

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE No. 775

GROWTH IN THE FREIGHT RAIL INDUSTRY

**COMMENTS OF THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
DIVISION/IBT; BROTHERHOOD OF RAILROAD SIGNALMEN; INTERNATIONAL
ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS DISTRICT #19;
INTERNATIONAL ASSOCIATION OF SHEET METAL, AIR, RAIL AND
TRANSPORTATION WORKERS MECHANICAL DIVISION; INTERNATIONAL
BROTHERHOOD OF BOILERMAKERS, NATIONAL CONFERENCE OF FIREMEN
AND OILERS/32BJ SEIU AND TRANSPORT WORKERS UNION OF AMERICA**

The Brotherhood of Maintenance of Way Employees Division/IBT; Brotherhood of Railroad Signalmen; International Association of Machinists and Aerospace workers District #19; International Association of Sheet Metal, Air, Rail and Transportation Workers/Mechanical Division, International Brotherhood of Boilermakers; National Conference of Firemen and Oilers/32BJ SEIU and Transport Workers Union of America (“Unions”) respectfully submit these comments in response to the Board’s notice of a hearing regarding prospects for growth in the freight rail industry. These comments will be supplemented by a presentation of the Unions’ counsel at the hearings scheduled for September 16 and 17, 2024.

I. INTRODUCTION

The Class I railroads say that they want to grow and are ready to pivot to growth, but what they are doing contradicts what they are saying; and even if they actually do wish to grow the business, they are not staffed to be able to do so.

Rail service is provided by rail workers, the railroads have cut their staffing and keep cutting workers. Even after a slight increase in staffing in 2023, the Class I railroads are still way

down in staffing. These comments will demonstrate the massive reductions in staffing that have occurred and how that negatively impacts both current service and possibilities for growth. Beyond that showing, the unions will also show that the cuts to the workforce exceed the reductions in carloadings cited by the railroads. Additionally, the Unions will show that the increases in profits among the Big 4 Class I railroads are entirely disproportionate to the cuts in carloadings and cuts in employment; and that the recent regression from peak profits is no justification for the retrenchment that has occurred in the industry.¹

As for growth, the Class I's cannot grow without increasing the workforce. But they have either effectively maintained flat employment or engaged in further workforce cuts. Furthermore, the railroads' own statements indicate that they are interested in growing profit margins, not in increasing profits by increased revenue from increased traffic. This is the result of the malign influence of stock speculators who push ever greater cost cutting as they extract value from the industry. The best solution is real and regular enforcement of the common carrier obligation. But to truly have an impact, we need more legislation to better define and enforce the common carrier obligation.

II. EMPLOYMENT

Railroading is a service business. And a service business depends on its employees. The railroads cannot take on more work, increase the amount of freight that moves by rail, without increasing the workforce that provides and supports the service. In fact the Class I railroads have

¹ Some of the information and materials provided with these comments have been submitted to the Board before in Ex Parte No. 770, but they are pertinent to the issues raised in this docket, and the Unions want all of the information and materials to be submitted and available in this docket.

dramatically cut employment. And, after the job cuts resulted in a service implosion, the Class I's have only merely recovered to a level of service that is mediocre at best and is incapable of responding to extreme but predictable conditions or surges in demand; from an employment perspective, they are certainly not in a position to take on increases in traffic.

As many have noted, and as the Unions have repeatedly demonstrated in Ex -Parte No. 770 Sub. No.1, rail employment among the Big 4 Class I railroads is down substantially since 2016, and significantly since 2019. And despite assertions that they intended to increase their workforces and thereby increase resiliency and reliability, Big 4 Class I rail employment is actually marginally down from 2023 to present. This is shown on Addendum A to these comments, which reviews the Big 4 Class Is' own employment reporting to this agency for categories L300 (engineering- maintenance of way and signal), L400 (maintenance of equipment-shops) and L600 (operating). Addendum A shows that for those categories for the month of June, for the Big 4 collectively, employment is down 22% since 2016, down 17% since 2019, and down 1% since 2023. For the individual railroads, BNSF employment is down 11% since 2016, down 16% since 2019 and down 1% since 2023; CSXT employment is down 22% since 2016, down 1% since 2019, and up 4% since 2023; NSR employment is down 29% since 2016, down 22% since 2019, and up 2% since 2023; and UP employment is down 27% since 2016, down 21% since 2019 and down 3% since 2023. Since railroading is highly employee intensive and a service industry, there is no way for the railroads to "pivot to growth", or to be ready for increased traffic when they dramatically reduced employment over 8 years and have even marginally reduced employment over the last year.

The railroads sometimes claim, especially with respect to employment cuts after 2019, that the reductions simply reflect declines in business. But that is not true. The reductions in employment, even since 2019, significantly exceed the reduced carloadings. This is shown by Addendum B to these comments- graphs and charts showing employment, profits and carloads for the Big 4 for each year from 2010 through 2023². Measured on an annual basis as shown by these charts, overall carloadings for the Big 4 were down 6% from 2016 levels and 7% from 2019 levels; but employment was down 24% from 2016 levels and 18% from 2019 levels. The reductions in employment far exceed the reductions in carloadings. But profits are dramatically up from 2016 and 2019. As is discussed more fully below, while profits decreased a little from 2022, they still remain quite high; and 2022 was a record year. The comparison of employment to carloadings to profits is shown on the graphs at Addendum B.

The roads sometimes claim that the reductions in employment just reflect changes in operations and methods of performing work that mean smaller workforces are required. With respect to engineering and equipment maintenance, that is simply not true. The reductions in employment have left the remaining employees with greater workloads and more responsibilities, which has adversely affected their ability to support operations and service. For

² The charts and graphs at Addendum B were prepared by Thomas R. Roth of the Labor Bureau, Inc. The Labor Bureau has provided professional services in labor relation matters to labor organizations throughout the United States continuously for 99 years. Mr. Roth has served Labor Bureau clients from 1974. In the railroad industry, Mr. Roth has served as economic and financial advisor to all railroad unions in national freight negotiations, commuter rail negotiations and Amtrak negotiations. He has represented all 14 standard railroad unions as financial and economic advisor in presentation of rail labor's case before numerous Presidential Emergency Boards and interest arbitrations under the Railway Labor Act, including over 40 Presidential Emergency Boards and interest arbitrations under the RLA.

example, the total track miles for the Big 4 has been essentially static since 2016, so the reduction in the engineering workforce (maintenance of way and signal) has meant that the current work force has to inspect, maintain, and repair the same infrastructure with fewer co-workers, and with increased burdens on the smaller work force. In the engineering departments, for each of the Big 4, the number of trackmiles per employee steadily increased between 2016 and 2022. This is shown on Addendum C to these comments. Using STB track miles data (R-1 Sched. 700) and L300 reports for 2016, 2019 and 2022, we see that on BNSF the number of trackmiles per employee increased from 5.37 in 2016 to 6.30 in 2019 to 6.73 in 2022 (percentage increases of 20% since 2016 and 6% since 2019); for CSXT those numbers go from 6.09 to 7.09 to 7.34 (up 17% and 3%), for NSR those numbers go from 6.36 to 6.89 to 8.19 (up 22% and 16%), and for UP those numbers go from 4.63 to 5.45 to 6.43 (up 18% and 15%). There are factors that explain different track miles per employee among carriers (terrain, type of cargo, contracting-out), but those factors should be consistent for each carrier. And for each of the Big 4, the number of employees per track mile-- the imputed amount of territory each employee is responsible for, has increased, significantly.³

Data for the shopcraft workers (responsible for maintenance of equipment), tell a similar story. The number of employees relative to the number of locomotives and cars has been significantly reduced. This is shown on the charts at Addendum D to these comments. The Class I's reduced both their numbers of active locomotives and rail cars between 2015 and 2022 (locomotives by 12.3% and cars by 22.1%), thus reducing their capacity to move freight. But

³ The chart at Addendum C also shows trackmiles per employee based on BMWED and BRS membership data submitted to the Board in May of 2023; those numbers show similar or greater increases in track miles per employee.

their reductions in numbers of shopcraft workers over that period were dramatic (43%); and disproportionate to the numbers of locomotives and cars. The ratio of shopcraft employees to locomotives was reduced from 1.032 employees per locomotive, to 0.676 employees per locomotive (a reduction of 34%). This reduction in the ratio of employees to locomotives increases the pressure on the remaining workers in their performance of inspection, maintenance and repair work; leads to pressure on employees to work quickly and less thoroughly (that has been documented by employee statements in Ex Parte No. 770-1, and in recent journalistic reporting); and it also further diminishes the railroads motive power capacity as the effectiveness of their active fleets is reduced when locomotives are not thoroughly and adequately inspected and maintained.

There is also no basis for attributing the decreases in numbers of engineering and mechanical department workers relative to assets to changes in technology. There has been no technological change with regard to the performance of Maintenance of Way, Signal, or Shopcraft work since 2015 that could possibly explain the increase in trackmiles per engineering department employee or the reduction in shopcraft employees per locomotive.

The railroads have on occasion attempted to blame workforce shortages on difficulty in hiring and retaining workers. In particular, they said they were surprised that after having furloughed thousands of employees for many months, the number who returned when recalled was smaller than they had expected based on past experience. Regardless of whether their surprise at the recall rate was reasonable, a number of years have since passed and the railroads should reasonably expect that they need to do more to retain and recruit workers. Instead they keep doing the same things and then express frustration when experienced employees leave and

hiring does not match their goals. Certainly, the continued furloughs that keep employment to a bare minimum are damaging to efforts to retain and recruit workers. Likewise, changing overtime policies from sudden mandatory 6 day weeks to sudden prohibitions against overtime frustrate current workers and discourage new hires. Because railroad jobs have always been highly desirable, the railroads seem to assume that if they merely post bulletins and advertise jobs, an adequate number of applicants will materialize. But with the erosion of the comparative advantages to railroad employment, diminution of quality of life for railroad workers, and the demands and stresses on overstretched workforces, rail employment is less desirable than it once was and the railroads need to adapt to increase the desirability of rail employment. Industry stakeholders should not accept the railroads continuing to throw up their hands and saying “we are doing the best we can to increase employment”. As shown in the unions’ first supplemental comments in Ex Parte 770-1, both Amtrak and the airlines, employers with jobs comparable to freight rail jobs, have succeeded in substantially increasing their workforces through aggressive recruitment and improved compensation packages. If the railroads cannot similarly increase their workforces, it is because they are not really trying.

There are also concrete examples of Class I railroads reducing their employment, and hence their ability to grow, for reasons that have nothing to do with operational needs, traffic volume, or their finances. Rather, the railroads have engaged in furloughs to increase profit margins (not gross revenues) in order to satisfy stock speculators.

Union Pacific

As was explained in the unions’ third supplemental comments in Ex Parte No. 770-1, in October of 2023, shortly after James Vena took the helm at Union Pacific, the carrier advised the

BMWED that in November, the carrier would furlough approximately 1300 maintenance of way employees (about 21% of UP's maintenance of way workforce), and that those employees would not be recalled until the end of January this year. Union Pacific responded that the number of employees who actually would be unable to hold a position after exercise of seniority would be minimal, that furloughed employees would not have to wait two months to be recalled, and that the furloughs were not unusual but were typical seasonal furloughs. As the Unions demonstrated, none of those assertions were true at the time they were made. UP's own reporting to the Board for employment category L300 (maintenance of way and signal) shows that: 1) 569 maintenance of way employees were actually laid off (about 10% of the maintenance of way workforce); 2) those employees were not recalled for at least two months, and UP's June 2024 reporting for category L300 shows 334 fewer employees than it reported in June 2023; and 3) UP's assertion that the furloughs were seasonal is contradicted by UP's L300 reporting data from 2022, as well as data for the other major Class I railroads— BNSF's reduction of its L300 employees was half the reduction implemented by Union Pacific, and CSXT and NSR actually increased employment in that category. So, neither seasonality nor broad market forces explains UP's maintenance of way furloughs. In short, UP's supposed justifications for the furloughs were all mere fabrications. Rather, as asserted by BMWED, the furloughs represented a cynical effort to reduce UP's operating ratio in the first quarter of James Vena's tenure as CEO by depriving maintenance of way employees of 2 months of income, and some of them additional months of income. And this does have an effect on service and the ability of the railroad to grow. It was a mere two years ago that UP promulgated a stunningly unprecedented number of embargoes due to "congestion". See Ex Parte No. 772-Union Pacific Embargoes. The maintenance of way

employees furloughed last year were working on production gangs, those that perform capital work. With UP running longer and longer trains, trains that exceed the length of sidings and yard tracks for assembling trains, UP has created its own congestion and capacity limitations. If it is going to run extra long trains, it needs to increase the length of sidings so trains can pass each other, and the length of yard tracks so trains do not extend out of yards when they are being assembled so they won't extend onto mainline tracks and block other trains. Indeed, in Ex Parte No. 772, the unions showed examples of very long UP trains blocking each other, and blocking yard ingress and egress. It is production gangs that do the work of extending sidings and yard tracks, yet almost 600 production gang workers were removed from work between November of 2023 and January of 2024, and currently there are more than 300 fewer of them than there were a just year earlier. Union Pacific cannot increase its capacity and assure prospective customers that it can handle their freight when it handicaps its own ability to make sure that its track can handle more traffic. One of the first actions of Union Pacific once Mr. Vena took the helm was to furlough Shopcraft workers who perform maintenance of equipment work. In August of 2023, before Mr. Vena was hired, UP reported 4934 employees in category L400 (maintenance of equipment). Almost immediately after Mr. Vena took charge, UP furloughed over 200 shopcraft workers. Significantly, UP furloughed employees in the Los Angeles Basin shops, which would be needed to support growth in intermodal traffic, and where there had been significant congestion as the economy began to recover from the early stages of the pandemic as containers could not be moved from the ports of Los Angeles and Long Beach so container ships remained parked in the harbor. The Los Angeles Basin shops had 106 machinists in 2020, there were around 50 in the summer of 2023. On August 25, 2023, UP furloughed 9 machinists reducing the

complement to 41; UP furloughed an additional 14 machinists in January of 2024 leaving only 25 machinists in the shops that inspect and maintain locomotives used to service the ports of Los Angeles and Long Beach. This is documented by the Statement of Juan Estrada in Addendum E to these comments. UP thus handicapped itself from increasing intermodal work from those ports, as it would have fewer locomotives in the area and fewer mechanics to inspect and maintain locomotives in the area.

BNSF shop furloughs

On February 25, 2024, Warren Buffett released his annual letter to investors in which he complained about BNSF's profit margins relative to the other Class I's. Mr. Buffett praised rail workers who have to work outdoors and in dangerous conditions, but he then criticized the pay increases those workers received in the most recent collective bargaining agreements (which were based on Presidential Emergency Board recommendations and accepted by the carriers, with the recommendations legislatively imposed with respect to some unions--at the carriers' request). Mr. Buffett asserted that the agreements provided pay increases that he said were "far beyond the country's inflation goals", but which were well below actual inflation. In fact, the increases were relatively consistent with inflation, and followed three years of wage stagnation in the face of dramatic increases in the cost of living. So, Mr. Buffett credited workers for hard work in dangerous and difficult conditions, but he does not believe that they are worth the pay increases recommended by the Presidential Emergency Board; and he would have preferred that the wage increases were less than the increases in the cost of living.

Two days after Mr. Buffett's letter was released, BNSF suddenly furloughed over 360 maintenance of equipment/shopcraft workers. BNSF did so even though BNSF has been

understaffed with respect to shopcraft workers in recent years. As described in the Unions' Second Supplemental comments in Ex Parte No. 770-1, in January of 2023, BNSF announced that over 1000 of its locomotives were overdue for their FRA mandated inspections (over 20% of its active fleet); the situation was so bad that BNSF had to seek FRA forbearance in enforcing the applicable regulations, and then had to contract-out the performance of work that it had never previously contracted-out. But BNSF then imposed a hiring freeze last summer and curtailed its mechanic hiring plans. Unsurprisingly given the hiring freeze, in January of this year, BNSF again found a large number of its locomotives overdue for FRA mandated inspections (over 650 locomotives) and ordered mandatory 6 day work weeks for locomotive mechanics; among the locations where 6 day work weeks were imposed were six where BNSF furloughed workers two days after Mr. Buffett's letter. Accordingly, after twice in two years being unable to keep up with the minimum FRA required locomotive inspections, and just after requiring 6 day work weeks for many locomotive mechanics, BNSF reduced the number of its employees who can perform the FRA inspections.

The February 27th furloughs were just a hurried attempt to satisfy Mr. Buffett's demand for improved profit margins by reducing operating expenditures in the Maintenance of Equipment department.

Norfolk Southern

Norfolk Southern had responded to complaints about the quality of its service by adopting a resilience plan under which it would not cut staffing to the bone, but would retain headcounts in order to be prepared for service interruptions and surges in demand. However, in response to the Ancora Holdings effort to change NSR management, Norfolk Southern

announced that it would significantly reduce its inventory of locomotives and would reduce staffing by 2% by the end of this year. Those announcements and others were designed to placate investors by jettisoning the resilience model and instead focusing on reducing operating ratio. That is certainly not a way to pivot to growth. In the battle between stock speculators and NS management, the capacity for growth and to respond to service interruptions and changes in demand gave way to short term efforts to increase profit margins.

II. THE CLASS I RAILROADS HAVE NO PLANS TO GROW, AND THEY ARE NOT POSITIONING THEMSELVES TO GROW; THEIR FOCUS IS ON PROFIT MARGINS FROM THE SAME OR SMALLER TRAFFIC BASES, NOT INCREASED PROFITS FROM INCREASED CARLOADS AND REVENUE

It has been apparent since the stock speculator induced adoption of the cost-cutting business model branded as “PSR” about 8 years ago that the Class I railroads have no interest in growth, but rather seek smaller but more highly profitable businesses. While managements of the Class I railroads have told this Board that they have plans to increase traffic on their lines, they have disclosed their real aims in discussions with finance interests. Most prominently, James Vena and other Union Pacific top managers expressly told financial analysts that they are not interested in traffic that can be handled at a profit, but not at their target profit margin.

On January 25, 2024, Mr. Vena and Union Pacific’s CFO Jennifer Hamann, EVP Marketing and Sales Kenny Rucker, and EVP Operations Eric Gehringer held an earnings call with industry financial analysts in which those corporate officers were adamant that they will not reduce prices to gain more business, that they will gain profitability by “efficiencies”, that there is room to continue to reduce headcount to gain further efficiencies, that Union Pacific has maintained “price discipline” and would not lower prices to increase volumes, and that a shipper

would have to meet Union Pacific's [profit] margin to be on the system.⁴ During the course of the call (at 53:59 of the recording), Mr. Vena said that our goal is very clear, to have the best O/R in the business. UP apparently lost an international intermodal contract because of its "price discipline". Ms. Hamman said (at 31:23): we want to make sure that the business on our railroad is at an acceptable margin; Mr. Rocker then said (31:39) the margins have to be acceptable [for a shipper] to be on the network. Later Mr. Vena said (at 54:52) that, with respect to lost business, we need to replace lost business without making an adjustment on price to get the business; and Mr. Rocker said he's bullish on intermodal but wants to make sure that they are moving product at "acceptable margins". They continued to talk about reducing headcount (36:00-36:50) and said that they can continue operating with fewer people handling the same amount of business. The Union Pacific officers could not be more clear-- they are laser focused on reducing operating ratio and maintaining price discipline, and they are not interested in increasing the business if serving the prospective new shipper (or keeping an existing one) cannot be done at the required profit margin, even if the shipper may be served profitably, but not maximally profitably—**you have to meet our margin to be on the system**. No one addressed how requiring shippers to meet the demanded margin in order to provide service is consistent with UP's obligations as a common carrier. Simply put, Union Pacific is not interested in increased volumes and revenue; it is solely interested in increased profit margins.

⁴ The link to a recording of that conversation is https://www.up.com/cs/groups/public/@uprr/@investor/documents/investordocuments/mp3_unp_4q23_er_replay.mp3. An unofficial transcript of the call was submitted with the Unions Third Supplemental Comments in Ex Parte No. 770-1.

Warren Buffet's complaints about BNSF's profit margins that led to hundreds of mechanical department furloughs are indicative of a similar mind-set. Perhaps vexed by the praise heaped on BNSF's competitor by finance interests after appointment of Mr. Vena, and the subsequent increased UP profit margins by cost-cutting and business contraction, with no apparent near-term consequences from shareholders or regulators, BNSF embarked on its own cost-cutting regime, with more employees furloughed, and more locomotives in storage. Thus, we have clear rejection of the philosophy of former BNSF CEO Matt Rose— that you grow the business by growing the business. It should also be recalled that it was BNSF that fought with NTEC over BNSF's rationing of trains and crews—after the carrier had furloughed operating craft employees and shopcraft workers, and mothballed locomotives. Instead of responding to a request for more service by working to accommodate the customer and increase its traffic, BNSF fought the customer saying that it did not have the resources to provide service. Indeed, at a time when it was arguing that it lacked sufficient trainsets to meet NTEC's service needs, BNSF had reduced its locomotive fleet and was behind on its FRA mandated inspections by 1000 locomotives. BNSF is simply not interested in growing the business, especially if the new business does not improve the profit margin.

NS's response to the Ancora challenge to NS management by announcement of reductions in employment and locomotives (discussed above), is similarly reflective of the no growth philosophy— to leverage better profit margins not increase revenues— that prevails among the Class I's today.

III. UNION OFFICER AND EMPLOYEE STATEMENTS REGARDING BIG 4 ACTIONS INCONSISTENT WITH GROWTH

Addendum E includes statements of officers of the Unions and employees (some employee statements have their names redacted to protect the individuals from retaliation) that describe how the reductions in rail employment have led to recent service issues and how the reduced staffing will impede the ability of the Class I's to grow. The Unions will not repeat all that information here and respectfully refer the Board to Addendum f. Here the Unions will just summarize some of the key information.

Engineering

The reductions in maintenance of way and signal workforces means that the Class I railroads cannot keep up with inspections, maintenance and repairs to provide adequate service today. The reductions in the maintenance of way workforces of the Class I's means while the railroads have the same miles of track as there were 8 years ago, there are many fewer employees to maintain those same miles of track, which means they cannot keep up with the maintenance and routine renewals of the track and bridges. The furloughing of production gangs that do the capital work for the railroads reduces operating costs and improves operating ratios in the short-term; but it portends problems for existing levels of traffic in the long-term, and undermines the ability of the railroads to increase traffic. Additionally, while a major strategy of the Class I's to improve profit margins is to run fewer but longer trains, and they presumably hope to handle increased traffic with even longer trains, running of longer trains puts extra stress on the tracks which creates more defects and increases the possibility of derailments, so not only do reduced workforces have to inspect, maintain and repair the same miles of track, but that track is under

additional stress because of the longer trains. *See* Statement of BMWED President Tony Cardwell and the statements of various BMWED General Chairpersons at Addendum F-1.

The job cuts also mean that the Class I railroads cannot take necessary actions with respect to their infrastructures to accommodate additional traffic. Where there is only single tracking, as trains moving in opposite directions meet, practice should be for one of the trains to pull into a siding to allow the other to pass. But many sidings are only a mile or a mile and a half long because they were designed and constructed when trains were typically of such lengths. When trains are two or three miles long, they cannot fit many of the sidings. When one or both of the trains are two or three miles long, either a train is held at a yard or junction or a point well before a possible meet until the other train passes, or a train is directed to a longer routing. In either case, movement of one or both of the trains is delayed. This is also a problem when a carrier builds a two- or three-mile-long train in yards; a train may extend out onto the main line because yard tracks were not constructed with such long trains in mind; that results in blocking other trains from entering or leaving the yard, again causing congestion and delays. The obvious remedy to these problems if the plan is continue to run long trains is to lengthen sidings and yard tracks. But with the reductions in the Maintenance of Way workforces, carriers lack the workforces to do so. If these sorts of capital improvements are not made, the carriers will lack the capacity to respond to add trains to accommodate increased shipper use of freight rail. *See* Statements of BMWED President Tony Cardwell and General Chairman John Mozinski at Addendum F-1.

The reductions in the number of Signalmen have also negatively impacted the ability of the Class I railroads to do necessary capital work, preventive maintenance and timely respond to

“trouble calls”, which means that there are service disruptions, slow orders, and increased congestion on the tracks. *See* Statement of BRS President Michael S. Baldwin at Addendum F-2, which includes correspondence from BRS members. BRS members report multiple locations that desperately need new crossing cases installed, but due to personnel shortages and the constant reshuffling of staff, the projects remain incomplete, leaving exposed cabling and equipment haphazardly arranged on the ground. Sometimes the cases are at the location, but not installed due to lack of manpower. Signalmen are often forced to rely on temporary solutions just to keep crossings operational, all while struggling to manage their regular duties. In many locations, failed infrastructure is left in service until complete breakdowns occur, jeopardizing safety and increasing the risk of accidents. Members report that in some territories, joint bars and rails are in disrepair, in others failed insulated joints are still in service and the carrier waits until the second insulated fails and the circuit breaks, meaning that the Signal system is not operating on that stretch of track. Another Signalman reports that at one yard the Signal complement is half what it should be and the Signalmen are on call all the time because there are not enough of them to provide regular cover for such work; at another yard, trains sit on branch lines and even main line tracks for hours outside the yard even preventing the Signalman from getting to a crossing that required work. In other locations, essential testing and maintenance are often delayed or canceled due to workforce and operational constraints. All of these failures, delays in making repairs and lack of preventive maintenance lead to slow orders and capacity constraints on the lines. *See* Statement of BRS President Michael S. Baldwin and correspondence at Addendum F-2.

Across the United States, on multiple railroads, there have been many deferred responses to malfunctions and trouble tickets, with repairs and corrections delayed because the Signal staff is stretched too thin. These failures not only violate regulatory requirements but also significantly jeopardize the safety of train operations, and contribute to slow orders that disrupt the efficiency of rail traffic. BRS has supplied examples of letters to the FRA regarding multiple examples of disregarded malfunctions across rail networks that involve grade crossings, where the railroad issued a slow order, but then did not address the issue for several hours, sometimes days. These actions ultimately reduce velocity which in turn clogs mainlines and reduces any possibility that the railroads could possibly add more trains to a network that is not well maintained. BRS does not see how the Class I railroads can increase traffic on their lines under the current conditions and with the reduced Signal workforce. *See* Statement of BRS President Michael S. Baldwin at Addendum F-2.

Mechanical

The reductions in shopcraft positions has rendered the Class I's unable to keep locomotives maintained so they are in good condition and serviceable for movement of trains. As documented by the officers of IAM District #19 and employees of various railroads represented by IAM #19 and SMART Mechanical Division various Class I railroads are sending locomotives out when they have not been fully inspected and maintained. For example BNSF has sent out locomotives with air brakes that are leaking air, but not leaking enough to require that they be taken out of service; so they are put into consists but not as the lead locomotives, but the brakes often fail and the trains have to stop. Supervisors, who are under pressure from higher management to move locomotives (told that their highest priority is to get locomotives out of the

shop and back on the road) often take inspection check lists from assigned mechanics before the inspections and maintenance are completed and the supervisors (who have not performed the inspections) sign off on release of locomotives that are not roadworthy. Those locomotives tend to break down and slow or stop a train, blocking or slowing movements on the tracks. Employees also report that BNSF has been cannibalizing stored locomotives for spare parts rendering those locomotives unavailable if there is a surge in demand, or if a customer requests increased service. See Statements of IAM #19 officers and members and SMART MD members at Addendum F-3 and F-4.

Currently, there are 433 BNSF locomotives that are Laid-Up Bad Order (LUBO), meaning that they are broken in some manner or missing parts. This is about 9% of BNSF's active fleet. See chart at Addendum F-4. If BNSF were to experience a surge in demand for service, these locomotives would be useless to it. And, as described above, BNSF had over 1000 locomotives overdue for FRA required inspections in January of 2023 and over 600 overdue in 2024. The situation in 2023 was so dire that BNSF had to seek "enforcement discretion" from FRA and contract-outs basic work that it had never contracted-out before. In January of 2024 BNSF decreed mandatory 6-day work weeks to clear up the backlog. But since then, it furloughed hundreds of shopcraft workers and is apparently content with having 9% of its fleet unavailable for service. With BNSF so short of staff that it cannot complete the most basic locomotive inspections in a timely manner, it is not situated to respond to a surge in demand; and it certainly cannot assure its shippers or potential new customers that it has the equipment to handle more traffic. *See* Statements of IAM #19 officers and members at Addenda F-3 and F-4.

At Norfolk Southern robbing stored locomotives for parts happens multiple times each week. CSXT has eliminated its parts inventory, so it often takes days to get necessary parts to effect repairs. *See* statement of IAM #19 General Chairman Orwan at Addendum F-4. Union Pacific's shops that service the Los Angeles Basin (Dolores and Commerce) are understaffed and the Drop Pit at Dolores is not operational and UP hasn't fixed it. As a result, trains out of Los Angeles are delayed as locomotives are sent to UP's West Colton facility which is 65 miles away. So rather than maintain and repair locomotives near the Ports of Los Angeles and Long Beach, UP is sending locomotives further away which limits the inventory of locomotives available near the ports. *See* Statement of IAM #19 General Chairman Juan Estrada at Addendum F-4. This impedes UP's ability to handle traffic coming from the Ports, and certainly diminishes UP's ability to handle increased traffic coming from the Ports.

IV. INCREASED USE OF SHORT LINE AND REGIONAL RAILROADS IS NOT AN ANSWER TO THE REFUSALS OF THE CLASS I RAILROADS TO TAKE IN INCREASED BUSINESS

Rather than encourage or induce Class I railroads to carry more freight, some have promoted increased use of short line and regional railroads as an alternative way to move more freight by rail. The unions reject the notion that the proper response to the refusals of the Class I's to do their job is to expand the use of short lines and regionals to serve customers on Class I lines and yards.

Many employees of short line and regional railroads are not covered by union contracts. And for employees of short lines and regionals who are covered by union contracts, their rates of pay, benefits, and rules are well below the rates of pay, benefits, and rules under agreements applicable on the Class I railroads. In essence, proponents of trying to increase the use of rail by

increasing freight carried by short lines and regionals would do so by undercutting standard Class I collective bargaining agreements. For example, an Environmental Defense Fund sponsored paper on increasing the amount of traffic moved by rail observed that the Class I's do not want to grow; so the paper promoted increased use of short lines and regionals, noting that their labor costs are below those of the Class I's. That is simply unacceptable to the Unions, and we have so advised EDF. It is unacceptable to the unions that there would be a plan to increase the use of rail transportation by undercutting standard national rates of pay, benefits and rules.

A proposal to fill the rail transportation shortfall of the Class I railroads by expanding the use of short line and regional railroads is reminiscent of what happened in the late 1980s and early 1990s with the creation of many of the short line and regional railroads. As the post-Staggers Act Class I railroads sought to reduce their networks, they sold off lines to newly created short line and regional railroads. Typically, those were lower density branch lines that were profitable, but the selling carriers deemed them to be inadequately profitable- they referred to them as "only marginally profitable". So the Class I's sought to spin off those lines. But they also acted to retain the long-haul movements of cars coming off the branch lines and onto the trunk lines, where the movements would be more profitable. In order to do that, the Class I's made the sales subject to contractual restrictions preventing or disincentivizing the purchasers from interchanging traffic with anyone other than the sellers- those restrictions are informally called "paper and steel barriers".

While the Class I's deemed the branch lines to be insufficiently profitable, those lines could be operated at an acceptable profit for the new short lines and regionals because they were non-union; they reduced the workforces by about 15%, and wages by about 15%; and there were

other reductions from Class I wages, benefits, and rules. In essence, the Class I railroads cut their labor costs of gathering freight on lighter density (but still profitably served) lines while retaining the traffic coming off those lines through the device of line sales to captive and typically unorganized short lines. Rail unions challenged those transactions as sham conveyances and as involving the phony use of corporate affiliates and subsidiaries, and they contended that the denial of employee protections was contrary to law. But the ICC and STB did some legal contortions to allow those sales with the Class I's retaining the long-haul movements under contractual restrictions and without employee protections under the policy goals of retaining service on the transferred lines. The policy goal of continuing service on the conveyed lines was thus achieved on the backs of the rail workers who lost jobs and union representation, and suffered reduced wages and benefits; while the Class I's retained the traffic off the conveyed lines. In the Unions' view, those were a series of bogus transactions backed by legal fictions that benefitted the Class I's, the new short lines and regionals and shippers, but exploited rail workers. Trying to induce increased use of rail by again moving work from railroads under standard national agreements to short lines and regionals would be flat unacceptable.

V. THE RETRENCHMENT AND LACK OF PREPARATION FOR GROWTH BY THE CLASS I RAILROADS ARE NOT JUSTIFIED BY THEIR INABILITY TO CONTINUE THEIR STREAK OF RECORD-BREAKING PROFITS

The Class I railroads have attempted to justify their refusals to increase their workforces, their withdrawal from staffing for resiliency, and their failure to position themselves for growth by citing recent declines in volumes and profits. In doing so they have ignored the lessons of the resurgence of demand as the pandemic abated, when they were caught flat-footed with insufficient staff because cavalierly furloughed employees did not return after months-long or

longer furloughs. But the poor-mouthing by the Class I railroads as an explanation for cutting their rail workforces, and not creating resiliency or positioning themselves for growth is not in any way justified by the recent financial experience of the Class I's.

Addendum B to these comments (charts, graphs and tables prepared by the Labor Bureau, Inc. regarding the financial performance of the Big 4 Class I railroads since 2010), demonstrates that while it is true that carloads are down and profits are off from their historic peak of 2022, the reduction in carloads has been minimal, and the reduction in profits since 2022 has been relatively insignificant. Profits for the Big 4 combined in 2023 are more than double their combined profits in 2010- around the end of the Great Recession. The chart at the first page of Addendum B shows a dramatic steep increase the profits of the Big 4 since the end of the Great Recession, even after short declines in 2016 and 2019. Indeed 2022 qualifies as the most profitable year ever for the Big 4 combined. The drop in combined profits from the record year in 2022 to 2023 still left 2023 profits at double the level in 2010. Current profits even exceed the then high mark in 2018 which doubled the profits from 2010. Even when calculated in constant dollars from 2010, there is no basis for the alarm and retrenchment by some Class I's, or the paralyzed stasis of other Class I's. In constant 2010 dollars, current profits are 150% of 2010 profits and exceed 2017 profits. *See* Addendum B. The cost-cutting and job reductions by industry executives to placate dissatisfied investors (or to placate an individual investor), who would have been thrilled by these results in 2016), and the attacks on the financial performance of the railroads by stock speculators, are unwarranted in the context of recent historical performance-even very recent historical performance.

The recent reduction in profits from record-breaking to merely historically very good does not justify the cuts in employment and lack of efforts to increase demand and prepare for growth. With respect to employment, the workforces of the Big 4 are 22% below 2018 levels while profits are higher. Operating ratios are still historically low. The combined results of the Big 4 are generally consistent with the results of the individual carriers; all of them are currently far more profitable than they were after the Great Recession, and all of them are either as profitable, or more profitable, than they were in 2018. As shown Addendum B the cuts in employment significantly exceed the reductions in carloadings.

The reduced carloadings are cited as a principal reason for the job cuts. But the job cuts far exceed the reduced carloadings, And the reductions in employment are virtually the inverse of the increases in profits— profits increased as employment was reduced. In essence the increase in profits has been driven in large part by the cost-cutting, especially with respect to the workforce. That means that the Class I's have no incentive to grow, to increase profits by increased revenue.

The Unions contend that to the extent that volume is down, it is significantly because the Class I's have rejected, discouraged, or disincentivized increased movement of freight by rail because they are interested in only the highest profit margin traffic. Union Pacific just said the quiet part out loud—they don't want business that does not meet their margin, even if shippers can be served profitably, but not at the high target profit rates-- regardless of their obligations as common carriers.

Under pressure from stock speculators the Class I's have favored short-term profits and less revenue but at higher margins, over increased revenue and longer-term profits from expanded use of freight rail. The stock speculators can extract value from the railroads with little consequence for them or the railroads. Unfortunately, it is rational for management to respond to the desires of the stock speculators in this manner; but it is bad for customers, bad for rail employees, and bad for the Country.

VI. WHAT SHOULD BE DONE

The Unions submit that the current Class I business model is not only inconsistent with expanded use of rail for freight transportation, it is fundamentally at odds with the common carrier obligation. But the ICC and STB allowed the mergers that created today's mega-carriers as consistent with the public interest creating today's duopolies and a highly concentrated industry; and the Class I's have no incentive to improve service and increase traffic because they do not face competitive consequences for maintaining and extending the cost-cutting/low service business model; and they have evaded meaningful and consistent enforcement of the common carrier obligation. The Class I railroads will not provide more and better service until there are regulatory consequences for their failure to do so. The most important steps that can be taken involve better enforcement of the common carrier obligation.

While enforcement of the statute as currently written is certainly welcome; it is not enough. The standard is somewhat general and less clear than it should be and it is hard to apply in an individual case. And the hope for creation of specific standards under the current statute through development of a common law of the common carrier obligation through litigation of individual cases is a hope that has not been, and will not be, realized given the nature of the

current standard and the practice of the railroads of settling “bad” cases so there rarely are adjudications based on specific facts that establish the parameters of the duty.

What is necessary is better definition and enforcement of common carrier obligation. There is currently a bill drafted by Senator Tammy Baldwin and co-sponsored by Senator Roger Marshall that is supported by Rail Labor and many major shipper groups. The Unions urge other shippers to get on board and to press Members of Congress to support that bill. Such legislation is the only way to turn the railroads to a model of increased profits from growth rather than a model of increased profit margins by limiting their networks to less but higher profit margin traffic, and relentless cost-cutting which ultimately hollows out the railroads.

VII. GOVERNMENT ACTIONS TO PROMOTE FREIGHT RAIL GROWTH AND TO DISINCENTIVIZE LIMITS ON SERVICE TO ONLY HIGH PROFIT MARGIN CUSTOMERS ARE ENTIRELY APPROPRIATE

Railroads and others may contend that this Board, and Congress, have no business getting involved in the railroads’ business; that the railroads are private entities and whether they should grow or contract, who they serve, and how frequently they are served should be determined solely by railroad managements and ultimately their shareholders, without “government interference”. *See e.g.* Center for Regulatory Freedom and Washington Legal Foundation. Some contend that the incessant drive for ever higher profits driven by stock speculators (while the workforce is reduced, and customers are poorly served) at privately owned corporations is not properly the concern of a government agency or the Congress of the United States. *Id.* But these privately owned businesses are responsible for essential parts of the Nation’s transportation

infrastructure. Poor freight service and a reluctance to increase shipping by rail when it would benefit the economy, transportation safety, and the environment are matters of national concern.

And the railroads are not like other private businesses in a variety of ways. The government provided the land and paid for the creation of much of our rail system, it has fostered the growth of the railroads, relieved them of legal obligations, mitigated the railroads' financial constraints when they were in financial extremis, authorized a level of concentration in the industry that would not be allowed in other industries, provided the railroads with immunity from anti-trust laws and other laws, and intervened to protect railroads in labor disputes. All of that support, protection, special treatment relative to other businesses, and legal immunity, were based on the premise that it was advantageous or necessary because of the importance of rail transportation to the economy and the Country generally. The railroads have no business complaining about government oversight and intervention in their businesses.

More specifically, the railroads:

- 1) operate under government issued certificates;
- 2) have common carrier obligations;
- 3) are government permitted duopolies, with each of the Big 4 spanning half the United States, the mergers that created the mega-carriers that are the Big 4 and the very large carriers that are the other Class I's, each with no more than one competitor (though they are often practically monopolies in certain regions and for certain commodities) would never have been allowed to form in other industries, they were allowed to form because this agency and its predecessor determined that their combinations were consistent with the public interest, and that the public transportation benefits of the combinations outweighed the potential negative effects of extreme industry concentration;
- 4) have immunity from anti-trust law and other laws with respect to post-merger actions, with the scope of that immunity broadly construed, and wielded liberally against Rail Labor to override the Railway Labor Act and negotiated agreements, and even the Norris

LaGuardia Act (concerning injunctions in labor disputes)- *see e.g. Norfolk & Western Ry. v. American Train Dispatchers Ass'n*, 499 U.S. 117 (1991), *CSX Transportation v. United Transportation Union*, 86 F. 3d 346 (4th Cir. 1996).

Additionally:

- 5) the railroads were the recipients of federal land grants that combined would be larger than 46 States;
- 6) the federal government paid to build much of the western railroads;
- 7) substantial parts of CSXT and NSR benefited from the government takeover of the former Penn Central lines (by creation of Conrail and “rationalization” of its lines);
- 8) all of the railroads were relieved of their common carrier obligations for passenger service with the federal government’s creation of Amtrak which relieved them of parts of their service that ran at significant losses;
- 9) the government has repeatedly intervened to prevent strikes and other actions by railroad employees and to impose substantive terms of collective bargaining agreements to prevent disruptions in the Country’s rail service (for example legislative imposition of the recommendations of Presidential Emergency Boards 219 and 250), because of such government action, the rail unions have not been able to use the threat of, or exercise of, self-help, as contemplated by the Railway Labor Act in order to obtain limitations on the dramatic reductions in the workforce, or to address such important issues as the increased contracting-out of work, changing and stricter attendance policies, operational and technological changes, or better safety protocols.

Accordingly, assertions that it is none of the government’s business if the Class I railroads focus on ever greater and short-term profits to the detriment of service, choose to serve only those customers who meet the railroads’ target margins, and staff themselves so thinly that they cannot provide good service and are not prepared for surges in demand, typical weather events, and growth are ahistorical, contrary to law, and generally specious. The unions submit that the actual actions of the Class I railroads are in conflict any assertion that they are pivoting to growth, and even if they want to grow, their actual staffing renders them incapable of being able to handle increased traffic.

VIII. CONCLUSION

The Class I railroads are too thinly staffed to provide adequate service today; they certainly are not positioned to handle increased traffic. This will not change without more regulation appropriate to the industry we have today (not the one that existed in 1980) and better definition and enforcement of the common carrier obligation. Action by the Board and by Congress is necessary. The Unions anticipate that there will be scaremongering about proposals for more robust regulation of the industry and greater Board oversight of the service provided by the railroads and the availability of rail service (*see e.g.* Center for Regulatory Freedom and Washington Legal Foundation). We will surely here that any action the Board takes, and any legislative action, will bring the industry back to the days before the Staggers Act. In doing so, those who advance such arguments attack a strawman. The Unions do not advocate pre-Staggers (1940 Act) levels of regulation; instead, they advocate a regulatory regime appropriate to the highly concentrated, duopolistic industry that exists today.

Respectfully submitted,

August 16, 2024

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Mechanical Division; International Brotherhood of
Boilermakers; National Conference of Firemen and
Oilers/32BJ SEIU; Transport Workers Union of America

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STB EMPLOYMENT DATA FOR BIG 4 CLASS I'S
6/23 VS. 6/24, 6/23 VS. 6/19, AND 6/24 VS. 6/16

BNSF:

	6/23	6/24	% Change 6/24 vs. 6/23	6/19	% Change 6/24 vs. 6/19	6/16	% Change 6/24 vs. 6/16
Eng L300	8,226	8,381	+ 2%	8,579	- 2%	9,855	- 15%
M/E L400	6,657	6,144	-7%	8,742	- 30%	7,970	- 23%
T+E L600	15,615	15,674	+0.5%	18,215	- 14%	16,102	- 3%
Total	30,498	30,197	- 1%	35,946	- 16%	33,927	- 11%

CSXT:

	6/23	6/24	% Change 6/24 vs. 6/23	6/19	% Change 6/24 vs. 6/19	6/16	% Change 6/24 vs. 6/16
Eng L300	5,115	5,729	+11%	5,166	+ 10%	6,128	-7%
M/E L400	2,583	2,784	+7%	3,100	- 10%	4,249	-34%
T+E L600	7,557	7,691	+2%	7,698	0%	9,836	- 22%
Total	15,255	15,813	+4%	15,964	- 1%	20,213	- 22%

NS:

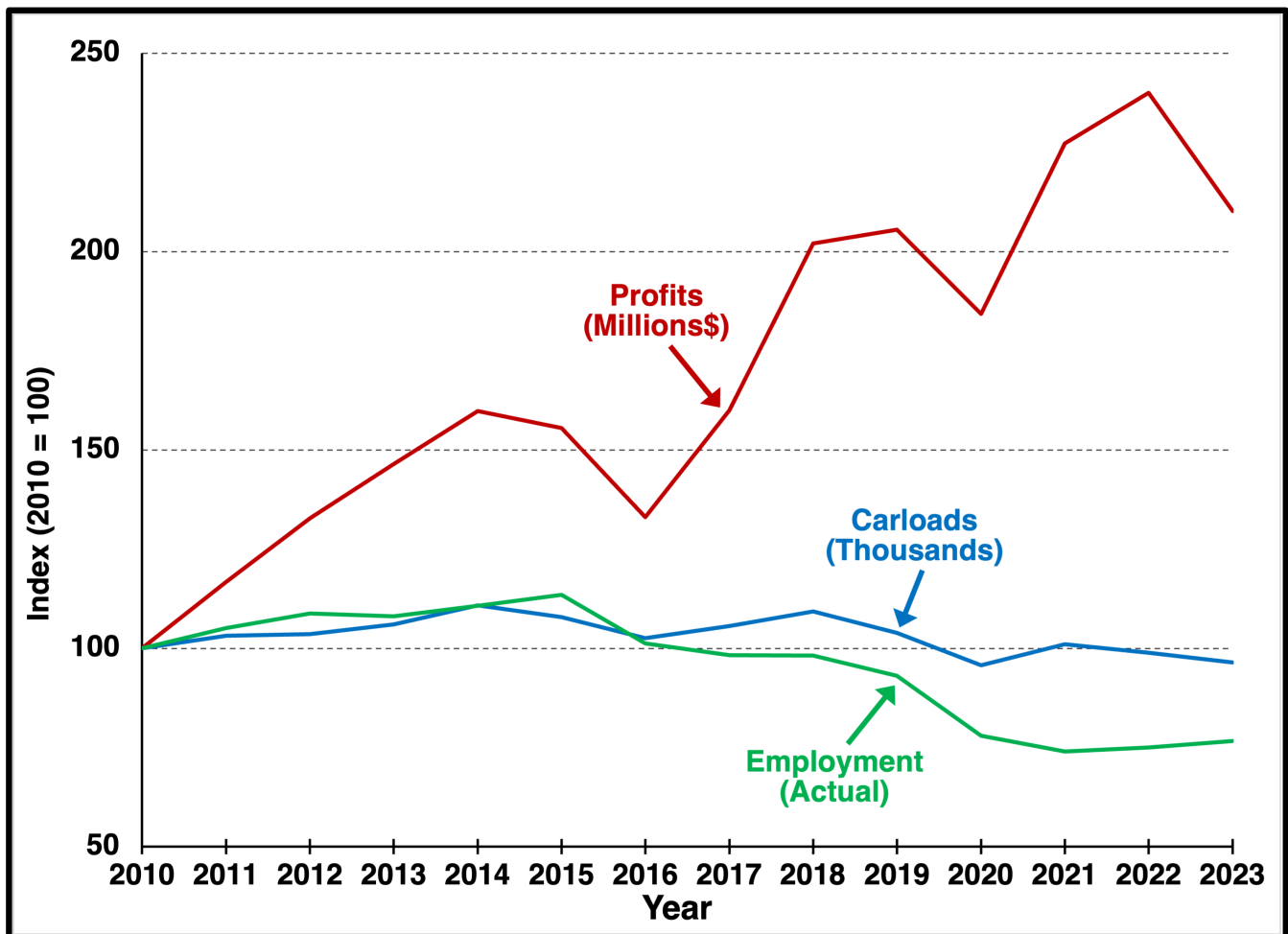
	6/23	6/24	% Change 6/24 vs.6/23	6/19	% Change 6/24 vs. 6/19	6/16	% Change 6/24 vs. 6/16
Eng L300	4,382	4,588	+ 4%	5,201	-12%	5,691	- 29%
M/E L400	2,628	2,870	+ 7%	4,894	-31%	5,641	- 49%
T+E L600	8,736	8,545	- 2%	10,333	-17%	11,050	- 23%
Total	15,746	16,003	+ 2%	20,428	-22%	22,382	- 29%

