

Widow of train conductor, who died in accident, sues Norfolk Southern

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Vincent Kline, a Norfolk Southern train conductor of 18 years, died on May 5, 2020 from serious injuries sustained the previous November when a train struck him from behind at his job in Allentown, Pennsylvania. Vincent was 61 years old, leaving behind his wife, children and 17 grandchildren.

Earlier this month, Kline's widow filed a federal lawsuit accusing Norfolk Southern Railway of slipshod and inadequate, profit-driven safety measures, which caused her husband's death. She is asking for a small amount, \$150,000, in damages. When the train bulldozed into Kline, he suffered critical injuries to his neck, back, left hip and left leg. No safety mechanism was in place to alert the experienced conductor of the oncoming train.

The company refused to comment on the litigation. Norfolk Southern operates throughout the entire Eastern half of the US, having raked in an operating revenue of \$11.1 billion in 2021. It is a major transporter of coal and faces little direct competition in the rail freight industry, which is dominated by seven Class I railroads. This number will be reduced to six after the completion of a merger between Canadian Pacific and Kansas City Southern.

According to the Bureau of Labor Statistics, transportation and warehousing are both ranked second among all industries in the "number of fatal work injuries" and "fatal work injury rate," with 805 fatalities occurring in the US in 2020 alone, including Vincent Kline.

Norfolk Southern displays a pattern of indifference to workers' safety, calculating that frequent injuries and occasional deaths are less expensive than burdensome safety measures.

In August of 2021, at a diesel shop in Enola, Pennsylvania, another Norfolk Southern worker, Stuart

Riggs, 58, died after falling through a broken safety rail into a 40-foot deep pit. The Cumberland County Coroner announced he died from multiple traumatic injuries and ruled it an accidental fall, agreeing with the company that the death was the fault of the individual. But the fact remains that the safety railing, installed to prevent deaths, should have never failed in the first place. The company neglected routine inspections that might have prevented the safety breach and had done nothing to reinforce the rail over the pit.

Train derailments are standard occurrences for Norfolk Southern, accounting for approximately 14 percent of total derailments in 2021 for the entire US rail industry, or 144 incidents. Before the pandemic hit, it averaged about 180 per year. Recent derailments have happened in Pittsburgh, Pennsylvania, at Station Square T in September 2018, where the double-stacking of cars and rail neglect triggered a serious accident that crippled the movement of freight and light-rail cars for weeks. In 2006, New Brighton, Pennsylvania, derailed tank cars carrying ethanol exploded and burned for two days, forcing nearby families to evacuate their homes.

These preventable derailments and deadly accidents, driven by the same insatiable pursuit for profit, are not just an American phenomenon. The Transportation Safety Board of Canada (TSB) recently released a report on a deadly derailment of the CP Rail Train 301 near Field, British Columbia, on February 4, 2019. Three workers died: a conductor, an engineer and a conductor trainee.

Even though the TSB's findings amounted to toothless, never-to-be-enforced recommendations that will not impact the profits of the railroad industry, CP Rail vigorously attacked the report— despite the widespread hazardous conditions under which rail

workers are still laboring. CP Rail owns tracks throughout Canada and the northern portion of the US.

In all likelihood the rate workers are killed or injured on the job will increase over the coming years, along with train derailments, as big business enacts ruthless speedups and cost-cutting measures to recoup losses from the ongoing COVID-19 pandemic, supply chain constraints, the proxy war in Ukraine and record-breaking inflation and fuel costs.

During the past two years, workers throughout the United States and world have been working in unsafe, deadly conditions from the COVID-19 pandemic in which the corporations and governments have prioritized profits over human lives. Instead of spending resources to fight and eradicate COVID-19 or, in Kline's case, installing equipment to notify and stop trains from crushing workers, management has done everything possible to reduce costs by gutting safety measures and keeping workers on the job no matter the potential hazards.



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