

CSX's granting of paid sick leave: A PR stunt to distract from railroads' continuing attacks on workers

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Are you a railroader? Tell us what you think about the sick leave maneuver by CSX by filling out the form below. All submissions will remain anonymous.

Class I rail carrier CSX announced a plan earlier this week to provide paid sick leave to certain CSX employees. The 4,000 members of the Brotherhood of Maintenance of Way Employees (BMWED) and 1,000 members of the Brotherhood of Railway Carmen (BRC) who are employed by CSX will receive four days of paid sick leave and the ability to use three paid personal days as sick leave each year. The scheme was later extended to two other unions, the International Association of Machinists District 19 and the small National Conference of Firemen and Oilers.

Sick leave will not roll over each year, but workers will be able to use any remaining sick days to contribute to their 401(k) retirement fund or cash out the value of the sick time as extra pay.

The move comes two months after the banning of a national rail strike by Congress in December, after railroaders rejected a five-year contract brokered by the Biden administration. Congress voted to unilaterally impose the deal. This bipartisan vote to uphold a managerial dictatorship on the railroads and strip workers of their basic right to strike was prepared by political maneuvering led by Bernie Sanders and the members of the Democratic Socialists of America in the House of Representatives, over a sham proposal to add seven days of paid sick leave per year, up from zero currently.

This was political theater from the start because even if it passed in the House, it had no chance of passing in the Senate due to opposition from Republicans and right-wing Democrats. Instead it was designed to provide Democrats with political cover as they voted to ban the strike by 120,000 railroad workers and impose the pro-company

deal on them. Sanders and the Democrats deliberately structured the vote to ensure that the failure of the sick leave proposal in the Senate would not delay the anti-strike law.

The union bureaucracy played a central role in encouraging this outcome through endless delays designed to buy Congress time and their intimate collaboration with the White House. During the contract voting, they used a combination of lies, threats and ballot fraud in an unsuccessful attempt to ram through the deal over massive opposition. This would effectively have been a de facto strike ban which spared Congress the optics of having to do it themselves.

The CSX plan amounts to throwing table scraps to a small fraction of the 120,000 national rail workforce and even a minority within the company's own workforce. It does not even extend to engineers and conductors, whose attendance policies are far more draconian and who are forced to remain on-call 24/7.

But even if this were expanded to all railroaders, it would do nothing to seriously alter the deteriorating working conditions, driven by rampant cuts by railroad management which have driven tens of thousands out of the industry. The railroads are the most profitable industry in America, and even the seven-day scheme floated by Congress, while wholly inadequate, would only have cost them pennies on the dollar.

Reports that the sick days were "negotiated" with the unions are highly misleading. In reality, the decision was made voluntarily by CSX. This only underscores the treachery of the bureaucracy over the course of the actual contract negotiations. To the extent that it is the outcome of talks with union bureaucrats, the latter were acting as public relations advisors for the company. This further exposes the role of the union bureaucracy during the

actual contract talks themselves, which did not even produce the fig leaf on paid sick leave which the company is now choosing to part with.

The paid sick leave announcement is meant to distract from the fact that the main activity of the railroads after the Congressional intervention has been to broaden their offensive against workers. Only days after the law was passed, three major carriers announced pilot programs for one-man crews, something which supposedly had been taken off the table in the new contract. Last month, BNSF announced plans to outsource locomotive maintenance to contractors outside of the bargaining units.

The carriers clearly feel free to violate even the slave charter imposed by Congress at will; it is “binding,” as far as they are concerned, only to workers. This is engendering significant anger among railroaders who are threatening to break free at any time from the stranglehold of the union bureaucracy.

The move also serves to distract from the ecological and public health disaster unfolding in East Palestine, Ohio, where a massive derailment of a Norfolk Southern (NS) train and subsequent “controlled release” poured huge amounts of toxic vinyl chloride into the air for miles around. State and local government officials are engaged in a cover-up of the true extent of the disaster, while NS is already back to running trains through the disaster area.

Union officials and Democrats played their expected roles after CSX’s announcement, hailing the company for its supposed generosity and “responsible corporate governance.” Referring to CSX CEO Joe Hinrichs as “Joe,” BMWED President Tony Cardwell said in a statement, “Joe gave me his word that he would bring about changes to the industry that are necessary to begin repairing the dysfunctional relationship between the railroads and the Workers. I applaud Joe for delivering on his word and entering into this historic agreement with BMWED. He is doing the right thing, and I look forward to working with Joe on other matters that are critical to Maintenance of Way Employees. The other Class I railroads just reported extremely healthy earnings for 2022, many of which were record setting. But it is the workers who are responsible for those profits.

“Other than absolute greed, there is no reason why the other Class I railroads cannot enter into an identical paid sick leave Agreement with BMWED, or any other Rail Union for that matter, especially in light of what CSX and the BMWED have done today. I strongly encourage the other Class I railroads to follow the tracks that CSX CEO Joe Hinrichs has laid by reaching an identical Agreement

for paid sick leave with BMWED.”

This fawning, obsequious praise for Hinrichs contrasts sharply with Cardwell’s furious response to rank-and-file opposition to the contract last year. In October, he issued a furious tirade against the Railroad Workers Rank-and-File Committee for its advocacy of a national strike and threatened to abandon workers to their fate if they carried out an “unsanctioned work stoppage”—unsanctioned because the BMWED would refuse to sanction it.

In a press conference last week with top union officials, Bernie Sanders sounded the same note, hailing CSX’s supposed corporate responsibility, without even mentioning the disaster unfolding in Ohio. After he played a key role in ensuring the passage of the anti-strike law, Sanders claimed he would “continue the fight” for paid sick leave for railroad workers. But Sanders’ praise of CSX shows that, in reality, he and the rest of Congress are leaving everything in the hands of railroad management to do what they please—since Congress itself had put it in their hands in the first place—with Democrats alternating between insincere begging or praising depending on what the latter does.

For railroaders, the CSX deal resolves nothing. The contract, as before, is completely illegitimate and a violation of their democratic rights. Moreover, workers still face renewed offensives by the railroads in the aftermath of the deal against their working conditions and standard of living. The only way forward is not by pleading with management to “do the right thing,” but by workers expanding the Railroad Workers Rank-and-File Committee to fight both the carriers and their lackeys in the union bureaucracy and in Washington.



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