UP:

	6/23	6/24	% Change 6/24 vs. 6/23	6/19	% Change 6/24 vs. 6/19	6/16	% Change 6/24 vs. 6/16
Eng L300	8,084	7,750	-4%	9,576	- 19%	11,176	- 31%
M/E L400	4,964	4,180	-16%	6,883	- 39%	9,154	- 53%
T+E L600	15,037	15,183	+1%	18,072	- 16%	18,072	- 15%
Total	28,085	27,113	-3%	34,481	- 21%	37,153	- 27%

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BIG FOUR RAILROAD CORPORATIONS



Year	Profits (Millions\$)*	Carloads (Thousands)	Employment (Actual)**
2010	\$8,491	31,120	112,854
2011	\$9,914	32,121	118,675
2012	\$11,275	32,225	122,747
2013	\$12,433	32,995	121,956
2014	\$13,569	34,497	125,009
2015	\$13,211	33,571	128,103
2016	\$11,299	31,911	114,212
2017	\$13,585	32,877	110,975
2018	\$17,160	34,016	110,749
2019	\$17,453	32,341	105,099
2020	\$15,650	29,810	88,004
2021	\$19,299	31,458	83,482
2022	\$20,380	30,771	84,690
2023	\$17,854	30,001	86,525

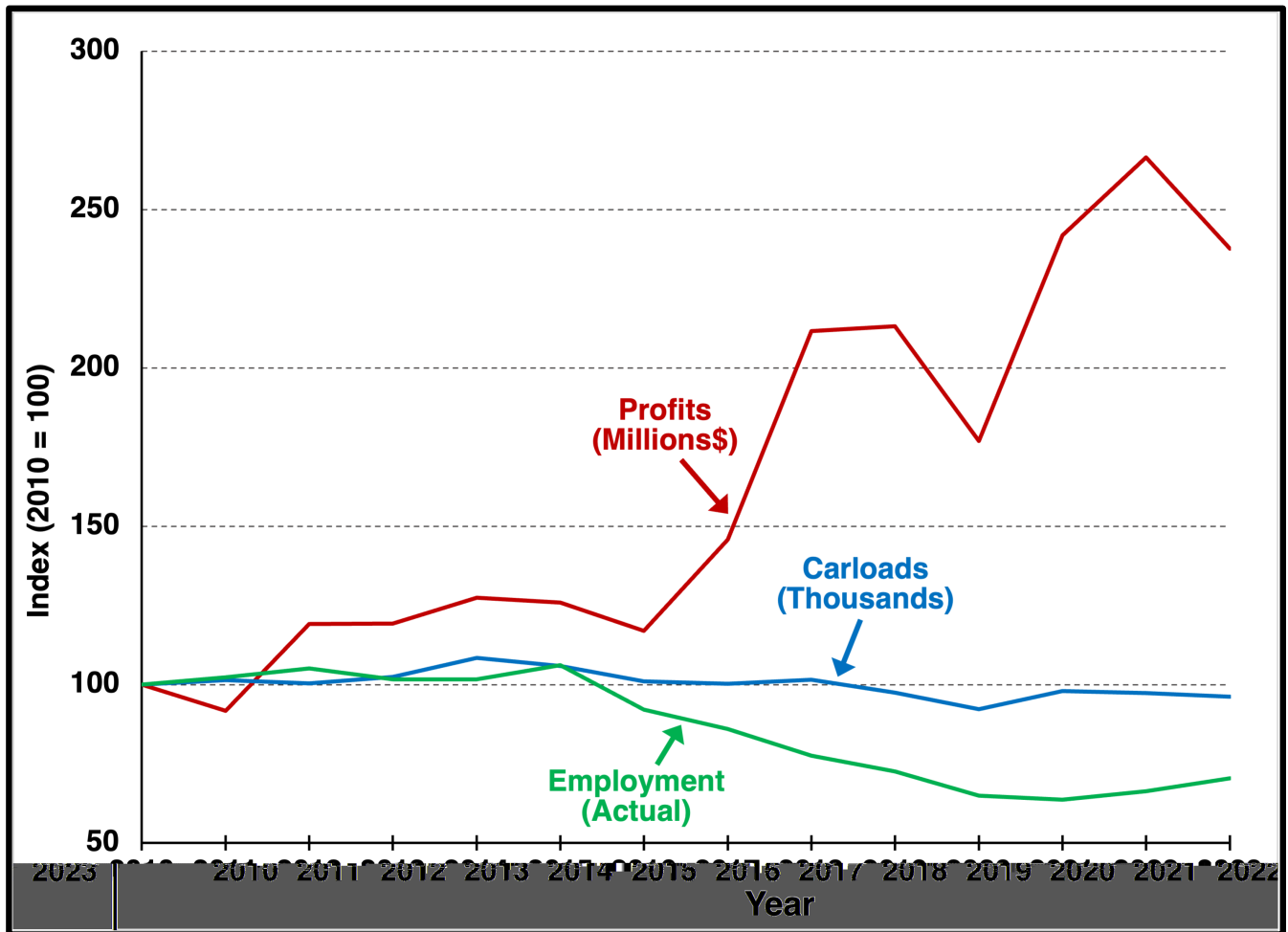
* Excluding non-recurring items

* Engineering, Equipment Maintenance and T&E

THE LABOR BUREAU, INC.



CSX



Year	Profits (Millions\$)*	Carloads (Thousands)	Employment (Actual)**
2010	\$1,563	6,384	21,806
2011	\$1,433	6,476	22,322
2012	\$1,863	6,409	22,934
2013	\$1,864	6,539	22,181
2014	\$1,992	6,922	22,175
2015	\$1,968	6,761	23,145
2016	\$1,829	6,451	20,100
2017	\$2,280	6,400	18,741
2018	\$3,309	6,482	16,908
2019	\$3,331	6,220	15,837
2020	\$2,765	5,892	14,174
2021	\$3,781	6,253	13,891
2022	\$4,166	6,218	14,464
2023	\$3,715	6,142	15,356

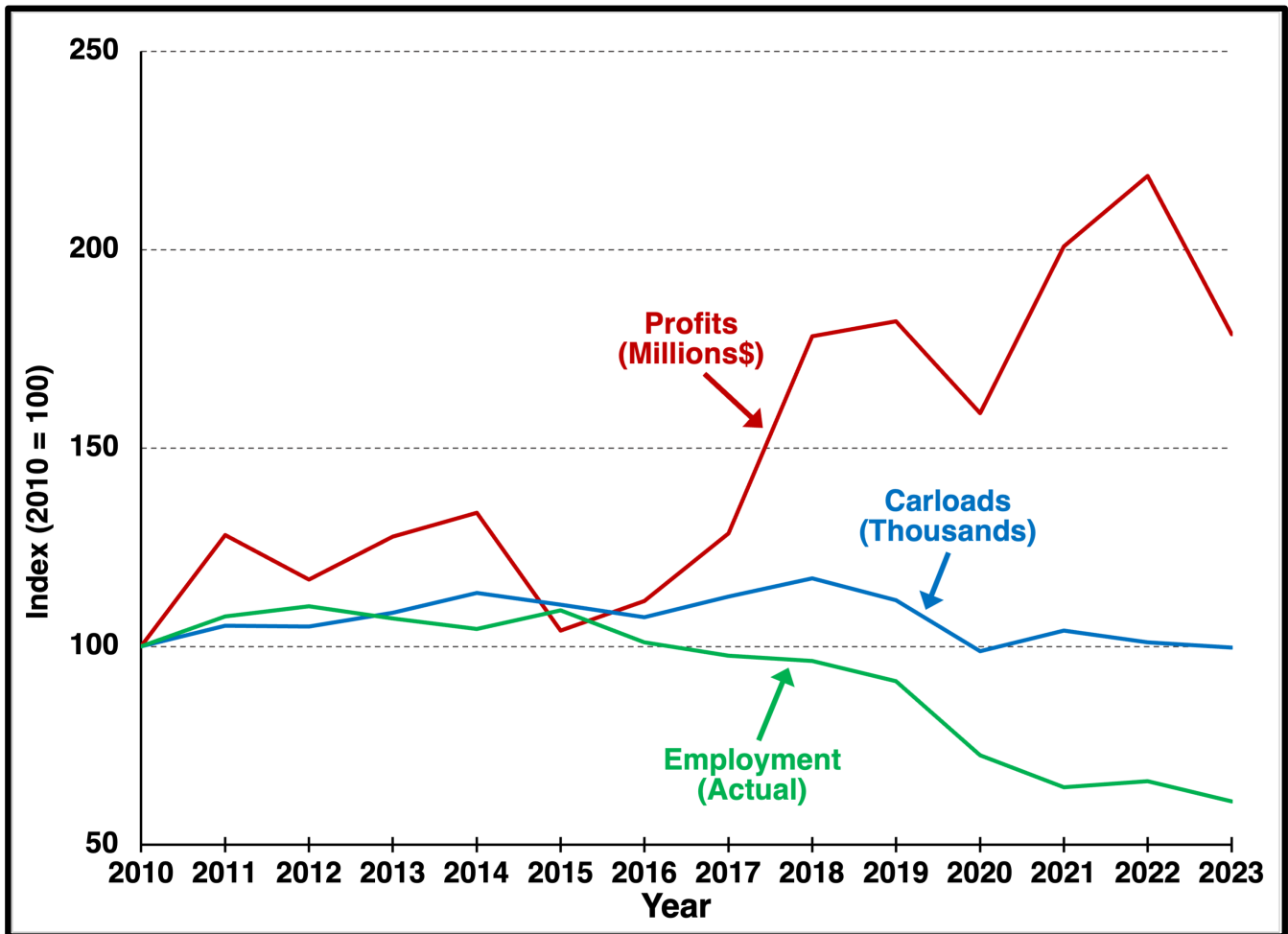
* Excluding non-recurring items

* Engineering, Equipment Maintenance and T&E

THE LABOR BUREAU, INC.



NORFOLK SOUTHERN



Year	Profits (Millions\$)*	Carloads (Thousands)	Employment (Actual)**
2010	\$1,496	6,764	22,207
2011	\$1,916	7,115	23,889
2012	\$1,749	7,107	24,464
2013	\$1,910	7,341	23,780
2014	\$2,000	7,675	23,189
2015	\$1,556	7,479	24,227
2016	\$1,668	7,260	22,433
2017	\$1,922	7,612	21,687
2018	\$2,666	7,928	21,404
2019	\$2,722	7,554	20,271
2020	\$2,375	6,684	16,113
2021	\$3,005	7,032	14,321
2022	\$3,270	6,835	14,668
2023	\$2,673	6,744	13,523

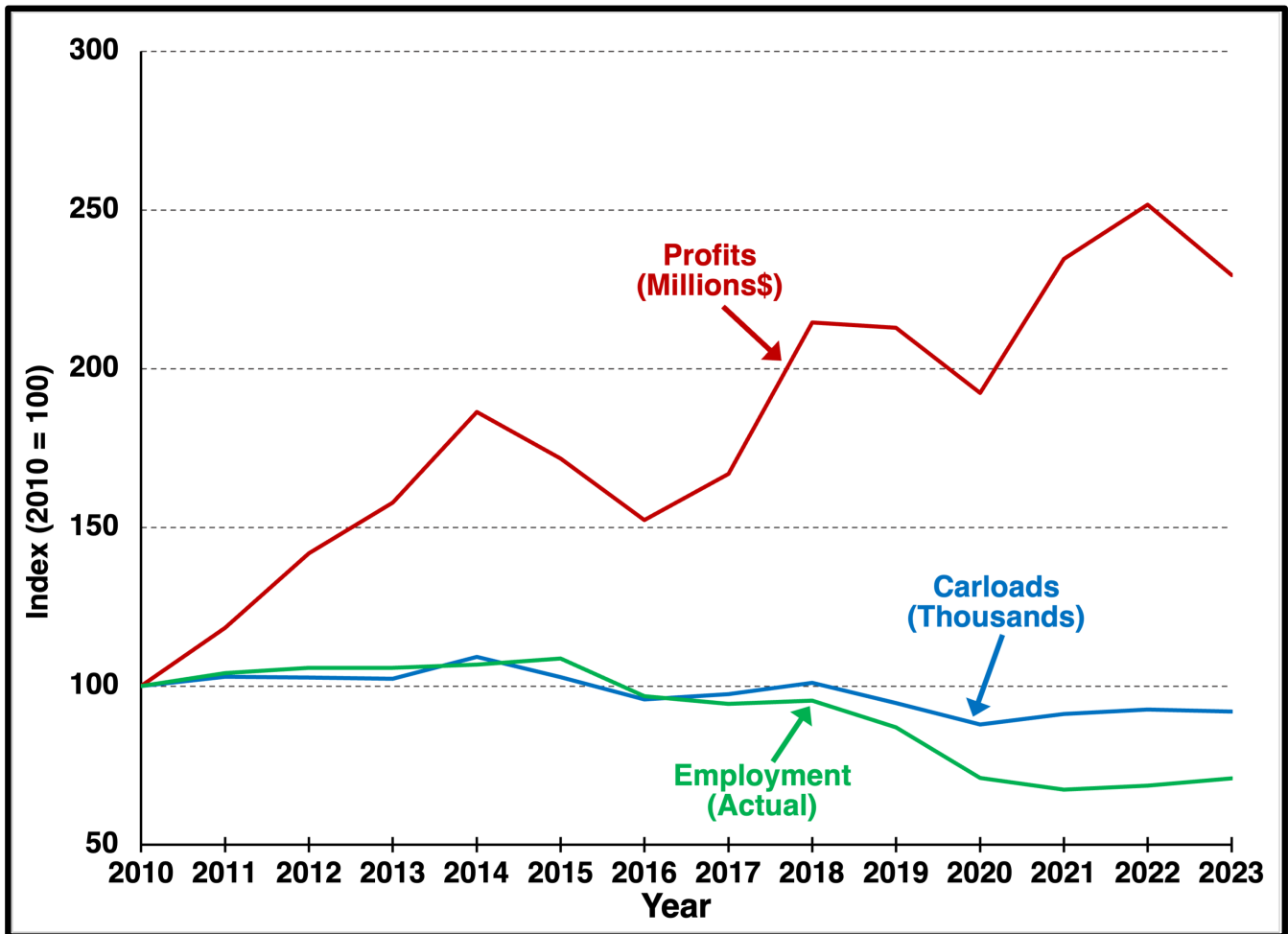
* Excluding non-recurring items

* Engineering, Equipment Maintenance and T&E

THE LABOR BUREAU, INC.



UNION PACIFIC



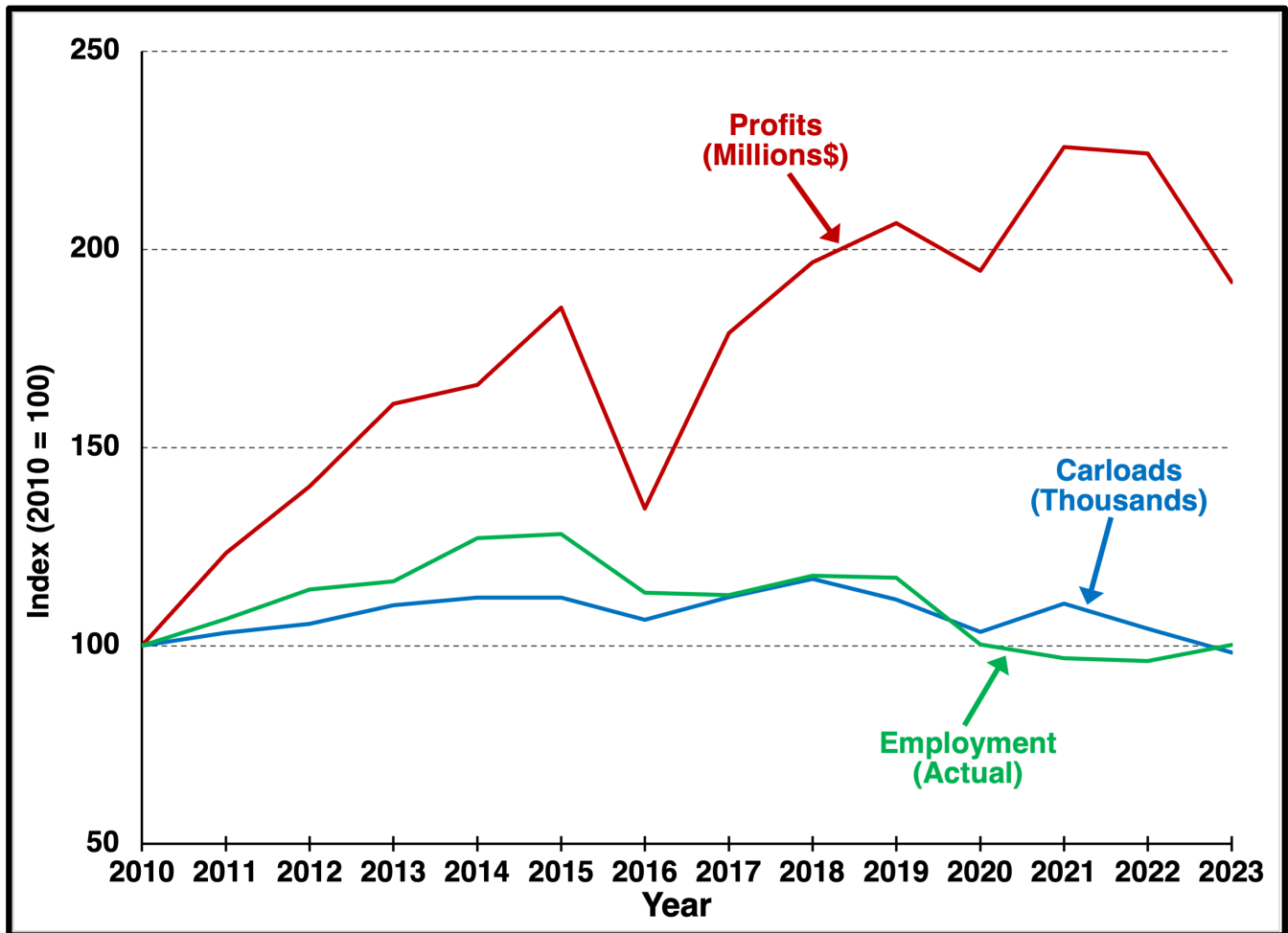
Year	Profits (Millions\$)*	Carloads (Thousands)	Employment (Actual)**
2010	\$2,780	8,815	38,675
2011	\$3,292	9,072	40,253
2012	\$3,943	9,048	40,893
2013	\$4,388	9,022	40,927
2014	\$5,180	9,625	41,277
2015	\$4,772	9,062	42,066
2016	\$4,233	8,442	37,459
2017	\$4,638	8,588	36,516
2018	\$5,966	8,908	36,929
2019	\$5,919	8,346	33,651
2020	\$5,349	7,753	27,465
2021	\$6,523	8,038	26,066
2022	\$6,998	8,169	26,549
2023	\$6,379	8,112	27,416

* Excluding non-recurring items

** Engineering, Equipment Maintenance and T&E

THE LABOR BUREAU, INC.

BNSF



Year	Profits (Millions\$)*	Carloads (Thousands)	Employment (Actual)**
2010	\$2,652	9,157	30,166
2011	\$3,273	9,458	32,211
2012	\$3,720	9,661	34,456
2013	\$4,271	10,093	35,068
2014	\$4,397	10,275	38,368
2015	\$4,915	10,269	38,665
2016	\$3,569	9,758	34,220
2017	\$4,745	10,277	34,031
2018	\$5,219	10,698	35,508
2019	\$5,481	10,221	35,340
2020	\$5,161	9,481	30,252
2021	\$5,990	10,135	29,204
2022	\$5,946	9,549	29,009
2023	\$5,087	9,003	30,230

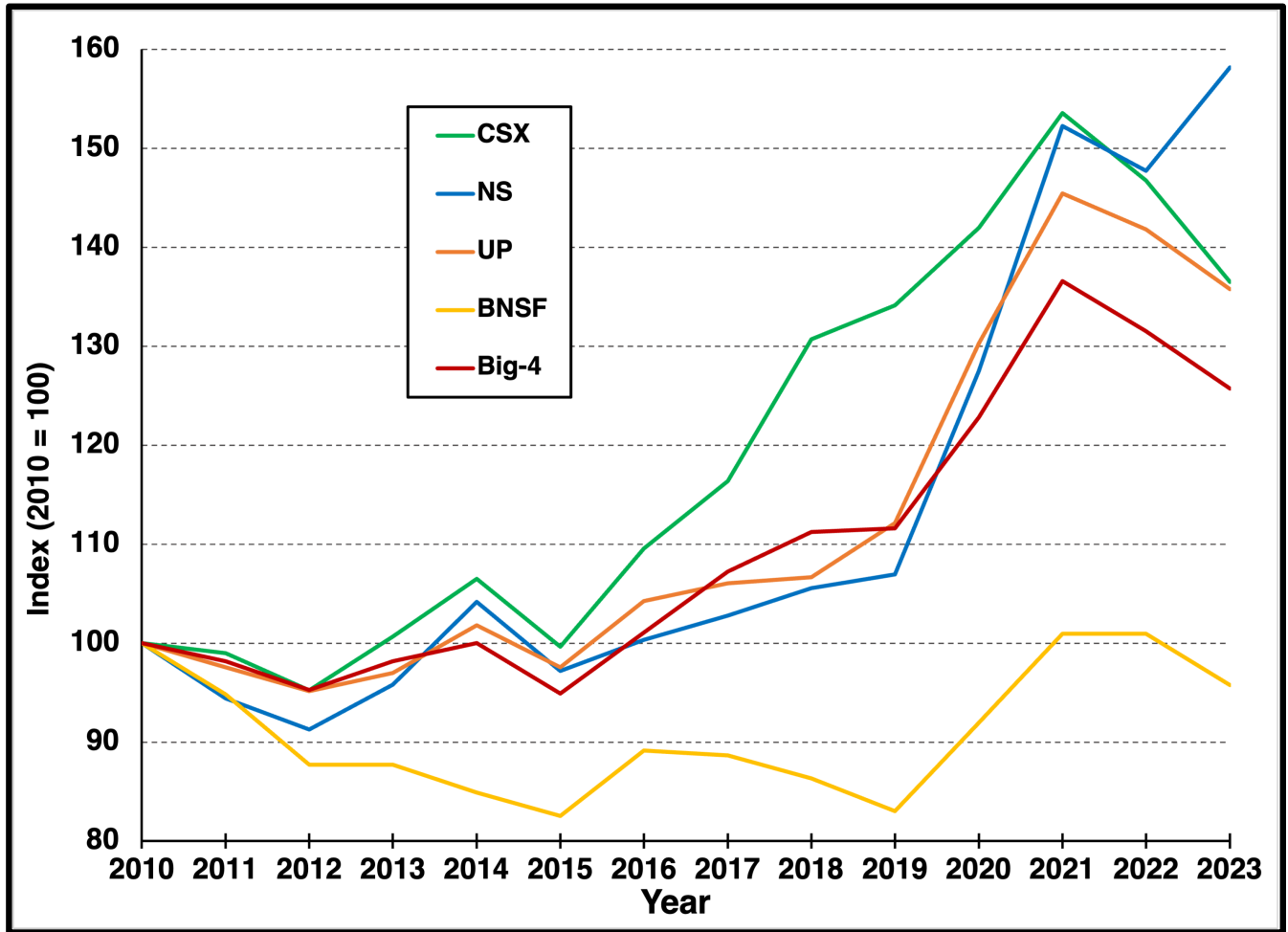
* Excluding non-recurring items

* Engineering, Equipment Maintenance and T&E

THE LABOR BUREAU, INC.



