

US rail unions seek government-imposed contract settlement

Erik Schreiber, Tom Hall
29 May 2022

Unions at the largest US freight railroads are seeking to have the federal government impose a contract settlement at the seven Class I railroads, where workers have been without a contract since 2020.

The union side of the talks is organized through the Coordinated Bargaining Coalition involving ten unions, including the Brotherhood of Locomotive Engineers and Trainmen/Teamsters Rail Conference (BLET) and the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART-TD). The Mechanical Division of SMART and the Brotherhood of Maintenance of Way Employees are negotiating separately with the carriers. The National Carriers Conference Committee represents the railroads, which include BNSF Railway, CSX, Kansas City Southern, Norfolk Southern and Union Pacific.

Conditions in the railroads are disastrous. Workers are badly overworked and labor in unsafe conditions, prompting a wave of resignations which have left the railroads constantly short-staffed. Derailments and other accidents are commonplace, and trains routinely operate behind schedule, sometimes by a day or more for cross-country trips.

Last week, the rail worker unions participated in three days of federally mediated contract talks with the Class I railroads, in which the unions have renewed a request that the talks be declared at an impasse. If their request is granted, the National Mediation Board would then offer arbitration.

Dennis Pierce, national president of BLET, has said that the unions would reject arbitration. Under these circumstances, a 30-day cooling-off period would ensue, after which Biden would appoint a Presidential Emergency Board (PEB). After another 30 days, the PEB would offer the parties a resolution to the dispute. If either the unions or the railroads rejected the offer, a new 30-day cooling-off period would begin, and the US House of

Representatives and US Senate would have to pass a law to settle the dispute.

The unions would have workers believe that moving towards a PEB is a tactical masterstroke which would prompt the Biden White House to impose a contract favorable to railroaders. The exact opposite is the case. The same tightly controlled labor law system which the unions are telling workers to pin their hopes on are directly responsible for the deteriorating conditions in the industry. Their function and explicit purpose are to keep workers from striking by tying them up in never-ending federal mediation and arbitration, leaving the companies to do what they please.

Only three months ago, a federal judge used the provisions of the Railway Labor Act (RLA) to issue an injunction against a strike at BNSF against a new punitive “Hi Viz” attendance policy. This was implemented unilaterally by management in spite of the ongoing contract negotiations, but in a sweeping ruling, the judge cited “supply chain” issues as a primary reason to rip up workers’ democratic rights, banning them not only from striking but engaging in any form of “self-help” including picketing and speaking out in favor of strike action.

Meanwhile, BLET and SMART-TD sent an open letter to Labor Secretary Marty Walsh and Transportation Secretary Pete Buttigieg pleading with the government to intervene. But the self-described “most pro-union administration in American history” did not even bother to respond. Their silence indicated their support for the injunction.

In reality, the move represents a closing of ranks between the pro-corporate unions and the government against a challenge from below by workers. It is aimed at legally tying workers’ hands even further and producing a settlement which is obligatory upon them.

The unions themselves welcome this arrangement. The RLA has been in force for almost 100 years, but rather

than lifting a finger against it, the unions routinely use its provisions as a weapon against rank-and-file opposition. Indeed, the unions have imposed the terms of the injunction upon BNSF workers in the most expansive terms possible, using it to threaten rank-and-file opposition with legal action. While this system has proven to be a disaster for workers, the union bureaucrats are free to continue collecting their six-figure salaries unmolested.

The unions are appealing to an administration that is moving deliberately against the working class. Through the Federal Reserve's decision to raise interest rates by 50 basis points, Biden is taking aim at rising wages, which increased by 4.7 percent due to widespread labor shortages. While this is less than half the current rate of inflation, for corporate America this is considered intolerable. Indeed, through his allies in the unions, Biden was able last year to keep wage increases among unionized workers even lower (3.3 percent) than among nonunion workers.

On the West Coast docks, Biden and the Democrats, with the assistance of the International Longshore and Warehouse Union (ILWU) are moving to prevent a strike and enforce a pro-company contract when the current deal expires on July 1. One unnamed government official told the industry press that work stoppages "would not be tolerated this year."

Last fall, the Biden administration brokered a deal with the ILWU to operate the Los Angeles and Long Beach ports 24/7 in order to work through supply chain issues. Now, the ILWU has floated that this arrangement could be made permanent if management so desires. A permanent increase in operations on the docks would effectively enforce higher rates of work across the entire supply chain, including the railroads.

The drive to squeeze as much profit as possible out of the railroads by wealthy investors has left the railroad industry "on the edge of collapse," workers tell the *World Socialist Web Site*. Nearly 2,000 workers have resigned at BNSF alone over Hi Viz, according to one worker. However, he says that management is covering this up by refusing to accept resignations, and in a recent hearing of the federal Surface Transportation Board, BNSF claimed only 300 resignations.

He continued: "One of the Facebook groups has a running count of everyone that quits. Last I heard it was over 1,700. But that was over a month ago. The guys that kept it up to date quit as well! They are so hard up for people they started hiring non-violent ex-cons. I'm not against that in principle, but when you factor in that we

move sensitive items like nuclear materials, this should have raised someone's eyebrows. Even with that, we are still losing people faster than they are hired.

"?They have the entire US economy hostage right now, so Warren Buffett can make another \$500 million a year. The only solution at this point would be the railroads are either re-regulated or federalized.

"I think this has grown past the railroad workers at this point. The coming self-created shit storm is too massive for the railroads to escape unscathed. I don't know if there is going to be any workers left. We could see 70 percent leave this year. You already have over 30 percent already. The industry is on the edge of collapse. We don't have bodies to move freight anymore. The company can't backtrack because there aren't enough people to fill in any shortages which more time off would give. They have created an ouroboros—a snake eating its own tail."

The conditions in the railroads are so bad that it may in fact require the intervention of the federal government in some form to avoid a complete collapse. The rail industry is critical not only to the economy but also to "national security." The government needs the rails to be able to move military equipment and materiel into Ukraine and to prepare for war against China.

But any such intervention will be at the expense of workers. The railroads are already using the labor shortage, greatly worsened by their own policies, to push for a reduction of train crews from two people to one, something which they have long campaigned for. Indeed, in order to keep the trains running during the pandemic, the government has already relaxed a number of key safety measures.

Railroaders are facing off not just against the companies but an entire oppressive state-controlled labor framework. Instead of fruitless appeals to the corporate-controlled Biden government, railroad workers must mobilize their own strength through the development of a network of rank-and-file committees uniting workers across the North American rail network and linking up with dockworkers, warehouse workers, truckers and others along the supply chain.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact