

# Biden calls on Congress to impose rail contract in a major assault on workers' democratic rights

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*Railroad workers: Take up the fight for rank-and-file control! Join the Railroad Workers Rank-and-File Committee by sending an email to railwrfc@gmail.com, texting (314) 529-1064 or filling out the form below.*

President Biden published a statement Monday night calling on Congress to intervene to block a national rail strike and impose a contract which tens of thousands of railroad workers voted down. A few hours later, outgoing Speaker Nancy Pelosi announced the House of Representatives would take up such a bill this week and send it to the Senate with the “hope that this necessary, strike-averting legislation will earn a strongly bipartisan vote...”

This is the first congressional intervention against a national rail strike since 1991. At that time, Congress and Republican President George Bush shut down a walkout less than 24 hours after it began. This time, the Democratic-controlled Congress and the Biden administration are acting preemptively to block a potential strike and impose the dictates of the railroad carriers.

This provocative action is a major escalation of the conflict between railroad workers and the government, the railroad carriers and the pro-corporate union bureaucracy.

Workers everywhere must come to the defense of the railroaders. A congressional injunction would be an attack on the rights of all workers, including the basic right to strike and participate in a meaningful contract vote. If Congress and the White House can impose a contract by fiat on railroaders, it is only a matter of time before it is done to other sections of the working class. This includes 50,000 academic workers currently striking at the University of California, as well as hundreds of thousands of autoworkers and UPS workers whose contracts expire next year.

Responsibility for the situation lies not only on Biden but also with the union bureaucracy. For months, the leaders of the SMART-TD, Brotherhood of Locomotive Engineers, International Association of Machinists and other rail unions have deliberately sabotaged the struggle of railroad workers, delaying votes and strike deadlines for weeks to buy Congress time until after the midterm elections to prepare an injunction.

The union bureaucrats have used the threat of congressional intervention as a cudgel to pass the pro-company contract, telling workers that their “choice” was between voting to ratify the deal or having it imposed on them by Congress. Meanwhile, the unions invited Pelosi, Labor Secretary Marty Walsh and other top Democrats as honored guests to national conventions even after they had drafted anti-strike legislation. The union bureaucracy is a central participant in

the conspiracy to block a strike and impose the sellout on railroaders.

Railroaders reacted with fury to the announcement on social media. “Railroad Joe, labor-friendly Joe, the most labor friendly president of all time right here folks, forcing your asses to accept a substandard contract that neither he nor any other government official has to operate under,” one worker said. Another pointed to the hypocrisy of an injunction to allegedly protect the “economy” given continuous government shutdowns holding “the American people hostage over some dumb party BS that is irrelevant... Literal taxation without representation.”

“Why have a union if you don’t have the right to strike?” one worker asked. “It’s toothless. Never once does this asshole ask the owners to make concessions. Hands off their profits!”

Congressional intervention was widely floated as a last-resort option to prevent a strike, which could begin as soon as the end of a “status quo” period on December 9. Nevertheless, the timing of Biden’s letter is significant. Only last week, Biden had reportedly become directly involved in contract talks, and the White House declared that its preferred outcome was a new agreement without the need for an open injunction. In September, the Biden administration brokered marathon contract talks with the unions and the railroaders that lasted until the day before the original strike deadline. This produced the agreement which workers have since largely rejected.

Now, with nearly two weeks left until the new deadline, Biden admits in his letter that both the companies and the unions “believe that there is no path to resolve the dispute at the bargaining table and have recommended that we seek congressional action.” If this is true, it is not because of the intransigence of the union officialdom, which has all but abandoned workers’ demands and tried for months to impose a sellout contract. Rather, it is because of the uncontrollable opposition among railroad workers, who refuse to ratify any agreement that does not meet their demands.

Biden’s statement was far more provocative than previous statements, which attempted to sound a false note of “neutrality” regarding the ratification process. The statement argued, “This agreement was approved by labor and management negotiators in September. On the day that it was announced, labor leaders, business leaders, and elected officials all hailed it as a fair resolution of the dispute between the hard-working men and women of the rail freight unions and the companies in that industry.” In other words, workers have the right to vote only insofar as they vote the way that the government, the union bureaucracy and the carriers want them to.

Biden rejected any potential proposals to improve the terms of the

deal to the benefit of railroaders before imposing it. “However well-intentioned, any changes would risk delay and a debilitating shutdown. The agreement was reached in good faith by both sides.”