Carloads per Employee



	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
CSX	293	290	279	295	312	292	321	341	383	393	416	450	430	400
NS	287	271	262	275	299	279	288	295	303	307	366	437	424	454
UP	165	161	157	160	168	161	172	175	176	185	215	240	234	224
BNSF	212	201	186	186	180	175	189	188	183	176	195	214	214	203
Big-4	276	271	263	271	276	262	279	296	307	308	339	377	363	347

BIG FOUR RAILROAD CORPORATIONS CONSOLIDATED FINANCIAL REVIEW 2010 – 2023

(Millions of Dollars except Per Share Values)

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Railway Operating Revenue	\$53,023	\$61,686	\$64,207	\$66,786	\$70,995	\$65,536	\$60,727	\$64,586	\$70,395	\$68,456	\$60,774	\$68,750	\$78,361	\$74,808
Percent of Total Revenue	98.7%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Railway Operating Expense	\$38,074	\$44,429	\$44,911	\$45,942	\$48,012	\$43,234	\$40,417	\$42,308	\$45,250	\$42,877	\$37,352	\$40,573	\$49,012	\$49,915
Non-recurring items	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$98)	\$0	\$0	\$0	\$0	\$0	\$0
Rail Operating Income	\$14,949	\$17,257	\$19,296	\$20,844	\$22,983	\$22,302	\$20,310	\$22,278	\$25,145	\$25,579	\$23,422	\$28,177	\$29,349	\$24,893
Exc. Non-recurring items	\$14,949	\$17,257	\$19,296	\$20,844	\$22,983	\$22,302	\$20,310	\$22,376	\$25,145	\$25,579	\$23,422	\$28,177	\$29,349	\$24,893
Rail Operating Ratio – Exc. Non-recurring	0.718	0.720	0.699	0.688	0.676	0.660	0.666	0.654	0.643	0.626	0.615	0.590	0.625	0.667
Total Operating Income	\$15,191	\$17,257	\$19,296	\$20,844	\$22,983	\$22,302	\$20,310	\$22,278	\$25,145	\$25,579	\$23,422	\$28,177	\$29,349	\$24,893
Exc. Non-recurring items	\$15,191	\$17,257	\$19,296	\$20,844	\$22,983	\$22,302	\$20,310	\$22,376	\$25,145	\$25,579	\$23,422	\$28,177	\$29,349	\$24,893
Other Income - Net	\$233	\$316	\$356	\$444	\$339	\$523	\$419	\$505	\$339	\$686	\$548	\$548	\$705	\$1,084
Interest Expense	\$1,709	\$1,652	\$1,651	\$1,670	\$1,695	\$1,746	\$2,832	\$2,831	\$3,107	\$3,461	\$3,557	\$3,557	\$3,730	\$3,919
Provision for Income Tax	\$5,224	\$6,007	\$6,726	\$7,185	\$8,058	\$7,868	\$6,598	\$6,465	\$5,217	\$5,351	\$4,763	\$5,869	\$6,113	\$5,185
Non-recurring items – After Tax	\$0	\$0	\$0	\$0	\$0	(\$58)	(\$115)	(\$85)	\$0	\$0	\$0	\$0	\$0	\$0
Net Income	\$8,491	\$9,914	\$11,275	\$12,433	\$13,569	\$13,153	\$11,184	\$13,402	\$17,160	\$17,453	\$15,650	\$19,299	\$20,380	\$16,738
Exc. Non-recurring items	\$8,491	\$9,914	\$11,275	\$12,433	\$13,569	\$13,211	\$11,299	\$13,585	\$17,160	\$17,453	\$15,650	\$19,299	\$20,380	\$17,854
Net Income Margin	15.8%	16.1%	17.6%	18.6%	19.1%	20.2%	18.6%	21.0%	24.4%	25.5%	25.8%	28.1%	26.0%	23.9%
Return on Shareholder's Equity	12.5%	12.3%	13.6%	14.1%	14.5%	13.6%	11.5%	13.8%	18.1%	19.4%	17.6%	21.9%	23.7%	20.6%
Pre-Tax Net Income (exc. non-rec. items)	\$13,715	\$15,921	\$18,001	\$19,618	\$21,627	\$21,079	\$17,897	\$20,050	\$22,377	\$22,804	\$20,413	\$25,168	\$26,324	\$23,174
Pre-Tax Net Income Margin	25.5%	25.8%	28.0%	29.4%	30.5%	32.2%	29.5%	31.0%	31.8%	33.3%	33.6%	36.6%	33.6%	31.0%
Average Shares Outstanding (Basic)*	4,793	4,566	4,381	4,295	4,209	4,117	3,967	3,819	3,600	3,356	3,232	3,151	2,994	2,845
Earnings Per Share*	\$1.22	\$1.45	\$1.72	\$1.90	\$2.18	\$2.00	\$1.92	\$2.27	\$3.32	\$3.57	\$3.24	\$4.22	\$4.82	\$4.10
Exc. Non-recurring items*	\$1.22	\$1.45	\$1.72	\$1.90	\$2.18	\$2.02	\$1.95	\$2.31	\$3.32	\$3.57	\$3.24	\$4.22	\$4.82	\$4.49
Dividends*	\$0.33	\$0.47	\$0.54	\$0.61	\$0.72	\$0.80	\$0.82	\$0.92	\$1.07	\$1.29	\$1.37	\$1.48	\$1.73	\$1.86
Stock Price (Yr. End) *	\$19.57	\$21.78	\$22.78	\$31.68	\$42.06	\$28.85	\$38.34	\$52.07	\$55.16	\$70.30	\$83.91	\$102.46	\$84.55	\$95.97
Dividends Yield*	1.69%	2.17%	2.37%	1.93%	1.72%	2.78%	2.14%	1.78%	1.94%	1.83%	1.63%	1.45%	2.05%	1.93%
P/E Ratio (Exc. Non-recurring)*	16.1	15.0	13.2	16.7	19.3	14.3	19.7	22.5	16.6	19.7	25.9	24.3	17.5	21.4
Total Assets	\$166,089	\$171,725	\$178,204	\$186,772	\$194,629	\$203,376	\$207,799	\$213,779	\$217,208	\$226,427	\$228,813	\$233,986	\$238,857	\$245,769
Long-term Debt	\$26,175	\$26,736	\$27,902	\$28,553	\$30,612	\$35,784	\$36,890	\$59,529	\$69,205	\$74,456	\$76,369	\$79,322	\$85,913	\$88,523
Shareholders Equity	\$80,240	\$80,895	\$84,398	\$91,432	\$95,771	\$97,887	\$98,173	\$98,945	\$91,014	\$88,750	\$88,765	\$87,398	\$84,563	\$88,965
Debt to Capital	24.6%	24.8%	24.8%	23.8%	24.2%	26.8%	27.3%	37.6%	43.2%	45.6%	46.2%	47.6%	50.4%	49.9%

* Excludes BNSF

Source of data: Form 10-K, and Annual Report to Shareholders for CSX, NSC, BNSF, UP.

UNION PACIFIC CORPORATION – FINANCIAL REVIEW
2010 — 2023

(In millions of dollars except per share amounts)

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Rail Operating Ratio – Exc. Non-recurring	0.706	0.707	0.678	0.661	0.635	0.631	0.637	0.628	0.627	0.606	0.599	0.572	0.601	0.623
Net Income (exc. non-recurring items)	\$2,780	\$3,292	\$3,943	\$4,388	\$5,180	\$4,772	\$4,233	\$4,638	\$5,966	\$5,919	\$5,349	\$6,523	\$6,998	\$6,379
Net Income Margin	16.4%	16.8%	18.8%	20.0%	21.6%	21.9%	21.2%	21.8%	26.1%	27.3%	27.4%	29.9%	28.1%	26.4%
Return on Shareholder's Equity	16.1%	18.1%	20.5%	21.4%	24.4%	22.8%	20.8%	20.7%	26.4%	30.7%	30.5%	41.9%	53.2%	47.3%
Average Shares Outstanding (Basic)	996.4	971.4	946.2	926.5	897.1	866.2	832.4	798.2	750.9	703.5	677.3	653.8	622.7	609.2
Earnings Per Share (exc. non-recurring items)	\$2.79	\$3.39	\$4.17	\$4.74	\$5.77	\$5.51	\$5.09	\$5.81	\$7.95	\$8.41	\$7.90	\$9.98	\$11.24	\$10.47
Dividends (adj. for stock splits in 2008 and 2014)	\$0.67	\$1.13	\$1.25	\$1.50	\$1.92	\$2.20	\$2.255	\$2.62	\$3.06	\$3.70	\$3.88	\$4.29	\$5.08	\$5.20
Stock Price (Yr. End; adj. stock splits in 2008 and 2014)	\$46.33	\$52.97	\$62.86	\$84.00	\$119.13	\$78.20	\$103.68	\$134.10	\$138.23	\$180.79	\$208.22	\$251.93	\$207.07	*****

* Restated 2006 - 2010

Source of data: Union Pacific Corporation Form 10-K, and Annual Report to Shareholders.

BNSF CORPORATION – FINANCIAL REVIEW
2010 — 2023

(In millions of dollars except per share amounts)

Year	2010*	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Rail Operating Ratio – Exc. Non-recurring	0.731	0.726	0.709	0.691	0.692	0.637	0.665	0.659	0.673	0.657	0.629	0.622	0.668	0.690
Net Income (exc. non-recurring items)	\$2,652	\$3,273	\$3,720	\$4,271	\$4,397	\$4,915	\$3,569	\$4,745	\$5,219	\$5,481	\$5,161	\$5,990	\$5,946	\$5,087
Net Income Margin	16.0%	17.0%	18.2%	19.8%	19.4%	23.0%	18.0%	22.2%	21.9%	23.3%	24.7%	25.7%	23.0%	21.3%
Return on Shareholder's Equity	8.5%	7.5%	8.3%	9.1%	8.8%	9.4%	6.6%	9.8%	12.2%	12.7%	11.8%	13.3%	12.8%	10.6%

* Restated for change in accounting for rail-grinding.

Source of data: BNSF Corporation Form 10-K, and Annual Report to Shareholders.

CSX CORPORATION – FINANCIAL REVIEW

2010 — 2023

(In millions of dollars except per share amounts)

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Rail Operating Ratio – Exc. Non-recurring	0.715	0.740	0.706	0.711	0.710	0.693	0.692	0.665	0.603	0.584	0.588	0.553	0.594	0.621
Net Income (exc. non-recurring items)	\$1,563	\$1,433	\$1,863	\$1,864	\$1,992	\$1,968	\$1,829	\$2,280	\$3,309	\$3,331	\$2,765	\$3,781	\$4,166	\$3,715
Net Income Margin	14.7%	12.2%	15.8%	15.5%	15.7%	16.7%	16.5%	20.0%	27.0%	27.9%	26.1%	30.2%	28.0%	25.3%
Return on Shareholder's Equity	17.8%	16.5%	21.0%	19.0%	18.4%	17.2%	15.7%	17.3%	24.2%	27.3%	22.1%	28.4%	31.9%	30.0%
Average Shares Outstanding (Basic)	3,430	3,249	3,114	3,057	3,003	2,949	2,841	2,733	2,571	2,389	2,300	2,250	2,136	2,008
Earnings Per Share (exc. non-recurring items)	\$0.46	\$0.44	\$0.60	\$0.61	\$0.66	\$0.67	\$0.64	\$0.83	\$1.29	\$1.39	\$1.20	\$1.68	\$1.95	\$1.85
Dividends (adj. stock splits in 2006, 2011, 2021)	\$0.12	\$0.15	\$0.18	\$0.20	\$0.21	\$0.23	\$0.24	\$0.27	\$0.28	\$0.32	\$0.36	\$0.36	\$0.40	\$0.44
Stock Price (Yr. End; adj. for stock splits)	\$7.18	\$7.02	\$6.58	\$9.59	\$12.08	\$8.65	\$11.98	\$18.34	\$20.71	\$24.12	\$30.25	\$37.60	\$30.98	\$34.67

* Restated for change in accounting for rail-grinding.

Source of data: CSX Corporation Form 10-K, and Annual Report to Shareholders.

NORFOLK SOUTHERN CORP. – FINANCIAL REVIEW

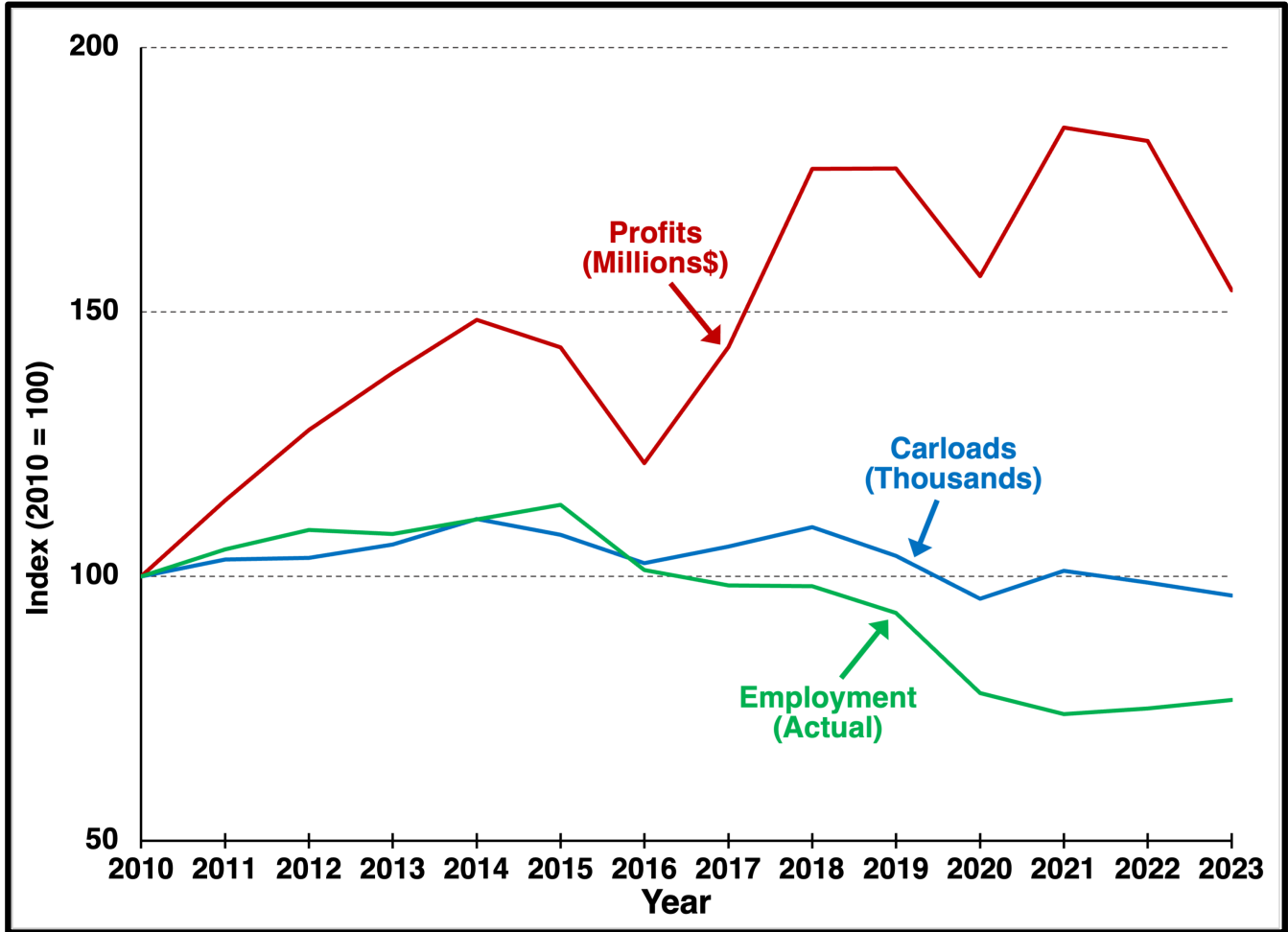
2010 — 2023

(In millions of dollars except per share amounts)

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Rail Operating Ratio – Exc. Non-recurring	0.719	0.712	0.717	0.710	0.694	0.728	0.696	0.681	0.654	0.647	0.644	0.601	0.623	0.674
Net Income (exc. non-recurring items)	\$1,496	\$1,916	\$1,749	\$1,910	\$2,000	\$1,556	\$1,668	\$1,922	\$2,666	\$2,722	\$2,375	\$3,005	\$3,270	\$2,673
Net Income Margin	15.7%	17.2%	15.8%	17.0%	17.2%	14.8%	16.9%	18.2%	23.3%	24.1%	24.3%	27.0%	25.7%	22.0%
Return on Shareholder's Equity	14.2%	18.6%	17.8%	18.1%	16.9%	12.7%	13.6%	13.4%	16.8%	17.8%	15.8%	21.1%	24.8%	21.0%
Average Shares Outstanding (Basic)	366.5	345.5	320.9	311.9	309.4	301.9	293.9	287.9	277.7	263.27	255.1	246.9	235.6	227.4
Earnings Per Share (exc. non-recurring items)	\$4.08	\$5.55	\$5.45	\$6.12	\$6.46	\$5.15	\$5.67	\$6.68	\$9.60	\$10.34	\$9.31	\$12.17	\$13.88	\$11.75
Dividends	\$1.40	\$1.66	\$1.94	\$2.04	\$2.22	\$2.36	\$2.36	\$2.44	\$3.04	\$3.60	\$3.76	\$4.26	\$4.96	\$5.40
Stock Price (Yr. End)	\$62.82	\$72.86	\$61.84	\$92.83	\$109.61	\$84.59	\$108.07	\$144.90	\$149.54	\$194.13	\$237.61	297.71	\$246.42	*****

Source of data: NSC Form 10-K, and Annual Report to Shareholders.

BIG FOUR RAILROAD CORPORATIONS



Year	Profits (Millions\$)*	Carloads (Thousands)	Employment (Actual)**
2010	\$8,491	31,120	112,854
2011	\$9,714	32,121	118,675
2012	\$10,845	32,225	122,747
2013	\$11,759	32,995	121,956
2014	\$12,614	34,497	125,009
2015	\$12,168	33,571	128,103
2016	\$10,309	31,911	114,212
2017	\$12,177	32,877	110,975
2018	\$15,036	34,016	110,749
2019	\$15,041	32,341	105,099
2020	\$13,313	29,810	88,004
2021	\$15,698	31,458	83,482
2022	\$15,484	30,771	84,690
2023	\$13,088	30,001	86,525

Year	Profits (Millions \$)*	Carloads (Thousands)	Employment (Actual)**
2010	100.0	100.0	100.0
2011	114.4	103.2	105.2
2012	127.7	103.6	108.8
2013	138.5	106.0	108.1
2014	148.6	110.9	110.8
2015	143.3	107.9	113.5
2016	121.4	102.5	101.2
2017	143.4	105.6	98.3
2018	177.1	109.3	98.1
2019	177.1	103.9	93.1
2020	156.8	95.8	78.0
2021	184.9	101.1	74.0
2022	182.4	98.9	75.0
2023	154.1	96.4	76.7

* In constant 2010 dollars and excluding non-recurring items.

** Engineering, Equipment Maintenance and T&E

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BIG 4 CLASS I TRACKAGE (FROM R-1 SCHED 700-TOTAL)
AND ENGINEERING DEPARTMENT EMPLOYEES

Carrier	Total Track	STB Ement Reports L300	Miles of Track/Eee	BMWED members	Miles of Track/Eee	BRS member	Miles of Track/Eee
BNSF							
2016	53,115	9,890	5.37	7,417	7.16	2,262	23.5
2019	54,017	8,572	6.30	6,471	8.34	2,150	25.1
2022	54,806	8,173	6.73	5,798	9.45	1,907	28.7
CSXT							
2016	36,863	6,054	6.09	4,505	8.18	1,938	19.0
2019	36,030	5,081	7.09	3,917	9.19	1,580	22.8
2022	35,701	4,866	7.34	3,881	9.19	1,400	25.5
NSR							
2016	35,615	5,602	6.36	3,677	9.68	1,498	23.7
2019	35,592	5,161	6.89	3,401	10.4	1,326	26.8
2022	35,064	4,282	8.19	2,882	12.1	1,026	34.2
UP							
2016	51,500	11,111	4.63	7,980	6.45	2,557	20.1
2019	51,743	9,481	5.45	6,966	7.42	2,127	24.3
2022	51,954	8,071	6.43	6,034	8.61	1,918	27.1

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CARRIER	2015 LOCOMOTIVES	2015 CARS	2019 LOCOMOTIVES	2019 CARS	2022 LOCOMOTIVES
BNSF	8,000	77,000	8,000	70,000	7,500
UP	8,464	66,863	7,691	56,876	7,338
CSX	4,463	66,386	3,561	51,498	3,608
NS	4,353	76,641	3,906	50,553	3,190
CN	2,180	63,913	2,398	64,607	2,351
CP	1,549	39,420	1,379	35,268	1,366
KCS	1,044	21,331	949	17,747	1,006
Total	30,053	411,554	27,884	346,549	26,359

Note 1: All years use December 31st date for respective 10-K reporting year (e.g., December 31, 2015) and % change is 2015 vs 2022.

Note 2: Data includes all reported locomotives and cars in US & CA for CN & CP.

2022 CARS	% Change - Locomotives	% Change - Cars
68,000	-6.3%	-11.7%
56,379	-13.3%	-15.7%
47,024	-19.2%	-29.2%
40,470	-26.7%	-47.2%
56,469	7.8%	-11.6%
34,973	-11.8%	-11.3%
17,339	-3.6%	-18.7%
320,654	-12.3%	-22.1%

2015 Shop Craft EE Count	2015 LOCOMOTIVES	2015 CARS	2022 Shop Craft EE Count	2022 LOCOMOTIVES	2022 CARS
31,004	30,053	411,554	17,820	26,359	320,654
Shop Craft EE Ratio	1.032	0.075		0.676	0.0556
	% Change EE Count	% Change Locomotives	% Change Cars	% EE Ratio to Loco.	% EE Ratio to Cars
	-43%	-12%	-22%	-34%	-26%

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STATEMENT OF JUAN ESTRADA

I am a General Chairman of the International Association of Machinists and Aerospace Workers District #19 with responsibility for western railroads, including the Union Pacific Railroad. This statement will address Union Pacific's problems with service in the Los Angeles Basin and its inability to handle increased traffic through the Los Angeles Basin given Union Pacific's cuts in the Shopcraft workers and facilities at the shops in the Los Angeles Basin.

