

# Anger builds among railroaders as more unions claim passage of tentative agreements

Tom Hall

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Suspicion and anger is mounting among railroaders as two more smaller unions have claimed passage of their contracts in narrow votes.

On Wednesday, the Mechanics Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART-MD) announced that its contract passed by 54 percent. SMART-MD is under a different contract from the much larger Transportation Division (SMART-TD), which includes train crews. The following day, the National Conference of Firemen and Oilers (NCFO) declared its contract was passed by 58 percent. Neither union released more information about the voting, including turnout or vote totals.

Workers were immediately suspicious of the results. The SMART-MD vote raised eyebrows in particular because the results had not been expected for another two days. One worker said on Facebook that SMART MD members from Conrail in Detroit never received ballots. The *World Socialist Web Site* has not been able to independently verify this claim.

Workers are doubly skeptical due to apparent similarities with the IBEW vote late last month, where there is significant evidence of irregularities, including a large number of electricians who never received mail-in ballots or received them too late to be submitted before the deadline. According to the IBEW's own internal figures, the number of "undeliverable" and "questionable" ballots was larger than the official margin of victory of 150 votes.

A survey of engineers conducted by the Railroad Workers Rank-and-File Committee found that 46 percent of respondents either did not receive a ballot or received a ballot too late to vote. Out of all those surveyed, 91

percent were opposed to the contract, 90 percent felt the votes were not counted "correctly or honestly," and 93 percent supported a re-vote.

Workers' opposition is being increasingly acknowledged in the mainstream press. A recent Associated Press article cited one electrician who said she never received a ballot. "That has her questioning the validity of that vote because several coworkers also allegedly didn't get ballots," the report said.

On Thursday, the WSWs received a hostile response when we spoke with NCFO President Dean Davita over the phone to try to get more information about the contract ratification vote.

Davita refused point blank to give any further breakdown of the vote outside of the reported margin of victory. "I'm not going to give you exact numbers," he said. "It was ratified by a 58.7 percent margin, and we had a good turnout. Members participated and they made their decision."

When asked why he wouldn't give exact numbers, Davita replied, "I'm the president of the union, and that's my decision."

Whatever the case may be, however, the SMART-MD and NCFO votes were held under conditions of duress and intimidation, with the unions leaning heavily on the threat of a congressional injunction to push the deal through. However, the unions have also been deliberately strengthening Congress' hand by extending self-imposed strike deadlines until past the midterm elections. House Speaker Nancy Pelosi attended the Brotherhood of Locomotive Engineers and Trainmen's national convention earlier this week, where she was treated as an honored guest.

The unions have simply chosen to ignore overwhelming strike votes, in some cases by 99 percent or more. When machinists voted by 60 percent last month to reject a contract from the IAM union and in favor of a strike by

80 percent, the union responded by simply announcing another contract, nearly identical to the first, less than two days before their extended strike deadline. However, when they are able to obtain narrow votes to ratify contracts after campaigns in which their main “pitch” is that workers have no choice other than to accept, they claim this represents the inviolable will of the membership.

Nevertheless, the maneuvers of the union apparatus have failed to stem the tide of opposition among the rank and file, which found expression in the rejection by maintenance of way workers of their contract earlier this week. The Brotherhood of Maintenance of Way Employees (BMWED) is the third-largest union in the industry, and the largest of the non-op unions. The BMWED responded by unilaterally extending its strike deadline to “five days after Congress reconvenes,” giving Washington all the time it needs to prepare anti-strike legislation.

This week, members of the Railroad Workers Rank-and-File Committee carried out a successful informational picket in Lincoln, Nebraska, in which they distributed copies of the committee’s latest statement, “After rejection of BMWED contract: Fight against union sabotage! Prepare a strike before the midterm elections!” The committee held a successful online public meeting Wednesday evening which was attended by hundreds of workers. At the close of the discussion, the committee conducted a straw poll which found that 86 percent believed their coworkers would honor the picket line if workers at another facility walked out, and 77 percent supported the setting of a strike date by the rank and file.

On Thursday, a highly charged union meeting was called for machinists in the Kansas City area, which was attended by the local general chairman and a special assistant to the international president. “This is pretty unprecedented,” one worker told the Rank-and-File Committee beforehand. “We believe that it’s because they know [the BNSF Argentine Yard, where an informational picket was held by the Committee late last month] is a big thorn in their side.”

One worker who attended the Thursday meeting, who said his “head was still on fire” the day following, told the WSWS, “Our general chairman opened it up by stating, ‘We are not here to sell this contract, we are only here to provide the facts.’ And then they proceeded to sell it to us for an hour and a half. It was met with great opposition.”

Another worker said one of her coworkers rose to

denounce the “false narrative that this is the largest pay raise in 48 years, without acknowledging inflation and record profits.” Her coworker then asked why the IAM had chosen to twice defy workers’ vote to strike. The response from the IAM was to absurdly claim that not striking “actually strengthened our bargaining position,” then claimed that Congress would intervene to block a strike. When challenged that workers should go on strike anyway, the IAM official moved on without a response.

Balloting is scheduled to begin Monday for the two largest unions, BLET and SMART-TD, which cover the engineers and conductors. These workers are a hotbed of opposition in the industry because of the constant on-call status to which train crews are subjected, leaving them unable to schedule time off to spend with their families or even for doctor’s appointments. It was the contracts for the engineers and conductors that the Biden administration directly intervened into in early September, in a bid to prevent strike action once the “cooling off” period expired on September 16.

As with the other unions, the BLET and SMART-TD are stringing workers along as long as possible by conducting the vote over the course of an entire month. The voting is not scheduled to conclude until November 16, more than a week after the midterm elections.

SMART-TD has been issuing statements urging workers to update their contact and address information with the union, clearly in response to the uproar over the IBEW vote. However, many IBEW workers reported not receiving ballots even though their addresses are current and they have lived in the same place for years.

There is no sign that the unions are yielding to the pressure of workers. On the contrary, they are digging in their heels. This only underscores the need for independent action by railroaders to enforce rank-and-file control over and against the apparatus, and to prepare the ground for strike action. This means the development of a network of rank-and-file committees at yards and terminals around the country.



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