

Federal government loosens track inspection requirements in latest gift to railroads

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The Federal Railroad Administration (FRA) has approved a waiver to allow Class I railroads to cut minimum visual track inspections in half, from twice weekly to once a week. The move, announced on December 5, is the latest stage in dismantling any remaining federal regulations of the railroad industry.

The move will lead to more frequent derailments, which already take place three times a day on average. A major derailment on December 3 near Grand Junction, Colorado, sent two locomotives and five coal cars into the Gunnison River, after the train collided with a boulder on the tracks. Two engineers were unhurt but had to be pulled from the wreckage by search and rescue teams. The same day, a Union Pacific conductor was killed in a collision at a vehicle crossing in Southern California.

The Association of American Railroads (AAR), an industry trade group, has been lobbying for this change for some time. The AAR had originally requested visual inspections of twice a month on account of advances in the utilization of Automated Track Inspection technology. The AAR frames this as “automated technologies to enhance safety,” but in reality it is a ploy to use advances in technology as an excuse to cut jobs.

Automated track inspection technology has been employed for decades, in conjunction with visual track inspections performed by qualified track inspectors. Specially equipped rail cars are placed in freight trains and monitor track geometry with an array of various sensors. The information is collected and potential problems are relayed to managers and inspectors for visual verification.

After verification, the defect is either repaired, slow ordered, or removed from service until repairs can be rendered. The utilization of this technology can enhance railroad safety, in conjunction with human inspectors, but instead it is being used to eliminate track inspector positions. Cutting inspection frequency in half allows the railroad companies to double the territory size of an inspector, enabling half of the track inspector positions to be eliminated.

This is the latest step in the cost-cutting scheme of “Precision Scheduled Railroading.” Under this system, first introduced in the 1990s, tracks have been ripped up for scrap and maintenance deferred, causing capacity bottlenecks. Locomotives were mothballed to save on maintenance, and crews were furloughed and fired, causing service meltdowns.

Train lengths were doubled to over two miles to reduce the number of necessary crews and locomotives. Overwork, discarding of long-established safety rules and abusive petty disciplinary actions were utilized to whip employees into compliance. These actions have created record profits for the rail companies and their Wall Street owners.

At the same time, workers report that management routinely seeks to intimidate workers into silence when they encounter safety issues, undermining the enforcement of the Federal Railroad Safety Act. The major carriers have refused to join the federal government’s voluntary Confidential Close Call Reporting System, which allows rail employees to report mistakes, close calls and unsafe actions by the rail companies without fear of reprisal.

It is no surprise the current FRA administrator approved the waiver. David Fink was previously the president of Pan Am Railways from 2006 until its acquisition by CSX Transportation in 2022. He is one

of many former corporate executives appointed to head—in reality, to dismantle—regulatory agencies. David Keeling, the former “safety” executive for Amazon and UPS, has been made head of the Occupational Safety and Health Administration (OSHA).

The Trump administration is also clearing the way for the merger of Union Pacific and Norfolk Southern. This scheme will create a transcontinental \$85 billion juggernaut, holding shippers hostage with monopoly power. Railroad workers will pay an enormous cost with job losses.

Trump fired Robert Primus from the Surface Transportation Board (STB) on August 27 without cause. Primus was the lone voice on the STB that opposed the Canadian Pacific-Kansas City Southern (CPKC) merger in 2023.

The CEO of Union Pacific, Jim Vena, met with Trump in the Oval Office on September 4. Vena even suggested the next cities to send the National Guard into.

Parallel merger talks between BNSF and CSX broke down earlier this year, but these plans will likely be revived at some point in the near future. CSX CEO Joe Hinrichs was fired in September for publicly dismissing a merger. The merger of these two entities would create a corporate duopoly in much of the country, with a third mega-railroad, CPKC, running from Canada to Mexico through the Central US.

The rail carriers are able to carry this out because of the prostration of the pro-company union bureaucrats. SMART-TD President Jeremy Ferguson is one of many officials who have enthusiastically endorsed the merger, following a toothless job security agreement for *current* workers after the merger. “This is a bold agreement, and I’m proud of the mutually beneficial work done here and what Union Pacific, Norfolk Southern, and SMART-TD were able to accomplish.” But the railroads could easily fire workers for minor rule infractions as a work-around of this agreement.

The Brotherhood of Maintenance of Way Employees (BMWED) released a statement on the FRA’s inspection waver, “pledging to hold the carriers accountable for every condition,” in the words of union President Tony Cardwell.

In reality, they will do nothing. In 2022, the BMWED and other rail unions worked with the companies and

the White House to block a national strike demanded by workers, in which safety would have been a key issue. At the time, he reserved far more venom for rank-and-file workers, denouncing the Railroad Workers Rank-and-File Committee for organizing workers to enforce their decision for a strike.

Only months after Congress intervened to prevent a strike, a Norfolk Southern train derailed with dozens of chemical cars in East Palestine, Ohio. The railroad, emboldened by the actions of Washington and the unions, set fire to the contents of the cars in a bid to reopen the tracks as soon as possible, poisoning the entire town with carcinogens. The true scale of the disaster was covered up by federal agencies, who later admitted that the “controlled release and burn” had been unnecessary.

Over the past year and a half, SMART-TD, the BMWED and the other rail unions have worked furiously to prevent a repeat of 2022 by seeking to impose contracts separately, union by union, carrier by carrier, rather than through a national agreement. An initial contract was rejected by BMWED members at CSX, only for almost the same contract to be rammed through in another vote. As for SMART-TD, it tried to ratify a crew consist agreement at BNSF which would have paved the way for one-man crews by creating a new ground-based position, which would eventually replace conductors.

The fight for safety must be organized below by the rank and file itself. This requires the establishment of rank-and-file committees across the rail industry to fight for workers’ control over safety and to end management’s code of silence against reporting issues. They must join with committees in other industries which are already investigating horrific workplace deaths under the International Workers Alliance of Rank-and-File Committees (IWA-RFC).



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