Furloughs of Machinists in the Los Angeles Basin

Over the last year, Union Pacific has furloughed a significant number of employees at its Dolores and Commerce Locomotive Facilities in the Los Angeles Basin shops. These two shops, located 15 miles apart, serve the intermodal freight entering the ports of Los Angeles and Long Beach, some of the West Coast's biggest and heaviest traffic gateways. Those shops would be needed to support growth in intermodal traffic coming from the Ports of Los Angeles and Long Beach. This is an area where there had been significant congestion as the economy began to recover from the early stages of the pandemic as containers could not be moved from the ports of Los Angeles and Long Beach, so container ships remained parked in the harbor. The Los Angeles Basin shops had 154 machinists in late 2019, but there were just around 50 in the summer of 2023. On August 25, 2023, UP furloughed 9 machinists reducing the complement to 41; UP furloughed an additional 12 machinists in January of 2024 leaving only 25 machinists in the shops that inspect and maintain locomotives used to service the ports of Los Angeles and Long Beach.

Deferred Facility Repairs in the Los Angeles Basin

The Dolores and Commerce Locomotive Facilities have been instrumental in completing traction motor work for years. But Union Pacific moved a significant amount of Traction Motor changeout, Wheel truing, repairs, maintenance, etc, to the West Colton Locomotive Facility in Bloomington, CA (which is 65 miles away), due to Union Pacific's own decisions to reduce staff, and equipment shortages at the Dolores and Commerce shops. The Drop pit in the Dolores shop is not operational, and the Carrier has declined to complete repairs. The Drop Pit and Wheel True in Commerce are operational. However, the staff furloughs have led to a lack of personnel to operate the equipment, further exacerbating the situation. The self-inflicted facility, staff, and equipment problems at Dolores and Commerce are shown by the attached contracting-out notices from Union Pacific.

Currently, trains running out of Los Angeles are delayed as locomotives are provided by the West Colton Locomotive Facility, which, as I noted is around 65 miles away. Union

Pacific has handicapped itself in handling the traffic it currently has coming out of the Ports of Los Angeles and Long Beach; it certainly is not in a position to handle increased traffic out of those ports.

A handwritten signature in black ink, appearing to read "Juan Estrada". The signature is fluid and cursive, with the first name "Juan" being more prominent than the last name "Estrada".

Juan Estrada
General Chairman
District 19, IAMAW

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Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Tony D. Cardwell
President

Dale E. Bogart, Jr.
Secretary-Treasurer

August 13, 2024

Members of the Surface Transportation Board,

Thank you for the opportunity to address this critical issue concerning the growth of the railroad freight industry. The Brotherhood of Maintenance of Way Employees Division (BMWED) is deeply concerned that the current trajectory of the Class 1 railroads is not only insufficient to support growth but is also jeopardizing the long-term viability of the nation's rail infrastructure.

The railroads have long played a crucial role in our nation's economy, serving as the backbone of freight transportation. However, it is increasingly evident that the Class 1 railroads are not taking the necessary steps to fulfill their common carrier obligations. This shortcoming is apparent in their operational strategies, workforce management practices, and overall commitment to safety and service reliability.

Importance of Workforce Stability and Its Impact on Rail Network Capacity:

A stable and adequately sized workforce is fundamental to maintaining and enhancing the capacity of the U.S. rail network. The rail network is a critical backbone of the nation's supply chain, moving goods like food, fuel, and raw materials across vast distances. A stable workforce ensures that there are enough skilled workers available to build and maintain tracks, extend sidings, and manage yard operations. When the workforce is stable and adequately staffed, it is better equipped to prevent and address the infrastructure bottlenecks that can slow down the movement of goods.

Workforce stability contributes to the efficient functioning of the rail network by ensuring that regular maintenance and necessary infrastructure improvements are carried out without delay. This proactive approach prevents congestion, reduces delays in deliveries, and helps keep transportation costs in check, all of which are vital for a smooth and reliable supply chain. A stable workforce also means that the rail network can quickly adapt to changes in demand, whether that involves handling an increase in traffic or responding to unexpected disruptions.

However, when the rail freight industry reduces its Maintenance of Way workforce, it directly impacts the capacity of the U.S. rail network, leading to significant consequences for the American economy. Fewer workers mean there are not enough people available to build and maintain the tracks, which limits the ability to extend sidings and yard tracks. This lack of infrastructure development creates bottlenecks that slow down the movement of goods.

Congestion on the rail network translates to delays in deliveries, higher transportation costs, and disruptions in supply chains. These delays ripple across the economy, affecting everything from

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the availability of consumer goods to the cost of manufacturing. When the rail network becomes congested, it stifles economic growth by reducing the efficiency of transporting goods. This inefficiency can lead to shortages, increased prices for consumers, and a general slowdown in economic activity.

The problem becomes even more dire as railroads increasingly rely on longer and heavier trains to move more freight. These trains, often stretching two or three miles in length, place enormous stress on the current infrastructure, which was not originally designed to accommodate such massive loads. The longer and heavier the train, the greater the wear and tear on tracks, bridges, and other critical infrastructure. Sidings and yard tracks are not built to accommodate these trains, leading to situations where trains are held on the main line, blocking other trains and causing further delays.

As more cars are added to the network to meet rising demand, the existing infrastructure struggles to cope. The longer trains are, the more likely they are to exceed the capacity of available sidings, leading to significant congestion as trains are forced to wait for others to pass or are rerouted over longer distances. This results in a cascading effect of delays throughout the network, which slows down the entire system and undermines the efficiency of the supply chain.

The railroads have not maintained an adequate workforce to keep up with these increasing demands. The reduction in the Maintenance of Way workforce means there are fewer workers available to perform essential maintenance and upgrades on the tracks. This neglect leads to deteriorating infrastructure that cannot support the longer, heavier trains being run. Without enough workers to expand and maintain the rail infrastructure, the network's capacity to handle additional traffic is severely constrained. The continued reduction in the maintenance workforce makes it clear that the rail freight industry is not taking the steps needed to prepare for future growth, ultimately limiting the ability to increase capacity and improve efficiency on the U.S. rail network.

Operational Strategies and Service Reliability

One of the most significant issues facing the railroad industry today is the shift in operational strategies, most notably the widespread adoption of Precision Scheduled Railroading (PSR). PSR was introduced with the promise of making railroads more efficient and financially robust by reducing operating costs. However, in practice, PSR has led to significant operational disruptions. The reduction in the number of trains, rail yards, and operating personnel has resulted in longer train lengths, which are increasingly difficult to manage and have led to more blockages and delays across the network. While this strategy has boosted short-term profits, it has undermined service reliability, creating significant challenges for shippers who rely on timely and predictable freight services.

PSR's focus on asset utilization and cost-cutting has not only strained operational efficiency but also reduced the flexibility of the rail network. By consolidating services and reducing the frequency of trains, PSR has made the system more rigid and less adaptable to disruptions. When delays occur, the impacts are magnified, causing ripple effects that disrupt supply chains nationwide. Furthermore, the longer trains resulting from PSR are not only harder to manage but also more prone to derailments and blocked crossings, further exacerbating congestion and delays. These operational changes have far-reaching consequences, affecting not just the railroads but also the broader economy, which depends on efficient and reliable freight transportation.

Moreover, PSR's emphasis on reducing costs has led to significant cutbacks in maintenance activities. Railroads have deferred necessary repairs and reduced the workforce responsible for

maintaining the infrastructure. This has compromised both the safety and reliability of the network and slowed responses to issues, making the system more vulnerable to failures and accidents. The Surface Transportation Board has received numerous complaints from shippers, reflecting growing dissatisfaction with the railroads' inability to meet service expectations under the PSR model.

In the long term, there is a growing concern that PSR could undermine the competitiveness of the rail industry. As service quality declines, shippers may permanently shift to other modes of transportation, leading to a loss of market share for railroads. Moreover, the emphasis on short-term financial gains at the expense of service quality and infrastructure investment could weaken the railroads' ability to attract new business and support a growing economy.

Safety and Workforce Management

In addition to operational inefficiencies, the railroads' approach to workforce management has raised serious safety concerns. Over the past decade, Class 1 railroads have systematically reduced their workforce, particularly in safety-critical areas such as track maintenance and inspection. This reduction has been driven by a relentless focus on cost-cutting under the guise of improving efficiency. However, the reality is that a smaller workforce is being asked to do more with less, leading to increased fatigue, stress, and the likelihood of errors.

- **Workforce Reduction:** According to the Bureau of Labor Statistics (BLS), the railroad industry has seen a nearly 23% reduction in its workforce over the past decade, with approximately 195,000 employees in 2013 compared to 151,000 in 2023.
- **Maintenance of Way Employees:** The number of Maintenance of Way represented employees on the American Class 1 Railroads has decreased during the same period. For example:

2013 Maintenance of Way Represented Employees	2023 Maintenance of Way Represented Employees
BNSF=6,720	BNSF=5,746
CSX=4,820	CSX= 3,984
NSC=4,496	NSC=3029
UPR=8,531	UPR=6,065

- **Increase in Workload:** Remaining employees are expected to cover more territory. For instance, in 2016 a single BMWED employee on Union Pacific's system could be responsible for 6.45 miles of track. Today, that same employee would be responsible for approximately 9.35 miles of track (based on BMWED represented employment numbers and STB reporting on track miles).

The systematic reduction of the workforce within the Class 1 railroads, particularly in safety-critical roles such as Maintenance of Way, underscores a troubling trend. By prioritizing cost-cutting over safety and operational integrity, the railroads have stretched their remaining employees to the breaking point, forcing them to cover more territory with fewer resources. This increase in workload, combined with the physical and mental toll of longer hours and greater responsibilities, significantly heightens the risk of accidents and errors. The focus on short-term financial gains at the expense of long-term safety and efficiency is not only unsustainable but also poses a severe risk to the railroads' ability to fulfill their common carrier obligations. To ensure the safety of both the workforce and the public, it is imperative that the railroads re-evaluate their approach to workforce management and reinvest in the personnel essential to maintaining the

integrity of the nation's rail infrastructure.

Conclusion

The future of the U.S. rail industry depends on a balanced approach that prioritizes long-term gains. The current trajectory of cost-cutting and workforce reductions not only undermines the railroads' ability to meet their common carrier obligations but also poses a significant risk to the nation's economic health. It is essential for the Class 1 railroad to realign their strategies with the fundamental needs of the industry: robust workforce management, investment in infrastructure, and a commitment to reliable service. By addressing these critical areas, the railroads can ensure that they remain vital and sustainable component of America's transportation network. The BMWED urges the Surface Transportation Board to consider these factors carefully and to advocate for policies that support a resilient and future-ready rail system.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Cardwell". The signature is fluid and cursive, with the first name "Tony" being particularly prominent.

Tony Cardwell
BMWED President

CC: Rich Edelman
Zachary Wood



BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION BURLINGTON NORTHERN SYSTEM FEDERATION

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STB Statement

I am currently the General Chairman of the Burlington Northern System Federation (“BURNOR”) of the Brotherhood of Maintenance of Way Employees Division/IBT (“BMWED” or “Union”). BMWED is the representative for collective bargaining under the Railway Labor Act of Maintenance of Way employees of BNSF Railway Co. (“BNSF” or “Carrier”), which is the product of the control and merger transactions that combined the rail lines and properties of the former Burlington Northern Railroad (“BN”), the former Atchison Topeka and Santa Fe Railway (“ATSF”), the former St. Louis and San Francisco Railroad (Frisco), and other formerly separate railroads. The BURNOR provides BMWED representation to Maintenance of Way employees who work on the former Northern Pacific, Great Northern, MRL, and Spokane, Seattle, and Portland Railroads properties of BNSF, currently known as Districts 100, 200, 300, and 1000.

BNSF Maintenance of Way employees represented by BMWED are responsible for constructing, repairing, rehabilitating, upgrading, renewing, inspecting, and maintaining BNSF’s track and right-of-way, as well as bridges, buildings, and other structures.

In this statement, I will cover a few topics related to deferred capital work, reduction of production gangs, slow orders, reduction of manpower, and increased contracting out of BMWED work.

DEFERRED CAPITAL WORK & SLOW ORDERS

The Carrier recently cut three production gangs – two (2) RSG Gangs they abolished under the BN Agreement, and one (1) under the South Agreement:

BN AGREEMENT

UC09 – District 100, 200, 300, 400, and 600
Original Schedule – April 8, 2024, until October 22, 2024
UC10 – District 400, 500, 700, 800, and 900
Original Schedule – February 5, 2024, until August 28, 2024

SOUTH AGREEMENT – SUPER SURFACE

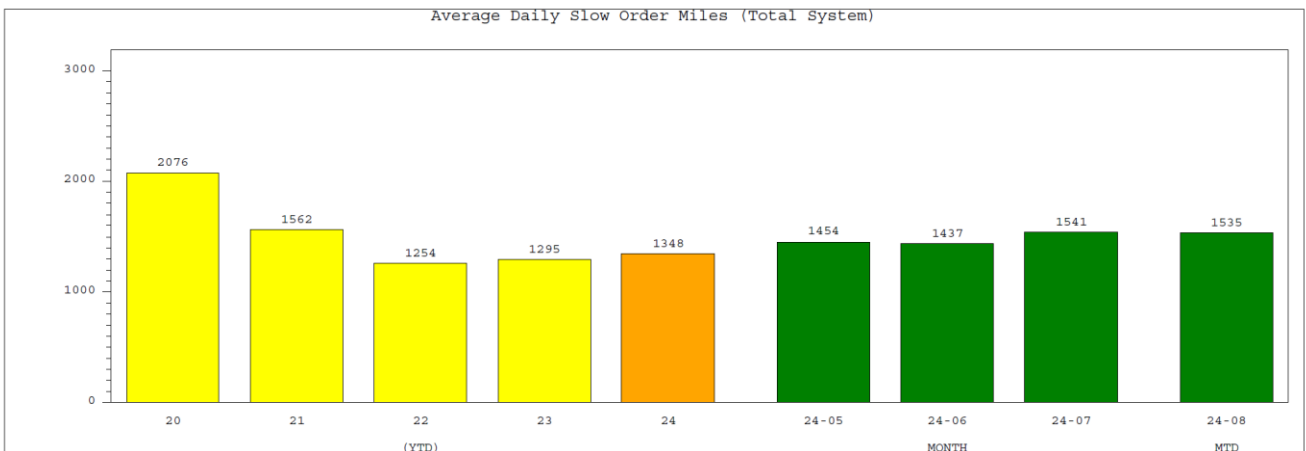
SC35 – District 700, 800, and 900
Original Schedule – April 1, 2024, until October 3, 2024

These gangs undercut the ballast, remove defects and reduce slow orders in multiple districts. The reduction of this work has been significant. The Carrier has continued to reduce the number of RSG Gangs that they operate, which results in less maintenance performed on the track. The chart below shows you a 67%

decrease in gangs on the Northern Transcon, as the railroad calls it, that runs across Districts 100, 200, and 300.

Production Gangs	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rail – 100	3	4	3	4	3	2	3	2	2
Tie – 100	1	2	1	1	1	1	1	2	1
CG – 100	3	0	0	0	1	0	0	0	0
UC – 100	3	2	3	3	3	3	2	2	2
Total	10	8	7	8	8	6	6	6	5
	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rail – 200	7	5	4	4	3	2	3	3	4
Tie – 200	3	3	2	2	3	1	3	1	2
CG – 200	4	0	0	0	0	0	0	0	0
UC – 200	4	3	3	3	4	3	2	3	1
Total	18	11	9	9	10	6	9	7	7
	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rail – 300	8	6	3	3	3	2	2	3	2
Tie – 300	5	4	2	2	2	2	2	2	1
CG – 300	2	1	0	0	0	0	1	0	0
UC – 300	3	1	2	1	1	1	1	1	0
Total	18	12	7	6	6	5	6	6	3
Total 100, 200, 300	46	31	23	23	24	17	21	19	15

The Carrier’s continued cutting aligns with their slow order miles for surface, tie condition, rail, etc. You can clearly see the slow orders miles are up from 2023 and currently in 2024. In the last four months, the slow order miles kept going up.



IMPACT OF REDUCED MANPOWER ON BNSF’S ABILITY TO HANDLE SURGES IN DEMAND AND TO ENCOURAGE INCREASED TRAFFIC, ESPECIALLY GIVEN THE CARRIER’S USE OF LONGER TRAINS

When there are surges in the cars on BNSF’s system, that can result in congestion that slows trains (as occurred in 2022). With BNSF’s use of longer trains, the more trains there are on the system, there are more problems when there more and longer trains. Where there is only single tracking, as trains moving in opposite directions meet, practice should be for one of the trains to pull into a siding. But many sidings are only a mile or a mile and a half long; so trains that are two or three miles long cannot fit on the sidings. When one or both of the trains are two or three miles long, either a train is held until the other train passes, or a train is directed to a longer routing. In either case, movement of one or both of the trains is delayed. Also, the Carrier has started building long trains in yards where the yard tracks are a mile or a mile and a half. When the Carrier builds a two or three mile long train in a yard, the train may extend out onto the main line; that results in blocking other trains from entering or leaving the yard, again causing congestion and delays. The obvious remedy to these problems is to lengthen sidings and yard tracks. But besides the lack of capital allocation for such work, the reduction in the Maintenance of Way workforce means that even if BNSF wanted to extend sidings and yard tracks, it lacks the workforce to do so. Indeed, the early cutoffs of production gangs this year means that BNSF is not even in a position to use its current workforce to perform work that would relieve congestion and prevent delays.

The reduced workforce also impairs BNSF’s ability to encourage shippers to put more cars on the system. Current system velocities reflect somewhat reduced carloadings. If more cars and more trains were to be added to the system, velocities would suffer and the result might be gridlock. A railroad planning for growth would be working on its infrastructure to have the capacity to handle more cars and more trains, especially if the plan for handling more traffic is to run with longer trains. But BNSF is not planning to do the infrastructure improvement work to handle additional traffic; and given its reduced Maintenance of Way workforce, the Carrier is not in a position to do the infrastructure improvement necessary to handle more business if there was an opportunity to increase traffic. The continued reductions in the maintenance of way workforce demonstrates that whatever BNSF says, its actions show that it is not preparing to do what is necessary to encourage growth.

REDUCTION OF MANPOWER & OUTSIDE CONTRACTING (OSC) NOTICES

We can see clear evidence of this reduction of the BMWED workforce when we compare the number of employees in 2016 to the number of employees working today.

	2016	2017	2018	2019	2020	2021	2022	2023	2024
100	862	807	749	707	707	684	665	662	654
200	698	642	591	550	539	535	514	510	490
300	1,052	927	839	760	725	694	635	618	601

The Carrier purchased the lease back and took over the former MRL, which is now known as District 1000, and you can clearly see they are following along as well.

	2016	2017	2018	2019	2020	2021	2022	2023	2024
1000	274	266	261	280	278	266	267	238	216

In the four districts I represent, from 2016 to 2024, we have seen a 24% reduction of members in District 100, a 30% reduction in District 200, a 43% reduction in District 300, and a 21% reduction in District 1000, which is the former MRL. Since BNSF took over MRL, the number of employees went from 267 down to

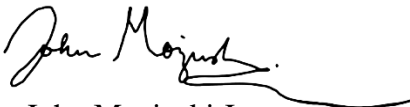
216. The Carrier continues to cut its own forces and then contracts out the work. We recently received notices for OSC Mechanics and for OSC Flagging because of the reduction in manpower. Please see the two notices attached.

ADDITIONAL ISSUES

The Carrier has done nothing to retain employees. We have offered increases to the most important positions in a DRAFT Agreement to push members to the high vacant positions. The Carrier also refuses to engage in any agreement for retention or bonuses, and they have removed those from their postings as well.

The Carrier cannot retain members and employees, and they are not doing the necessary maintenance on the track that is needed.

Respectfully,

A handwritten signature in cursive script that reads "John Mozinski Jr." with a long horizontal flourish extending to the right.

John Mozinski Jr.
General Chairman

JM/sec opeiu#12



BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION
of the International Brotherhood of Teamsters

BURLINGTON SYSTEM DIVISION

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August 08, 2024

RE: STB Statement from General Chairman George Loveland

To whomever it may concern:

I am writing to highlight systemic issues within the rail industry that have adversely impacted Maintenance of Way employees, who are my members, due to the actions of the Carriers. Despite the significant increase in business volume over recent years, which Carriers proudly announce as 'record profits' in the billions, these gains have been achieved through a series of unsafe, unethical, and corrupt decisions. These actions have repeatedly violated the collective bargaining agreement that they are contractually obligated to honor.

These decisions may boost their profits, but they do so at the expense of the health and safety of both their employees and the American public. People who live near the tracks and rely on the transportation of goods are being put at risk every day. This situation has escalated from a labor dispute to a public health and safety crisis. The Carriers have drastically reduced their workforce to bare minimum levels, outsourced work to external contractors without considering the long-term quality of the work, and cut production crews, leading to necessary maintenance being deferred or entirely neglected. All these measures are taken under the guise of Precision Scheduled Railroading (PSR), a misleading strategy aimed at maximizing profits by circumventing safety protocols and cutting corners.

I want to emphasize that these are systemic issues affecting the entire rail industry. To illustrate the impact, I will provide specific examples from 2016 to the present involving BNSF Railway, as they employ the majority of the workers I represent. Despite an increase in train operations and freight volume, BNSF has reduced their workforce by 32% in their 400 District and 27% in their 500 District. Similar trends are likely present in other districts and departments, as shown on the next page.