He sought to at least partially conceal the authoritarian character of an injunction by pointing to the fact that the deal had been ratified by a majority of the rail unions. However, he neglected to mention that the voting procedures made a mockery of democratic process. There is no doubt that there is significant opposition to the deal, even in unions where it officially passed.

Biden justified the move on the basis of the major economic impact that a strike would have, which he claimed “would hurt millions of other working people and families.” This could be resolved tomorrow if the railroad industry, the most profitable in America, agreed to workers’ reasonable demands, including paid sick leave and schedules that leave them time to spend with their families.

He feigned sympathy for “working people” while, through the policy of the Federal Reserve, he is deliberately trying to engineer a recession to increase unemployment and rein in wage growth. His real concern is that working people would support the strike overwhelmingly and be emboldened to press for their own demands.

Dripping with contempt for the railroaders, Biden concluded: “I share workers’ concern about the inability to take leave to recover from illness or care for a sick family member... But at this critical moment for our economy, in the holiday season, we cannot let our strongly held conviction for better outcomes for workers deny workers the benefits of the bargain they reached, and hurl this nation into a devastating rail freight shutdown.” In other words, the democratic will of workers should not be a barrier to their “enjoyment” of the terms of a sellout contract that they rejected.

Biden’s announcement capped a day of extreme anxiety in corporate America over the rail situation, which they fear is quickly spiraling out of control. In the morning, more than 400 business groups penned an open letter urging congressional intervention if a deal was not reached before the deadline. This was 100 more groups than signed a similar letter at the end of October.

According to press reports, major chip manufacturers have already begun diverting the shipment of microchips from freight rail to trucks in order to avoid shortages caused by a strike. This would quickly impact many heavy industries that use chips, such as the auto industry, which has been plagued by chip shortages for most of the pandemic.

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Meanwhile, the corporate media was seized over the weekend and on Monday with nervous predictions of the “catastrophic” impact of a strike. It is attempting to create a synthetic “public opinion” that is unanimously opposed to a strike. The Association of American Railroads commissioned a poll that claimed large majorities are opposed to strike action. However, pollsters also fed respondents one-sided and false information, including that railroaders supposedly make \$160,000 per year in “total compensation.”

The task of imposing the contract is being passed on to a lame-duck Congress in its final scheduled session before an outgoing Democratic majority departs the House of Representatives in January. After narrowly contested midterm elections, Democrats will maintain narrow control of the Senate, while Republicans will have a narrow majority in the House, setting up two years of severe political instability.

However, there is no reason to doubt that both parties will rapidly endorse Biden’s call for an injunction. In fact, both parties already

drafted legislation to this effect as far back as September. Wracked by the most acute political crisis in American history since the end of the Civil War, both big business parties remain united in their hostility to the working class.

On Monday night, House Speaker Nancy Pelosi issued a statement cynically feigning concern for railroad workers while running roughshod over their right to reject a pro-company contract. “As we consider congressional action, we must recognize that railroads have been selling out to Wall Street to boost their bottom lines, making obscene profits while demanding more and more from railroad workers. We are reluctant to bypass the standard ratification process for the Tentative Agreement,” she claimed, before declaring, “we must act to prevent a catastrophic nationwide rail strike.”

A turning point has been reached with the strikebreaking actions of Biden and Congress. For nearly two years, Biden has sought to camouflage his pro-corporate policies and avoid open conflict with the working class through a framework of “collective bargaining” that relies on a pro-corporate union bureaucracy joined at the hip with management and the state. On the West Coast docks, in the refineries and other key industries, the unions have collaborated with Biden to prevent strikes and impose sellout contracts.

When Biden claimed to be the “most pro-union president in American history” he was always talking out of both sides of his mouth, indicating his close collaboration with the union bureaucracy while creating a false impression that he somehow supported workers. His ability to square this circle depended on the control of the union apparatus over the rank and file.

This strategy, however, is breaking down under the deep alienation and hatred which workers feel towards both the bureaucracy and the capitalist political establishment. They are now compelled to resort to more open methods of repression. It is significant that Biden’s letter came only a week after the Labor Department intervened against a lawsuit by Will Lehman, a rank-and-file autoworker running for president of the United Auto Workers, who alleged that the union was deliberately suppressing turnout.

The outcome of the fight of railroad workers will be determined by class struggle. Opposition to the conspiracy of the government, the corporations and the union apparatus to impose a concessions contract has been led by the Railroad Workers Rank-and-File Committee, which must be expanded across all job classifications and companies. At the same time, the entire working class must be mobilized to come to the defense of the railroaders to oppose the effort of the Biden administration and Congress to force through a contract rejected by the workers themselves.

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