actually the root cause of a derailment, to point the finger at the crew member(s) involved and make them scapegoats for any real, or perceived, rule violation that can be shown to be the cause of the incident. Never mind the fact that the CPR's myopic decision making created the scenario from the beginning.

If we look at (ex-CP, CN, and Illinois Central Railroad CEO) E. Hunter Harrison's book, *Switching Points*, wherein he outlines his self-touted brilliance in the railway industry, he explains how he would arrive in any railway terminal and commence his union busting processes, forcing his managerial subordinates to buy in to his lunacy or find somewhere else to work. In *Switching Points*, he effectively states: "If I find that one employee that has the apparent following of others and the fortitude to stand up against my new tyrannical directives in any given terminal and fire that individual, the rest of the employees fall in line in short order."

Keith Creel has continued this path of oppression and bullying toward the good, hardworking men and women at Canadian Pacific. Both Harrison and Creel operate under the premise of "I am going to do whatever I want to see an end goal achieved. It is up to the union(s) to keep it in line with the rules, regulations, and operational governance." How autocratic.

With the 1992 deregulation act in place, both the Transportation Safety Board and Transport Canada have been effectively castrated. Their lack of authority is apparent on many levels. We have seen the results of Transport Canada's myopic and apparent complicit stand back and wait and see approach to rail safety in the Lac Megantic

tragedy, and in the more recent Field BC runaway, which took the lives of three railway workers. These horrific failures, like numerous others that do not make the headlines, were completely preventable. The fact that Transport Canada allowed the Montreal Maine & Atlantic Railway to utilize, and self-regulate, single operator trainsets operated with a completely watered-down set of rules and regulations was one of the direct discovered causes of the Lac Megantic disaster.

Pressure-driven directives from CP's Network Management Center and CP's frontline rubber hose-wielding management group coerced a 3-man crew in the British Columbia interior to entrain and attempt to operate a trainset that was already having air brake issues as experienced by no less than 2 other crews, turning them into yet another statistic of failed railway operations decision-making. The most repugnant outcome from these preventable national tragedies is the fact that both Transport Canada and Labour Canada are sitting on their hands doing nothing to effect corrective action with the view to prevent future mishaps.

Recently, the CPR dismissed a 45-year-old Locomotive Engineer with over 20 years of service for napping on a trainset being held by a Rail Traffic Controller at a commonly used location for such purpose in the Hamilton area at approximately 2am on a Sunday morning. Imagine you are traveling on the 401 highway between Montreal and Toronto when all traffic comes to a standstill. Shortly after coming to a stop, a police officer happens along and advises that due to an obstruction ahead, you will not be moving anywhere for at least the better part of 2-3 hours. Would it not therefore be understandably acceptable to put your vehicle in park, recline your seat and maybe catch a nap? I am confident most would agree "yes."

This is exactly what happened to our Locomotive Engineer, a railway employee whose work/life balance is always under pressure to comply with fatigue management. In other words, he is sleep-deprived—a cumulative effect of poor fatigue countermeasures and constant pressure from management. In the end, the real victims are his family through the related ripple effects: loss of house and, or relationship due to financial hardship suffered due to harsh management discipline. Were there any issues with train delay or rail traffic fluidity? No, or so they claim.

He was dismissed due to a managerial interpretation of the Fatigue Management Plan that is a matter of record with Transport Canada. This document has specific language ALLOWING for an "opportunistic nap" as a proven method of fatigue management countermeasures. The draconian managerial approach of the present-day CPR creates a situation where we have overreach by an out of touch

Company Officer blatantly violating the regulations and procedures that have been in place long before his arrival at CP.

These frontline managers are either total inept or being outright obtuse in the discharge of their duties. It is an outright shame that the once safety-oriented railway(s) of Canada are now beating into submission the highly skilled workforce. These workers know how to do their jobs, yet they are under systemic threat of dismissal, for some trumped up over-reach by a manager whose sole goal is to make him/herself look good on paper to their higher ups, so when performance review time comes around, they get a wage increase and a performance bonus. By its very existence, the process is disgusting, but exist it does. All at the expense of both employee retention and the public's safety.

In today's railway industry in Canada, there needs to be accountability. When a company's top-down directives are the genesis of creative and applied oppression in the day-to-day operations, there needs to be a cry of "stop the madness" from the public in this regard. It is not the railway workers who are the cause of the recent and historical rail industry derailments. They are directly tied to the marching instructions of the CEOs of Canadian Railway operations, and their dispatching of goon squads of yes men/women, whom, for their part, are also doing as instructed out of their own fear of not being retained by the company.

The governing bodies, Transport Canada, Labour Canada, and the Transportation Safety Board, all need to have their collective teeth reinstalled and contribute to the goal or reigning in the terror presently in place. Even if provided with concrete evidence of mechanical defects on locomotives, numerous rules violations by the CPR, they still sit on their hands. In effect, they are lame duck organizations who only operate in the public's view, post-incident. This is wrong on so many levels. These organizations once had the authority to direct and control the rail carriers. Now, they are nothing more than the clean-up crew after a large outdoor festival.



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