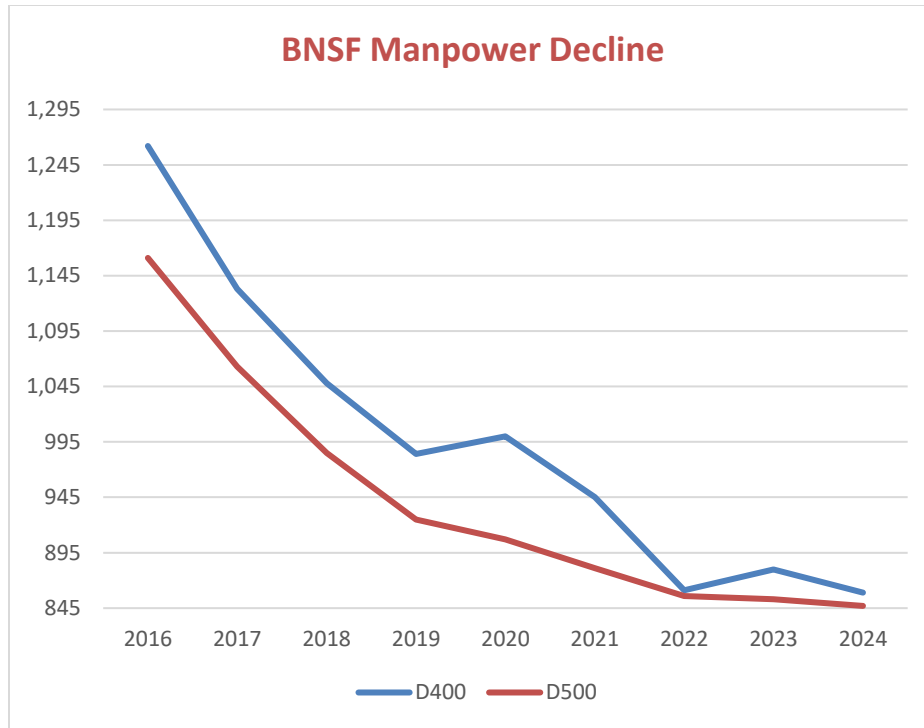
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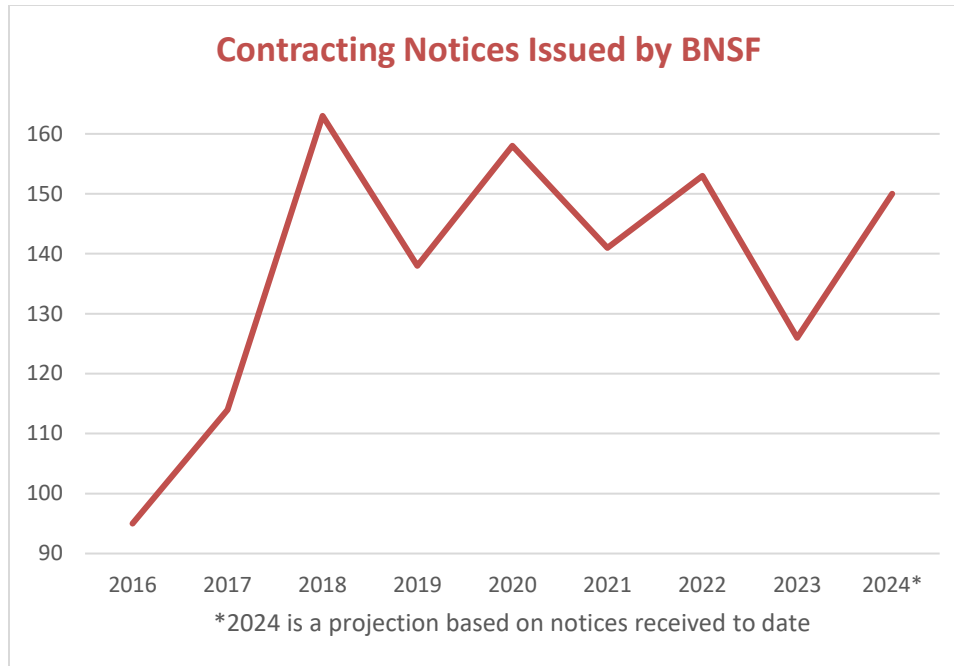
TOM STEINBRENNER
Vice General Chairman
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ROD BLESSING
Vice General Chairman
16518 Baxter Rd
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The decline in manpower is not accidental but a deliberate result of the Carrier's strategies, including reduced hiring, increased disciplinary actions, and deteriorating working conditions, leading to an unprecedented number of employees leaving the rail industry. Carriers have chosen to accomplish more with fewer resources, despite contract violations and significant safety risks. It is evident that the Carriers prioritize their year-end profits over their employees' health and safety, the work environment, and their employees' work-life balance. This negative trend will persist, causing employees to lose their livelihoods, health, limbs, and, in some cases, their lives, until external forces implement decisive changes.

This workforce reduction coincides with a significant increase in outsourcing work to external contractors. As illustrated in the graph on the next page, BNSF alone has experienced a 58% increase in Contracting Notices from 2016 to the present. This clearly indicates that while the workforce is decreasing, the workload is not; instead, it is being shifted to contractors rather than being performed by the Carrier's employees.



Maintenance of Way employees have a contractual right to perform scope-covered work according to their collective bargaining agreement. Despite this, the Carrier repeatedly violates the Agreement by outsourcing work to external contractors. When the Carrier opts to breach the Agreement in this manner, it must provide notice to the Organization and hold a good-faith conference, if requested, to discuss performing this work in-house. The Carrier has consistently failed to adhere to this process. In my 30 years in the rail industry and over 14 years of serving the union in various capacities, I have attended hundreds of contracting conferences with BNSF. Not once have I secured an agreement to reserve any or all contracted work for Carrier forces. Most conferences lack participants with the authority to make such decisions, clearly showing the Carrier's lack of intention to hold good-faith conferences as required by the contract.

Using outside contractors instead of their own employees is not only a labor dispute stemming from an unethical breach of the collective bargaining agreement, but it also poses a significant public threat. Contractor employees are not individually vetted or trained by the Carriers but by their contractor employers, creating a conflict of interest. These companies have no real motivation to provide lasting, high-quality work as they profit from ongoing problems. Like planned obsolescence in consumer goods, contractors are aware they only make money when issues arise, leading to cheap, quick, short-term fixes that endanger the safety of rail industry employees and the public who live near, ride on, drive over, and rely on these tracks daily.

Quality issues are not solely due to contracted work but also result from Precision Scheduled Railroading (PSR). PSR is a relatively new practice in the rail industry, aimed at reducing costs while increasing train traffic to boost profits. While seemingly well-intentioned, its execution is deeply flawed. To cut costs, Carriers are reducing job positions, allowing less time for repairs, and delaying necessary maintenance. Projects that once took two days with a six-person crew are now performed weeks later by a four-person crew in a single day. Overworking the workforce and deferring maintenance has deadly consequences.

The most apparent negative outcome of PSR is the rise in derailments, impacting both the rail industry and the public. The FRA reported a 12% increase in derailments from 2016-2023. During this period,

Carrier workforces decreased by an average of 30%, while contracting increased by 58%. This correlation is no coincidence; it clearly shows that Carrier practices, especially PSR, have led to more derailments than ever before. These derailments not only increase in frequency but also in their impact on communities

On February 3, 2023, the country witnessed what may be the worst derailment in my 30-year railroad career. A train carrying hazardous material derailed and caught fire, leading to the evacuation of over 2000 people and environmental pollution affecting an estimated 110 million residents—nearly one-third of the U.S. population. The National Transportation Safety Board concluded that this derailment could have been prevented with proper safety measures. In my view, the decreasing workforce, increased contracted work, and deferred maintenance due to PSR directly caused this disaster and will lead to more unless serious action is taken immediately.

You might expect a union representative to focus solely on the negative impacts of the Carrier's neglectful policies on our members. While these are crucial issues to which I have dedicated my career, I am also a community member and citizen. I live 20 miles from one of the country's largest railroad yards with my wife and children. The consequences of the Carrier's actions extend beyond the rail industry, creating a genuine public health and safety crisis. I hope that if my appeal as a union representative highlighting breaches of contractual obligations and unethical treatment of employees is insufficient to spark change, my plea as a husband, father, community member, and citizen for the safety of my loved ones and those around me will be.

These may be new problems, but they do not require new, elaborate solutions. Instead, we need to return to a time when the rail industry did not risk the safety of their employees and surrounding communities for increased profits. Reversing changes implemented under PSR, hiring more staff, performing more work in-house, prioritizing safety, and addressing defects promptly can make railroading safe again for employees and the entire country.

Respectfully,

A handwritten signature in black ink, appearing to read "George Loveland". The signature is fluid and cursive, with a long horizontal stroke at the end.

George Loveland
General Chairman



ATCHISON TOPEKA & SANTA FE FRISCO SYSTEM FEDERATION

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION
OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

August 7, 2024

Dear Sir or Madam,

I am the General Chairman of the AT&SFF System Federation. We represent BMWED members that are employed by BNSF Railway. This Federation covers the “South” portion of the BNSF System. We have members from Chicago, Illinois to New Orleans, Louisiana across the Southern half of this great nation to Fresno, Los Angeles, and San Diego, California. Of the 9 large seniority districts that make up BMWED employees working for BNSF Railway, we represent members in the 500 (which we share with Burlington System Division), 600, 700, 800, and 900 seniority districts. This amounts to about 2650 employees. Our system is made up of the former Santa Fe Railroad of the Southwest and former Frisco System of the Midwest.

Shortage of employees and contracting

I am a 30-year employee of the Railway, beginning in 1994 with the Burlington Northern Railroad. Over the years more and more of the work we historically performed has been given to contractors. Meanwhile our numbers continue to plummet. Since 2016 we have been subjected to a 28.15% reduction in forces¹ while contracting notices have increased from 101 in 2016 to 262 in 2023 with over 140 for 2024 as of the writing of this letter. This is nearly a 160% increase in just 8 years! More and more BNSF is relying on contractors to perform work we can perform and historically have performed by simply not proper hiring.

BNSF is not maintaining an adequate workforce. BNSF has deferred hiring through calculated maneuvers drawing actual maintenance of way work force numbers to drastic lows. The employees left working are faced with large amounts of overtime. Our members suffer threats if they need a day off, forced to work sick, forced to work when family members are sick, disciplined if not ready to go when the call to work comes, and forced to take a vacation day or personal day just for a day off. Our members regularly work 60 hours plus just to maintain the basic railroad. There are many days when work must be deferred to a later date. BNSF has created such a shortage of manpower that deferring maintenance and/or contracting are the only options. The 600, 700, 800, and 900-seniority districts have over 190 vacant positions. These openings are because there is no one available to work in these positions. As I stated, the ones that remain on property where these vacant positions are located are forced to work extra duty, overtime, perform multiple tasks or job descriptions to simply maintain the track the best that they can. All the while management screaming at inspectors who put on slow orders or turn in defects. When a derailment occurs, the inspector or last track foreman who worked anywhere in the area is instantly placed on notice of an investigation and generally dismissed. Safety is preached while the membership is overworked. Deferred maintenance is common, but worse is when contractors are hired in violation of the agreements because of a lack of manpower. Manpower shortages are not acceptable reasons to contract out scope covered work and an unconscionable action by the railroads to replace the BMWED.

¹ March 1 2016-3441 employees. March 1, 2023-2811 employees.

The three (3) BMWED General Chairmen of the BNSF have insisted multiple times that hiring plans be stepped up. We see the shortage of employees that are needed. We hear the employees complaints. We know full well the ones remaining are taking the brunt of the short fall. Every conversation we have with VP John Cech, COO Matt Igoe, the General Directors, and Division Engineers includes the demand that more employees are hired. BNSF management responds to us saying, *“our metrics do not show a shortage of employees.”* Or *“retirements were not as many as was expected so we are lowering our hiring numbers.”* Best though is, *“volume is dropping so to maintain and improve our operating ratio we may cut off additional employees.”* Lack of volume does not stop the need to maintain the track structure. In 2007 and 2008 there was a serious drop in traffic on this road. That management team had the foresight to continue to maintain the network. This management team is gutting it. Deferring maintenance and canceling ballast orders. When traffic returns BNSF will be in horrible shape. Track time will not be available, and the system will slow down, slow orders will rise, derailments will continue to climb, and product deliveries will suffer.

BNSF has reduced our numbers through attrition with no intention of restaffing to acceptable levels. We have been told for the last couple years that BNSF had a robust hiring program. In spring of 2024 Engineering VP Cech told the General Chairmen that BNSF was experiencing low volumes of business and possibly lower projected volumes of business in the fall. If this traffic decline was not stopped to expect more and more lay-offs. The problem is we started the year short and have never had even close to a full staff. The 600-seniority district began 2024 with 32 unfilled positions, 2023 with 31 unfilled positions. So far through 2024 BNSF has only hired 26 employees for the 600-seniority roster. However, the latest 600-seniority district bulletin contains over 23 unfilled positions. BNSF has not increased district manpower on the 600-seniority district. Through retirements and dismissals BNSF is not even keeping up with last years vacancies. All the while increasing contractor forces.

The above example is just the 600-seniority roster. The same story exists on all other seniority districts just the same. For example, the 900-seniority district has seen hiring in 2024 at 19 members. BNSF district 900 started with 14 vacancies in 2024 but after six months and hiring 19 members there are still 23 vacancies. BNSF hiring plan is not robust enough to fill the vacant positions, but just below retirements to continue to draw the craft numbers down.

BNSF has bragged about a robust hiring plan for 2024, but the plan has fallen woefully short. Of course, when BNSF falls short of manpower, they simply contract out the work. BNSF reasoning for contracting work is that they have *“confronted unprecedented hiring challenges”* or *“we don’t have the skill.”* Those excuses are preposterous and insulting. The contractors do not seem to have any issues hiring employees. The contractors do not seem to have any problem training. Yet we are struck with a company that made a net profit of over 1.4 billion dollars in the first quarter of 2024 cannot hire employees? Its calculated nonsense.

Deraillments

Major derailments are now a common, weekly occurrence on this railroad. One train on the Kansas division derailed at Emporia. Once rerailed and track repaired the same train derailed near Dodge City, KS a couple days later. A train derailed in Arizonia that stopped traffic on I-40 for over three days. Multiple cars of propane were opened, and the propane burnt on site. These derailments are facts of PSR and deferred maintenance.

Early Gang Cuts

The General Chairman on BNSF were informed May 15, 2024 that UC-09, UC-10 and SC-35 would be abolished by May 22nd:

Sent on behalf of Joe Heenan.

Generals,

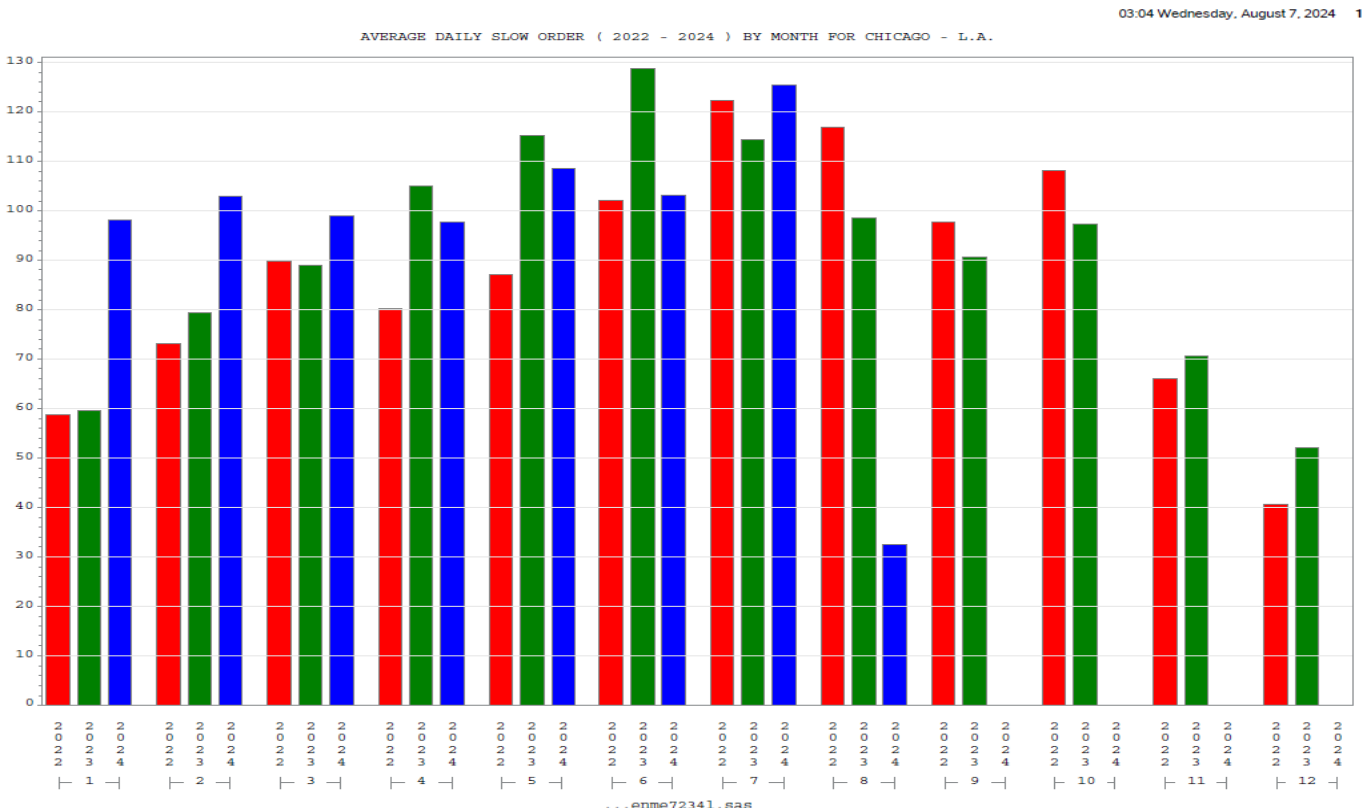
As a follow-up from our discussion last week, I wanted to start by recapping the work reductions that impacted five HSS gangs - SC29, SC30, SC32, SC33, and SC35 and two TLU gangs - UC09, UC10. As of this week, both UC09 and SC35 are scheduled for their last workday on Friday, May 17th. For UC10, their last workday is scheduled for Wednesday, May 22nd. Attached is a recap of the workdays removed from each gang impacted. Additionally, attached is the updated MDZ HSS ratios with a comparison from January 2024 to May 2024.

If questions, please let me know.

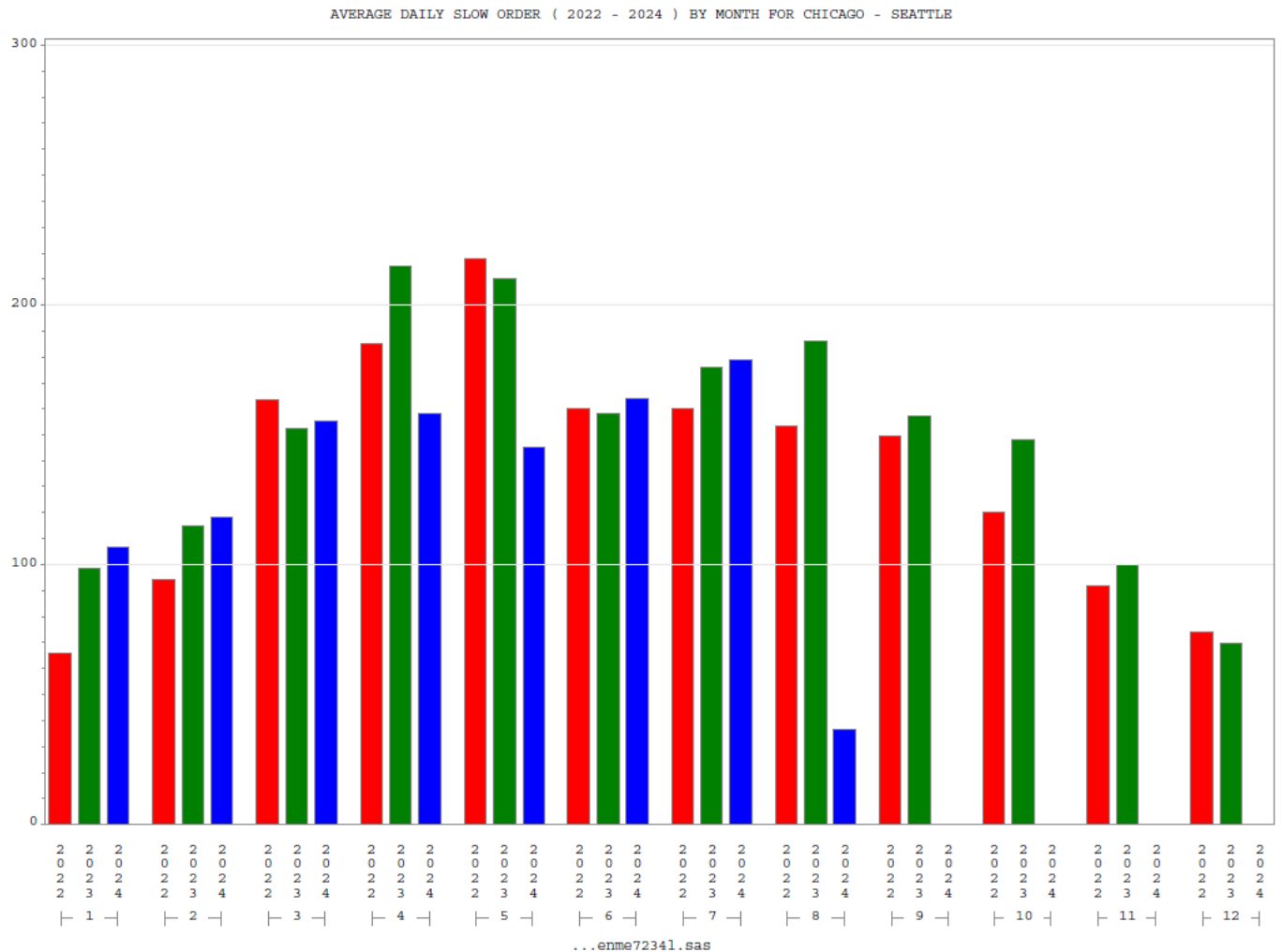
Best,

James Rhodes | **BNSF Railway** | Director Labor Relations - [BNSF](#) | Cell: 817-253-4869 | Office: 817-352-0162 | [LinkedIn](#) | Email: James.Rhodes@BNSF.com

These gangs are undercutting gangs (UC) and high speed surfacing (SC). The work of these gangs contribute to on-going maintenance that is imperative to running a safe, reliable network. The work of these gangs was partially on the Chicago to LA (Southern Transcon) corridor. As can be seen in the graph below, slow orders in the region have not changed much over the last 3 years.



Month 8 (August) is still compiling so the blue line for 2024 is not accurate. However, it is readily apparent that the network is not improving year over year. Chicago to Seattle (Northern Transcon) tells the same story:



Again, please note that month 8 (August) is not compiled just yet so not accurate. The reason? Lack of available manpower, lack of available funds to repair the track, and a lack of time allotted to repair. BNSF quest for a low 60's operating ratio will continue to degrade the track and rolling stock creating major risk for catastrophes similar to what we recently seen at Palestine, OH.

ATI

BNSF continues to push the FRA in allowing automated track inspection. So far, the FRA has resisted; however, we must assume that an administration change would result in an FRA director change which would change the FRA opinion of ATI. I have suspected for years that the Track Measurement Department of BNSF inflated the numbers of defects of historic geo car runs with unmeasurable defects such as a twist 31, stiff car, and unbalanced cross level. Twist 31 is a defect that allegedly exists in spirals of curves. In maybe the 2010 timeframe we would have a geo car run southbound with 50 or 60 of these “non-measurable” defects. Northbound, the car would not mirror these defects. I was told by supervision that these defects were non-measurable. Meaning I could not take a string and level board and find them I said hogwash, but we would tamp the defects with the 6700 tamper. When the car would return, we would get 50 or 60 more of these “non-measurable defects.” It was easy work, but upon reflection I believe they were setting up

ATI to be this tremendous savior of track inspection today.

Every ATI graph BNSF today presents me shows a tremendous downward curve of defects since ATI began operating. Exponential decreases. Keep in mind this downward spiral of defects correlates with lesser numbers of employees and lesser numbers of gangs working on the tracks. When I question management "how do the defects drop when the employee numbers have fallen so sharply?" BNSF supervision responds that they better use what assets remain because of ATI. "We send the employees where they should go." I did that exact thing for years patrolling track. It's all smoke and mirrors. I inspected track for over 5 years and ran a surfacing gang for 15 years. I personally have found hundreds of defects that ATI, VTI, Ultrasonic, Geo Car, Thor, Aurora, and other technology did not find or defects that were traversed without exception by this technology. The need for human visual inspections cannot be replaced by ATI or any other technology, Period. Supplement human inspections, YES, supplant, NO. Giving BNSF the ability to control every aspect of inspection with ATI is equivalent to giving the fox the keys to the hen-house and wondering why you aren't getting any eggs.

Track Supervisors (Inspectors) are reluctant to share any known misinformation for fear of retaliation from their superiors. And I don't blame them. BNSF holds the ability to dismiss any employee at any time for any reason. Of course, the Brotherhood will defend but the Railway can place an employee in a position of dismissal costing the employee everything they have gained. Worse comes to worse a company that made 6 billion in profit will pay back-pay to that employee for an overturned dismissal. However, the message to the others has been received. If you want to stop people from talking, fire a couple and the others will fall in line.

It is my understanding that the cars geometry measuring systems mounting attachments should be replaced every 40,000 miles as the rubber mounts wear out. BNSF is not following through with the replacement of these mounts because of shortages in Mechanical. Not only are the cars unreliable, they are not properly maintaining them because of lay-offs in mechanical.

If the ATI cars are truly the savior BNSF says, shouldn't they produce equivalent results day after day or week after week? BNSF car runs sometimes repeat north one day and south the next. If the car runs do not match the earlier run is deleted. BNSF plans to run the cars without visual verification and human inspection twice a month at some. This will undoubtedly lead to more and more derailments. As a former Track Supervisor and Inspector, I welcome any testing technology that would help find defects before a catastrophic event occurs but to think that these cars should take the place of a visual inspection is unacceptable.

BNSF places too much faith in a system that is manipulated in Ft. Worth by someone that has no idea what the data or track structure really looks like. Only a jagged line. People who stay employed by erasing data that fails to support BNSF goal of automated inspection. I know humans make mistakes, but BNSF is selling this technology as fool-proof when the fact is this technology is human designed, human programmed, human manipulated, meanwhile all influenced by BNSF management to supplant human visual inspections. We must remember the people in the locomotives, the people that live near a rail line. Just more carrier attempts to lower numbers. And using a façade of safety to do it. Crazy.

Agreement violations

BNSF regularly violates on-property agreements. Even when the agreement is clearly written, if BNSF can manipulate an employee to violate the agreement, they win. If other employees

complain or write a grievance, they are threatened with retaliation, or their jobs are abolished. We have a hotline where we can report that kind of retaliation, but it's a joke. I personally have called the BNSF hotline 30 or 40 times and not once has any of my complaints been substantiated. Not one time. Of course, what would anyone expect. BNSF sets up the hotline, people call it, the complaint goes to BNSF, and BNSF protects their own. Of course, there are whistleblower protections but that entails a dismissal for the most part. Who wants to be the sacrificial lamb?

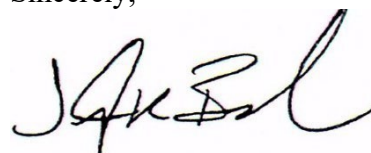
PSR

BNSF says they do not follow the PSR module. Actions speak louder than words. The railroads are notorious for instituting numerous changes that when looked at on an individual basis may make sense, but in a combination are disastrous. For example, lowering the number of maintenance of way employees helps BNSF bottom line because there are no furloughs. BNSF is required to pay insurance for up to 4 months for furloughed employees. Also, there could be Feb 7 benefits for employees forced to furlough. BNSF, like every other company in existence, is looking for low operating ratios, it just makes sense to lower the number of employees for short-term gains. Especially when in turn BNSF supervision forces the employees remaining to work crazy hours, work sick, work fatigued, work long distances from home, work multiple other jobs other than bid jobs, work short of manpower, whatever just work. But this is a short-term profitability and risk management model that will have catastrophic consequences for the employees, the public, the environment and ultimately the taxpayer. Don't get me wrong, I want BNSF to be successful, I have worked for this company in some capacity for the last 29 years. And I appreciate the living they have afforded my family. But how much is enough? Six Billion? 7 Billion? 55 operating ratio? 50? 45?

I apologize for the rant but enough is enough, the Ohio derailment should have been the sign to put a stop to this nonsense. Now we have asphalt and sulfur in the Yellowstone River, a detached garage destroyed in New York and propane burning alongside I-40. These incidents could have all been avoided. Lowering our numbers, contracting our work, and deferring maintenance is unacceptable. If railroad management can't play in the sandbox fairly it's time for regulations to force them to. The same Government that will not let us strike to hold the railroads accountable to our agreements will be held accountable by the voter when the country shuts down because of the greed of railroad management.

The writing is on the wall. The sheer number of major derailments prove the railroads are pushing the limits of their infrastructure to a major catastrophic event that will result in deaths and environmental damage that cannot be repaired. The time to step in is now, not later.

Sincerely,



Timothy K. Bunch
General Chairman
ATSFF System Federation



Brotherhood of Maintenance of Way Employees Division

Of the International Brotherhood of Teamsters

Wisconsin Central System Division

1570 Elizabeth Street

Green Bay, WI 54302

715.572.7127

joeletiziabmwed@yahoo.com

Joe Letizia
General Chairman

Frederick H. Bandt
Vice Chairman/ST

Mike Highland
Vice Chairman-North

August 12, 2024

Surface Transportation Board
395 E Street SW
Washington, DC 20423

Dear Sir/Madam,

At CN, hundreds and hundreds of track defects continue to exist month after month due to the Carrier failing to maintain a workforce large enough to perform the necessary maintenance. Some of these track defects remain in the track for more than a year as maintenance forces have been skeletonized. CN has failed to even maintain the lowest minimum number of employees that is required by the collective bargaining agreement. For the past three years, for the first time in the history of the CBA, the level of employment in maintenance of way has dropped below the very minimum that is required by the agreement.

Track Inspectors continue to report these defects to CN month after month as they violate CN's own track standards, yet the manpower remains inadequate, and the track defects continue to deteriorate.

CN's failure and inability to properly maintain its track and remedy defects means that trains have to run more slowly and are more prone to derail. That adversely affects service. CN is certainly not in a position to handle increases traffic because the infrastructure of the railroad simply is not up to the task.

Fraternally yours,

Joe Letizia
General Chairman
Wisconsin Central System Division



American Rail System Federation

of the International Brotherhood of Teamsters

August 10, 2024

Members:

Surface Transportation Board

My name is Johnny Long and I am the General Chairman of the American Rail System Federation. I began my career with Norfolk Southern in 1995 as a Trackman and shortly thereafter I obtained seniority as a Machine Operator, Welder Helper, Assistant Bridge and Building Foreman, First-Second-Third Rate Carpenter and Carpenter Helper. In 2014 I was elected as a Vice Chairman for the Affiliated System Federation and have been a Union Representative ever since. From the time I began my career as a Railroad employee I have seen a drastic reduction in the amount of Maintenance of Way workers. For example, before I was elected as a Vice Chairman in 2014 I worked as a Ballast Regulator Operator in Norton, VA where at the time there was a Surfacing Gang of (3) employees, (1) Welder, (1) Welder Helper, a Track Patrol Foreman, a Norton Section Gang and Andover Section Gang both with (4) employees as well as (1) Backhoe Operator. At this time there is no local section in Norton, VA as the facility was closed however, there does remain (3) employees on the Andover Section now located in Andover, VA. There was also a Bridge and Building Gang in St. Paul, VA with (4) employees, a Local Section in Carbo, VA with (4) employees a Car Shop in Andover, VA and a Car Shop in Carbo, VA all which have been closed. These are just a few examples of what I have personally witnessed.

In 2022 the American Rail System Federation (ARSF) was formed and at that time I was elected General Chairman. Since then Norfolk Southern has boasted of how it was going to invest millions of dollars for infrastructure and how Norfolk Southern employees would be the ones responsible for construction and maintaining additional rail lines, passenger platforms, and sidings however, I have not seen any increase in local section forces. Furthermore, when posts of Norfolk Southern's plans were made public, the ARSF had written letters (attached) to Norfolk Southern's Engineering Department requesting that the BMWWE be part of all projects mentioned but never received a response.

J. B. Long
General Chairman

J. M. Blankenship
1st Vice Chairman

S. M. Swain
2nd Vice Chairman

P. L. Barnes
Vice Chairman Sec/Treas

D. G. Beal
Vice Chairman

M. R. Ragard
Vice Chairman

D. D. E. Heiser
Vice Chairman

C. D. Hayes
Vice Chairman

T. B. Cory
Vice Chairman

N. A. Baker
Vice Chairman

The ARSF also had the National Division to compare the total number of BMW employees that were working in 2000 to the total of employees who were working in 2021 and 2022. The study revealed that the total number of BMW employees decreased by 1,591. In the year of 2000 there were roughly 3,091 employees working on the NWWAB Agreement territory and by 2021 the numbers reduced to 1,800. The difference in the BMW employee numbers on the Southern Agreement property went from 1,289 in the year 2000 to 989 in 2022.

The issue is that the amount of track owned and operated by Norfolk Southern has increased however; the amount of employees has decreased. This is a major concern knowing that the Carrier has put an extra work load on its employees and in some cases expect one employee to do the work of two.

As a Norfolk Southern shareholder (401K), I have attended meetings in order to obtain information as to how the Carrier plans on running their business. Unfortunately, the major shareholders want the operating ratio to decrease and from what I have observed it doesn't matter how they do it as long as it gets done. During the last Norfolk Southern shareholder meeting a major shareholder was asking why it was taking NS so long to reduce the operating ratio. It appeared that certain individuals want to put profit over safety. This was very surprising especially after the derailment that occurred in East Palestine, OH.

The ARSF and other Federations representing Norfolk Southern employees have addressed the shortage of manpower for years without the Carrier wanting to acknowledge it. We have written numerous letters to the Carrier, had many discussions/conferences, provided supporting evidence etc. and even hand delivered a flyer to CEO Alan Shaw "TOGETHER WE CAN MAKE THINGS RIGHT" in an attempt to increase manpower. Despite everything we and others have done, the Carrier refuses to increase the workforce.

Fraternally,

A handwritten signature in black ink that reads "J. B. Long". The signature is written in a cursive, flowing style.

J. B. Long
General Chairman, ARSF

Attachments

□ □ □ □ □ □ □ **M** □ □ □ □ □ □



Brotherhood of Railroad Signalmen

917 Shenandoah Shores Road
Front Royal, VA 22630

Phone: (540) 622-6522
Fax: (540) 622-6532

Michael S. Baldwin
President

James M. Finnegan
Secretary-Treasurer

August 15, 2024

To the Members of the Surface Transportation Board:

On behalf of the Brotherhood of Railroad Signalmen (BRS), I express our deep concerns regarding the possibilities for growth of the freight rail industry. While some may mistakenly view this industry as a catalyst for economic progress in its current form, we must confront the harsh realities that stand in the way. The potential for future growth is severely constrained by numerous infrastructure challenges, workforce health concerns, train composition issues, and the lack of progress on critical capital projects. As we examine the implications of expanding freight rail, it becomes increasingly clear that the industry lacks the sustainable infrastructure and investment needed to accommodate additional rail cars. Furthermore, any growth is dependent on improved velocity and the reduction of slow orders—goals that appear unrealistic given the current state of freight rail operations. Our BRS membership has voiced serious concerns about these issues, casting significant doubt on the feasibility of meaningful growth in this industry.

The significant challenges have emerged due to chronic understaffing and neglect of critical infrastructure. Our membership provided statements regarding future rail growth and the inherent problems that would stun this optimistic idea. Our membership has suffered extensively due to short staffing and frequent staff changes, which have forced employees into positions and regions they were never intended to perform work in. This instability has led to the delay or abandonment of essential capital improvement projects. For instance, we have multiple locations that desperately need new crossing cases installed. However, due to personnel shortages and the constant reshuffling of staff, these projects remain incomplete, leaving us with exposed cabling and equipment haphazardly arranged on the ground. The conditions at these sites are so dire that we are forced to rely on temporary solutions just to keep crossings operational, all while struggling to manage our regular duties. Even more alarming is the decision not to upgrade grade crossings which utilize a “motion” state that once a train enters the circuit, the gates come down and provide an extended warning time that causes the public to get impatient and drive around the gates. The modern (upgraded) system that has been implemented for decades is a predictive state that provides adequate warning time for the gates to come down. If these small projects cannot be put into place, there is no room for more trains to be added to the network. The fact that even simple, low-cost infrastructure projects, like an upgraded crossing system, cannot be realized due to budget constraints and manpower shortages raises serious concerns about the industry’s ability to expand its capacity and drive further growth.

The situation is further exacerbated by the lack of attention to preventive maintenance. In many locations, failed infrastructure is left in service until complete breakdowns occur, jeopardizing safety and increasing the risk of accidents. For example, in some territories, joint bars and rails are in disrepair. The lack of surfacing gangs since 2023 has left crossings vulnerable to mud spots, creating additional hazards for both trains and road users. Our workforce is also facing extreme pressure due to the constant demands placed upon them. With the reduction of staff, remaining workers are

stretched to their limits, forced to take on additional responsibilities without adequate support. This overwork inevitably leads to mistakes, which in our industry, can have catastrophic consequences. We are dealing with a broken system where safety is compromised due to the relentless drive for efficiency and cost-cutting. The reduced maintenance of track infrastructure leads to trouble spots that cause signal issues, resulting in reduced train velocity. With manpower already stretched thin, these issues cannot be promptly addressed, leading to traffic delays through affected areas until an understaffed work group can resolve the problem.

Moreover, the industry's focus on increasing train lengths has introduced new challenges that severely impact public safety and daily routines. In some areas, longer trains have caused significant congestion, particularly during crew changes, leading to blocked roads and highways for hours at a time. This not only disrupts the flow of traffic but also poses a serious risk to emergency response efforts. Despite repeated attempts to bring these issues to the attention of railroad management, little has been done to address the concerns raised by our members and the affected communities. These problems stem from the elimination of yards and the inability to house longer trains. There is nowhere for trains to go other than the mainline. This causes delays in train movements, and if this is not addressed, we do not see how additional trains, or more long trains can be added to the system.

In territories like the Avard Subdivision in Oklahoma operated by BNSF Railway, the situation has become so untenable that essential testing and maintenance are often delayed or canceled due to operational constraints. This not only hampers our ability to ensure the safety and reliability of the rail network but also leaves critical infrastructure vulnerable to failure. Despite our repeated requests for upgrades and maintenance, only a fraction of the needed work is ever completed, leaving us to contend with outdated and unreliable systems that pose a constant threat to public safety. Without the ability to maintain signal apparatuses, issues are left unaddressed until they reach a breaking point, causing traffic disruptions that require urgent repairs. Sustainable growth relies on maintaining current equipment to ensure the route can handle increased train traffic. Signal equipment has a finite lifespan, requiring investment to prevent severe disruptions from system failures. Upgrading this equipment also necessitates a healthy workforce, which is currently lacking.

We have also collected what we refer to as deferred tickets—railroads receive information regarding an issue with their signal system and delay any repair until the employee comes back on duty. The recurring pattern of delayed responses to signal malfunctions across the rail industry highlights a critical inability to maintain and repair essential signal systems promptly. This failure not only violates regulatory requirements but also significantly jeopardizes the safety of train operations, contributing to slow orders that disrupt the efficiency of rail traffic. As illustrated in the provided exhibits, there are multiple examples of disregarded malfunctions across the network that involve grade crossings where the railroad issues a slow order to protect, but it leaves the issue for several hours sometimes days. This action ultimately reduces velocity which, in turn, clogs mainlines and reduces any inkling that railroads could possibly add more trains to a network that is not well maintained. The consistent failure to act promptly in resolving these issues results in increased risks of derailments, operational delays, and a general decline in the safety standards expected in the rail industry. This systemic problem requires immediate attention and reform to ensure that signal systems are maintained and repaired promptly, without deferral, to protect both the public and railroad employees and continue to move rail traffic.

In conclusion, the Brotherhood of Railroad Signalmen believes that there cannot be any expansion in the freight rail industry under the current conditions. The significant challenges posed by understaffing, neglected infrastructure, and unrealistic operational demands make growth not only unfeasible, but also dangerously irresponsible. The industry must address these fundamental issues in order to expand. Our members' experiences and provided trouble call tickets clearly demonstrate the urgent need for a reassessment of priorities, focusing on safety, maintenance, and the well-being of the workforce; all of that is a precondition for growth.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Baldwin", with a stylized flourish at the end.

Michael S. Baldwin
President

Chris Hand

From: [REDACTED]
Sent: Tuesday, August 13, 2024 11:45 PM
To: Chris Hand
Subject: Growth in the Freight Rail Industry

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Brother Hand,

In our area we have suffered due to short staffing and changing staff due to people being forced into positions and areas they never wanted to work. We have multiple locations that needed new xing cases installed and capital improvement projects that have gone uncompleted because there has been so much personnel changing that has also left us, at times, short handed. Due to these circumstances we have locations that have multiple cases right beside each other, some setting on the ground instead of foundations buried, that have exposed cabling laying on the ground and running into each case. This is requiring both cases to be necessary to keep the crossings working as intended. We have not had the time to get back to these locations and complete the work by the time we deal with track production gangs and covering other vacancies.

Also each year we try to get local capitol improvement projects completed. Normally material is ordered. Once it comes in we spend time trying to get the right personnel lined up to complete the tasks. These people are often busy helping to cover other vacant areas and trying to complete other repairs required from maintenance.

Finally, our area had to pass on getting some used ribbon rail laid down to replaced jointed rail on a less busy route last year due to M&W forces not having enough experienced workers to complete the tasks.

Fraternally,

[REDACTED]

[REDACTED]

Chris Hand

From: [REDACTED]
Sent: Tuesday, August 13, 2024 9:55 AM
To: Chris Hand
Subject: STB Statement

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Current Signal Maintainer. I have in the past and still have locations where I have failed IJs that I have asked to have replaced that are still in service. The carrier doesn't worry about preventative maintenance. They prefer to wait until both IJs have failed and then there is a track indication or a crossing down before they will have the issue remedied. Right of way maintenance is terrible as well. Used to have a job posted for mow to keep them cleaned and traversable. Now there are so many ties or rails or weeds so tall you can't see where you are driving that you can hardly drive the right of way without fear of hitting something and then the truck is damaged and you have to worry about getting in trouble. Haven't had a surfacing gang on my territory since 2023. Mud spots off every crossing. I'm sure glad I'm not the track inspector, there have been too many derailments lately for them be able to sleep well at night with the lack of support they have to keep up the track structure.

Chris Hand

From: [REDACTED]
Sent: Tuesday, August 13, 2024 1:26 AM
To: Chris Hand
Subject: Over length trains statement

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello,

My statement is in relation to longer trains and their impact to the public and their daily routine.

My family farms. They utilize the Ethanol plant, Andersons INC, in Denison Iowa. Since trains have been getting longer, their normal crew change point south of this plant is now causing major congestion. More often than not, when doing crew changes here, they are now blocking the roads for anybody inside the plant. Not only is this frustrating, but the traffic needing to get into the plant is now backed up, stacked on the side of a very busy Hwy 30. It's not at all uncommon for the access roads, multiple- ROADS!, are blocked for anywhere up to 4 hours at times. The railroad preaches safety, but it's ok to hinder public traffic on busy highways by forcing truck traffic to park on the right of way of the highway.

Personally I've reached out to the plant manager and the public affairs liaison for my area with the UPRR to try and help resolve and shine a light on this trouble. To date, it's been a one sided email and alot of talk.

This is one small example of the long trains cause and effect. I'm fortunate to be able to somewhat navigate the inside track with UPRR but I would go out on a very long limb and say I'm not alone with this type of frustration.

[REDACTED]

Chris Hand

From: [REDACTED]
Sent: Monday, August 12, 2024 8:09 PM
To: Chris Hand

Follow Up Flag: Flag for follow up

Flag Status: Flagged

Lambert's Point Yard in Norfolk, VA is severely under staffed. We have multiple projects not even close to being finished. Retarder maintenance that is way behind. We have 4 people, we are split into two groups to cover weekends, only have 4 people 3 days a week, most of our maintenance checks require 3 people. After laying off 5 people and demolishing their jobs, we are now expected to take calls at all hours due to shift work being gone.

Porlock Yard in Norfolk is an absolute nightmare. Trains literally sit on branch lines and even main tracks for hours waiting their turn or for trains to get out of the way. Trains have crossings blocked for hrs. Just last week I tried to get time on Eastern Branch Bridge, branch line, this took me over 6 hrs. Train blocked me and a crossing for over 3 hrs, lady missed her flight, cement trucks had to turn around and go back to their plant. This crossing is called Westminister Ave, no alternate way around, no emergency vehicles can get in or out if a train is blocking it. Numerous complaint from business have filed or called in.

Chris Hand

From: [REDACTED]
Sent: Monday, August 12, 2024 7:38 PM
To: Chris Hand
Subject: Operational Issues

Follow Up Flag: Flag for follow up
Flag Status: Flagged

We are Maintainers in the Los Angeles area. We used to have peanut gangs to do the work that we just don't have time because of testing , trouble calls or just having to babysit track gangs.
Instructing maintainers to move test up with a full schedule already cause we have no reliefs to do the testing when we go on vacation. We have a broken system and they preach safety is #1. BS Sent from my iPhone

Chris Hand

From: [REDACTED]
Sent: Monday, August 12, 2024 6:57 PM
To: Chris Hand
Subject: Signal projects

Follow Up Flag: Flag for follow up
Flag Status: Flagged

One example that I could say of being shorthanded is all the crossings from Topeka KS to Tucumcari NM. We have crossing started and not finished. We have material on the ground, gates on the ground, cable sitting because we don't have the man power to put it in. Cabins are set so we could charge them out but no work is really being done.

We have small projects like getting commercial power in on the Sidney sub that only 2 guys are working on it. We are told it has to be done by the end of the year but it won't be completed because we need more help.

There is lots of clean up that needs to be done everywhere but we are shorthanded and we cut something over and just move to the next project.

So many guys are retired or going to be retiring and there is no one to fill their jobs. Im not telling you noting you don't already. But here is some examples.

[REDACTED]
Get [Outlook for Android](#)

Chris Hand

From: [REDACTED]
Sent: Monday, August 12, 2024 6:21 PM
To: Chris Hand
Follow Up Flag: Flag for follow up
Flag Status: Flagged

Chris,

The hump yards that have been shutdown or used as flat yards will always slow car processing. There plans to upgrade the flat switch areas but they will never compete with humps. Louisville is the next on the list awaiting a decision to level the hump and finalize the closure of the hump.

Chris Hand

From: [REDACTED]
Sent: Monday, August 12, 2024 6:18 PM
To: Chris Hand
Subject: Lack of proper parts and manpower

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I would just like to address. Issues surrounding track and signal infrastructure . I want make this long . The lack of joint bars and proper surfacing on my territory . I can almost go to the areas now year after year finding broke rails , joint bars . I also see mud pumping and joint bars aren't secured to tie plates . We have no relief men to help get us supplies in outlying areas . We have to travel and find parts we need to keep our signal systems safe .

Thanks [REDACTED] CSX [REDACTED] sig mtr CSX

Chris Hand

From: [REDACTED]
Sent: Monday, August 12, 2024 5:27 PM
To: Chris Hand
Subject: Statement

Follow Up Flag: Flag for follow up
Flag Status: Flagged

As a signal maintainer with over 15+ years in the railroad industry it is my opinion that reducing the workforce of any department but especially that work in the field has and will result in tragedy.

Railroaders will work themselves to exhaustion and then keep working. We want to believe we are capable of doing those things day in and day out anytime anywhere; but that is not the case.

We will work our butts off to get our jobs done and then take on extra work whether by choice or being told to do so and we will not ever say when it is too much. As a result management will give us more and more.

That is a reality today we are given more assets or given more paperwork that has to be filled out every week, every month. Add that to our regular work load we easily get over worked.

That eventually leads to mistakes. In this industry we don't get to make mistakes without a catastrophe happening.

Cutting back positions, cutting jobs does not reduce the amount of assets that have to be inspected and others will have to take up the slack. Those assets will then be given to others to do the work. That is a recipe for disaster.

We don't need less workers we need more.

[REDACTED]
Signal maintainer [REDACTED]

Chris Hand

From: [REDACTED]
Sent: Monday, August 12, 2024 5:13 PM
To: Chris Hand
Subject: STB comments

Follow Up Flag: Flag for follow up
Flag Status: Flagged

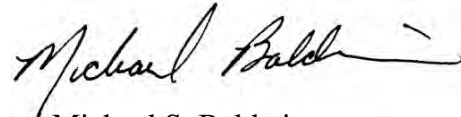
I have 1 that I know of in particular. On the Avard sub in Oklahoma, we have a main track that could just as well be reclassified as a siding. They tore trains down multiple days a week due to not having crews so they can continue on. While it is operations, it affects testing on that track. On the 9 mile stretch I have 8 crossings, 3 hand throw switches and 3 intermediate signals that I need to test. Trying to get authority to test on that track is difficult at best. We usually have to come in early or wait until the heat of the day to do testing to be able to get authority and properly shunt test on that main.

We also are asked yearly for upgrades we would like to see or work that needs done that we can't find in normal day to day operations. I submitted a list of 15 projects last year, they chose to do 1. The 1 they chose was upgrading 1 crossing to LED lights which I'm grateful that they are doing but it was really low on the priority list. I have highway crossings on main state highways that are in dire need of upgrades and while I realize they are expensive it seems like they just do not care to do any work on them. They both have multiple looks and 1 of them is set up in motion so it drops out as soon as motion is detected and causes excessively long warning times and people get impatient and go around gates and I get a gate knocked off at least 1 time a month. I have asked for the 3 years I have had this territory and it falls on deaf ward. My direct supervisor address that it needs to have an upgrade but the carrier has no desire to do anything.

[REDACTED]

We respectfully request the FRA investigate the above-described violations. In addition, please advise this office of your findings and the actions taken. Should the FRA need additional information concerning this matter, please contact BRS Director of Research at (540) 622-6525.

Sincerely,

A handwritten signature in black ink that reads "Michael Baldwin". The signature is written in a cursive style with a long horizontal flourish at the end.

Michael S. Baldwin
President

Enclosure: Remedy Tickets

cc: John Heise, BRS General Chairman
Chris Hand, BRS Director of Research



Brotherhood of Railroad Signalmen

917 Shenandoah Shores Road
Front Royal, VA 22630

Phone: (540) 622-6522
Fax: (540) 622-6532

Michael S. Baldwin
President

James M. Finnegan
Secretary-Treasurer

March 13, 2024

Karl Alexy, Associate Administrator for Railroad Safety
Federal Railroad Administration
1200 New Jersey Ave SE, West Building-RRS 2
Washington, DC 20590

Re: CSX Transportation (CSX) Signal System Safety Violation _ 49 CFR Parts 236

Dear Mr. Alexy:

Please accept this letter as a formal complaint for a violation of the Signal System Safety and State Action Plans, Regulation 49 CFR §236.11, concerning CSX's failure to timely respond, investigate, and repair reported failures within the safety critical circuits of the signal system.

1. On November 29, 2023, at 5:38 p.m. (See Exhibit No. 1), MP BE 51.10, MOW repaired a rail pull-apart. However, despite this repair, CSX chose to delay dispatching a Signal Maintainer to bond the rail until the following day. This decision fails to guarantee signal integrity, critical for preventing further signal-related problems. Deferment of replacing the bond leaves room for potential signal issues, particularly rail movements during this time of year. This could lead to signal failures, potentially resulting in derailments. CSX's failure to timely replace a faulty signal component demonstrates non-compliance with regulations.
2. On November 30, 2023, at 5:48 a.m. (See Exhibit No. 2), MP BE 62.50, the switch went out of correspondence underneath a train move. CSX deferred dispatching a Signal Maintainer until the normal start time. The out-of-correspondence indication shows a malfunction of the power switch. Several potential issues could have caused this malfunction such as a gaping point, a bent rod, a defective rail, lateral rail movement, or internal mechanical damage. The remedy ticket revealed an adjustment on the normal side.
3. On December 5, 2023, at 10:37 p.m. (See Exhibit No. 3), MP BE 62.50, the 4B red signal was reported dark. There is no record provided regarding the handling of the trouble call as the ticket only indicates that it was deferred. The ticket notes the PTC status of the 4BRER in a false status. This becomes problematic when there is no downgrade left in a signal system. The constant deferrals of red lamp outs have become neglected industry-wide, which does not put safety at the forefront and does not align with repair or replacement without undue delay due to the component not operating within its normal operating condition.
4. On December 6, 2023, at 2:37 a.m. (See Exhibit 4), MP BE 132.00 the derail hand-operated switch was reported hard to throw to its normal position by a train crew. There is no record

provided regarding the handling of the trouble call as the ticket only indicates that it was deferred. A hard-to-operate switch poses safety concerns, potentially from various factors such as foreign objects, inadequate lubrication, wear and tear, misalignment, or rail movement. The derail switch serves a crucial role in preventing loose cars or equipment from entering the main line track. The deferral on a safety component cannot be overlooked. Any known operational issues should be promptly addressed without delay.

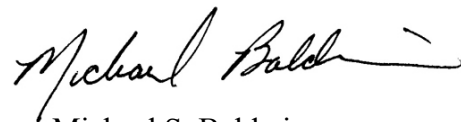
The BRS contends the regulations do not include trouble ticket deferrals **because there are no trains in the vicinity**. The definition of **undue delay** is unambiguous. It is imperative to promptly alert a Signal Maintainer who can thoroughly investigate and rectify the problem. Deferring should not be considered an acceptable option in such cases. Communities rightfully expect better from the railroad industry. Allowing safety to teeter instead of taking proactive steps to investigate and address the issue puts everything at risk. The consequences of neglecting safety concerns can be catastrophic, potentially leading to accidents, injuries, or even loss of life. It is of utmost importance that these actions, or lack thereof, come to a halt. The BRS believes that CSX's policy compromises safety and violates the following regulation:

§236.11 Adjustment, repair, and replacement of component.

When any component of a signal system, the proper functioning of which is essential to the safety of train operation, fails to perform its intended signaling function or is not in correspondence with known operating conditions, the cause shall be determined and the faulty component adjusted, repaired or replaced without undue delay.

We respectfully request the FRA investigate the above-described violation. In addition, please advise this office of your findings and the actions taken. Should the FRA need additional information concerning this matter, please contact BRS General Chairman John Heise at (301) 991-8164.

Sincerely,



Michael S. Baldwin
President

Enclosures

cc: John Heise, BRS General Chairman



Brotherhood of Railroad Signalmen

917 Shenandoah Shores Road
Front Royal, VA 22630

Phone: (540) 622-6522
Fax: (540) 622-6532

Michael S. Baldwin
President

James M. Finnegan
Secretary-Treasurer

March 11, 2024

Karl Alexy, Associate Administrator for Railroad Safety
Federal Railroad Administration
1200 New Jersey Ave SE, West Building-RRS 2
Washington, DC 20590

RE: Union Pacific Railroad (UP) Highway-Rail Grade Crossing/Signal System Safety Violations _ 49 CFR Parts 234

Dear Mr. Alexy:

Please accept this letter as a formal complaint for violations of the Grade Crossing Signal System Safety and State Action Plans, regulations 49 CFR §234.103 and §234.207, concerning UP's failure to timely respond, investigate, and repair reported failures within the safety critical circuits at multiple highway-rail grade crossing warning systems.

1. On August 17, 2023, UP Signal Operations Center received notification from an adjoining railroad, near West Bountiful, Utah, advising a gate arm was knocked off at Pages Lane/1600 North. UP logged the notice (Exhibit No. 1) and deferred any investigation or repair. Carrier failed to promptly investigate this incident, as shown in the attached trouble ticket.
2. On August 18, 2023, UP Signal Operations Center received notification from an adjoining railroad, near North Salt Lake, Utah, advising gates were down with no trains at Center Street. UP logged the notice (Exhibit No. 2) and deferred any investigation or repair. Carrier failed to promptly investigate this incident, as shown in the attached trouble ticket.
3. On August 22, 2023, UP Signal Operations Center received a report of gates pumping no trains, near San Antonio, Texas, at McArthur View. UP logged the notice and deferred any investigation or repair. On August 23, 2023, UP Signal Operations received a report of an activation failure at the same road crossing (Exhibit No. 3). Carrier failed to promptly investigate the initial incident, which led to a bigger problem.
4. On October 31, 2023, UP Signal Operations Center received notification from an ITCS grade crossing of gates malfunctioning. UP deferred dispatching until the Signal Maintainer reported for duty. Unfortunately, we were only able to gather a screenshot of the closed ticket status. UP logged the notice (Exhibit No. 4) and deferred any investigation or repair. Carrier failed to promptly investigate this incident without undue delay.

5. On around November 2, 2023, UP Signal Operations Center received notification from an ITCS grade crossing of gates malfunctioning. UP deferred dispatching until the Signal Maintainer reported for duty. Unfortunately, we were only able to gather a screenshot of the closed ticket status. UP logged the notice (Exhibit No. 5) and deferred any investigation or repair. Carrier failed to promptly investigate this incident without undue delay.
6. Again, on around November 2, 2023, UP Signal Operations Center received notification from an ITCS grade crossing of gates malfunctioning. UP deferred dispatching until the Signal Maintainer reported for duty. Unfortunately, we were only able to gather a screenshot of the closed ticket status. UP logged the notice (Exhibit No. 6) and deferred any investigation or repair. Carrier failed to promptly investigate this incident without undue delay.

In the instances mentioned, UP failed to promptly dispatch a Signal Maintainer to address malfunctions, resulting in affected locations remaining non-functional until regular duty hours. Neglecting to promptly repair a crossing demonstrates a disregard for public safety. False activations and gate malfunctions undermines public trust in the equipment. Failure to investigate crossing malfunctions without undue delay could potentially be more serious than initially reported. Therefore, UP should have immediately dispatched a Signal Maintainer to inspect/repair the crossing. UP's failure to address safety-critical circuit failures puts both the traveling public and train crews at risk, demonstrating a blatant disregard for safety.

Furthermore, incidents 4-6 pertained to occurrences involving ITCS crossings with high-speed passenger trains. These incidents were gate malfunctions, which serve as the primary indicator for the proper functioning of the ITCS system. The apparent disregard by UP in addressing these issues raises significant concerns regarding its commitment to ensuring the safety and reliability of operations. This urges a fundamental question regarding UP's accountability and dedication to effectively resolving issues that directly impact the safety of passengers, the traveling public, and railroad personnel.

It is clear from the instances listed above and several other instances that have been reported to the BRS, that UP is deferring reports of failures in safety-critical crossing circuitry to eliminate overtime costs because it does not reach "*the benefits cost ratio*". The regulations are unambiguous regarding a timeline for repairing malfunctions **without undue delay**. The BRS believes that UP's policy to eliminate overtime costs compromises safety and violates the following regulations:

§234.103 Timely response to report of malfunction.

(a) Upon receipt of a credible report of a warning system malfunction, a railroad having maintenance responsibility for the warning system shall promptly investigate the report and determine the nature of the malfunction. The railroad shall take appropriate action as required by §234.207.

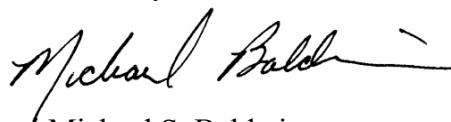
(b) Until repair or correction of the warning system is completed, the railroad shall provide alternative means of warning highway traffic and railroad employees in accordance with §234.105, 234.106, or 234.107 of this part.

§234.207 Adjustment, repair, or replacement of component.

(a) When any essential component of a highway-rail grade crossing warning system fails to perform its intended function, including but not limited to failures resulting in an activation failure, partial activation, or false activation, the cause shall be determined and the faulty component adjusted, repaired, or replaced without undue delay.

We respectfully request the FRA investigate the above-described violation. In addition, please advise this office of your findings and actions taken. Should the FRA need additional information concerning this matter, please contact BRS General Chairman John McArthur at (775) 846-1794.

Sincerely,

A handwritten signature in cursive script that reads "Michael Baldwin". The signature is written in black ink and is positioned above the printed name and title.

Michael S. Baldwin
President

Enclosures

cc: John McArthur, BRS General Chairman



Brotherhood of Railroad Signalmen

917 Shenandoah Shores Road
Front Royal, VA 22630

Phone: (540) 622-6522
Fax: (540) 622-6532

Michael S. Baldwin
President

James M. Finnegan
Secretary-Treasurer

July 17, 2023

Karl Alexy, Associate Administrator for Railroad Safety
Federal Railroad Administration
1200 New Jersey Avenue, SE
West Building-RRS 2
Washington, DC 20590

RE: Union Pacific Railroad Signal System Safety Violation _ 49 CFR Parts 236

Dear Mr. Alexy:

Please accept this letter as a formal complaint for a violation of the Signal System Safety and State Action Plans, Regulation 49 CFR §236.11, concerning Union Pacific Railroad's (UP) failure to timely respond, investigate, and repair reported failure within the safety critical circuits of the signal system.

On March 10, 2023, at 12:45 a.m., a UP Dispatcher reported a block indication east of Control Point B147. The incident occurred at Milepost 144.5 on the Kearney Subdivision in Grand Island, Nebraska. The information about this incident is documented in Ticket A4175294 (attached), which contains an untold story. In this case, there was a broken rail in the island circuit of a grade crossing. Upon receiving this report, UP Signal Operations logged the alert and deferred or delayed any immediate investigation. This decision meant that the Signal Maintainer would not be able to respond to the situation without undue delay.

It is evident, in this case, UP failed to promptly investigate the block indication. Furthermore, it delayed the investigation when a crossing was falsely activated for an extended period of time by not allowing the Signal Maintainer to investigate the block indication without undue delay. Leaving the activated crossing unrepaired for any duration undermines public trust in the equipment. Moreover, the fact that a broken rail was identified as the cause for the block indication means the rail itself is unsafe for a train to traverse over. The accountability to maintain a safe railroad lies with UP. In this instance, it demonstrated poor judgment by delaying the investigation.

The incident mentioned above, as well as numerous other reported instances, highlight a concerning trend among major railroads. It appears that railroads are postponing the investigation of reports, leading to undue delays in addressing the issues. This practice is unacceptable and puts safety at risk. The BRS firmly believes that all railroads must prioritize the

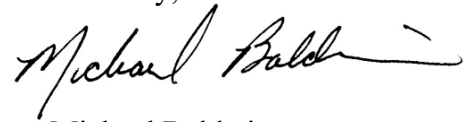
prompt investigation of reported issues, without deferring or neglecting them. The BRS believes UP's policy compromises safety and violates the following regulation:

§236.11 Adjustment, repair, and replacement of component.

When any component of a signal system, the proper functioning of which is essential to the safety of train operation, fails to perform its intended signaling function or is not in correspondence with known operating conditions, the cause shall be determined and the faulty component adjusted, repaired or replaced without undue delay.

We respectfully request the FRA investigate the above-described violation. In addition, please advise this office of your findings and the actions taken. Should the FRA need additional information concerning this matter, please contact BRS General Chairman John McArthur at (775) 846-1794.

Sincerely,

A handwritten signature in black ink that reads "Michael Baldwin". The signature is written in a cursive style with a long horizontal flourish at the end.

Michael Baldwin
President

Enclosures: Trouble Ticket

cc: John McArthur, BRS General Chairman



SMP/FRA Inspection Reporting Tests (Short-term)

Page Generated: 08/30/2023 13:34

▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: LUFKIN SUB **MP:** 110.080 **Signal MP:** 110.010 **Segment:** 1955-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 122564 **Street:** OLD DIBOLL HWY **City:** BURKE **County:** ANGELINA **State:** TX **Asset Type:** CROSSING
Asset Desc: 755810D (Gates) **From:** 08/01/2023 **To:** 08/30/2023 **Frequency:** ALL **Include Unscheduled:** Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-Time	Actual Time	Test Result	Test Comment	Tested By
1	u	08/14/2023	Monthly	234.251	Standby Power	B12X					R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	engn197
2	08/14/2023	08/14/2023	Monthly	234.251	Standby Power	B12X	4000 GCP,A80465				R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	MITCHELL B C (engn197)
3	08/14/2023		Monthly	8.0.2	Monthly Warning Time Review	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
4	08/14/2023		Monthly	234.255 (a)	Gate and Mech Condition	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
5	08/14/2023		Monthly	234.255 (b)	Gate Operation	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
6	08/14/2023		Monthly	234.253 (c)	Visibility - Damage	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
7	08/14/2023		Monthly	234.257 (a & b)	Warning System Operation	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
8	08/14/2023		Monthly	234.249	Grounds	B12X	4000 GCP,A80465				C		MITCHELL B C (engn197)

SMP/FRA Inspection Reporting: Tests (Short-term)

9	08/14/2023	Monthly	234.251	Standby Power	B12	4000 GCP,A80465	C	MITCHELL B C (engn197)
10	08/14/2023	Monthly	234.249	Grounds	B12	4000 GCP,A80465	C	MITCHELL B C (engn197)

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SMP/FRA Inspection Reporting Tests (Short-term)

▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: LUFKIN SUB **MP:** 99.910 **Signal MP:** 99.920 **Segment:** 1955-0nbsp; **Track:** SIMN **ZTS:** ENM Sys
No: 122546 **Street:** FM 357 **City:** CORRIGAN **County:** POLK **State:** TX **Asset Type:** CROSSING **Asset Desc:** 755792H (Gates) **From:** 08/01/2023 **To:** 08/30/2023 **Frequency:** ALL **Include Unscheduled:** Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

28 Records found, Displaying 1 - 15
 (All 1 2)

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-determined Time	Actual Time	Test Result	Test Comment	Tested By
1	u	08/14/2023	Unscheduled	234.251	Standby Power	B12					R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	engn197
2	08/14/2023 u	08/14/2023	Unscheduled	234.251	Standby Power	B12	4000 GCP,A80465				R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	MITCHELL B C (engn197)
3	08/08/2023		Quarterly	8.1.11C	Kept Clean and Debris Free	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
4	08/08/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	GCP4000 ISLAND STANDBY	4000 GCP,A80465				C		MITCHELL B C (engn197)
5	08/08/2023		Quarterly	234.271	Track Connections	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
6	08/08/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	GCP4000 ISLAND NORMAL	4000 GCP,A80465				C		MITCHELL B C (engn197)
7	08/08/2023		Yearly	8.1.10D	Gate Level Horizontal	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)

SMP/FRA Inspection Reporting: Tests (Short-term)

8	08/08/2023	Yearly	8.1.3B	Crossing Recorder Test	ALL	4000 GCP,A80465				C	MITCHELL B C (engn197)
9	08/08/2023	Yearly	7.1.3	Enclosure and Mast Inspection	ALL	4000 GCP,A80465				C	MITCHELL B C (engn197)
10	08/08/2023	Yearly	8.1.3D	Circuit Plan Review	ALL	4000 GCP,A80465				C	MITCHELL B C (engn197)
11	08/08/2023	Yearly	234.255 (c)	Hold Clear	ALL	4000 GCP,A80465				C	MITCHELL B C (engn197)
12	08/08/2023	Yearly	1.1.15	SATS AUDIT	ALL	4000 GCP,A80465				C	MITCHELL B C (engn197)
13	08/08/2023	Yearly	234.259	Warning Time	GCP4000 NORTH APP STANDBY	4000 GCP,A80465	CALCULATED	25s	25s	C	MITCHELL B C (engn197)
14	08/08/2023	Yearly	234.259	Warning Time	GCP4000 SOUTH APP STANDBY	4000 GCP,A80465	CALCULATED	25s	25s	C	MITCHELL B C (engn197)
15	08/08/2023	Yearly	234.259	Warning Time	GCP 4000 SOUTH APP NORMAL	4000 GCP,A80465	CALCULATED	25s	25s	C	MITCHELL B C (engn197)

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SMP/FRA Inspection Reporting Tests (Short-term)

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▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: LUFKIN SUB **MP:** 112.440 **Signal MP:** 112.410 **Segment:** 1955-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 122572 **Street:** NEYLAND ROAD **City:** LUFKIN **County:** ANGELINA **State:** TX **Asset Type:** CROSSING
Asset Desc: 755717W (Gates) **From:** 08/01/2023 **To:** 08/30/2023 **Frequency:** ALL **Include Unscheduled:** Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-determined Time	Actual Time	Test Result	Test Comment	Tested By
1	u	08/15/2023	Monthly	234.251	Standby Power	B12A					R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	engn197
2	08/15/2023		Monthly	234.255 (b)	Gate Operation	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
3	08/15/2023		Monthly	8.0.2	Monthly Warning Time Review	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
4	08/15/2023		Monthly	234.255 (a)	Gate and Mech Condition	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
5	08/15/2023		Monthly	234.257 (a & b)	Warning System Operation	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
6	08/15/2023		Monthly	234.251	Standby Power	B12X	4000 GCP,A80465				C		MITCHELL B C (engn197)
7	08/15/2023		Monthly	234.253 (c)	Visibility - Damage	ALL	4000 GCP,A80465				C		MITCHELL B C (engn197)
8	08/15/2023		Monthly	234.251	Standby Power	B12	4000 GCP,A80465				C		MITCHELL B C (engn197)
9	08/15/2023	08/15/2023	Monthly	234.251	Standby Power	B12A	4000 GCP,A80465				R	DEFECTIVE BATTERY(S); No Mitigation	MITCHELL B C (engn197)

						per MSM - Waiting on Parts	
10	08/15/2023	Monthly 234.249	Grounds	B12X	4000 GCP,A80465	C	MITCHELL B C (engn197)
11	08/15/2023	Monthly 234.249	Grounds	B12	4000 GCP,A80465	C	MITCHELL B C (engn197)
12	08/15/2023	Monthly 234.249	Grounds	B12A	4000 GCP,A80465	C	MITCHELL B C (engn197)

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SMP/FRA Inspection Reporting Tests (Short-term)

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▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: REISOR SUB **MP:** 305.830 **Signal MP:** 305.830 **Segment:** 1885-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 36346 **Street:** LEONARD ROAD/PR 122 **City:** SHREVEPORT **County:** CADDO **State:** LA **Asset**
Type: CROSSING **Asset Desc:** 794323M (Gates) **From:** 08/01/2023 **To:** 08/30/2023 **Frequency:** ALL **Include**
Unscheduled: Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

46 Records found, Displaying 1 - 15
 (All 1 2 3 4)

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-determined Time	Actual Time	Test Result	Test Comment	Tested By
1	u	08/28/2023	Unscheduled	234.251	Standby Power	B-12X					R	DEFECTIVE BATTERY(S); Mitigation per MSM - Other (Slow Order, Form A, Form C)	engn197
2	u	08/15/2023	Yearly	8.1.10D	Gate Level Horizontal	ALL					R	DEFECTIVE MAST; No Mitigation per MSM - Waiting on Resources	engv178
3	08/28/2023 u	08/28/2023	Unscheduled	234.251	Standby Power	B-12X	4000 GCP,A80465				R	DEFECTIVE BATTERY(S); Mitigation per MSM - Other (Slow Order, Form A, Form C)	MITCHELL B C (engn197)
4	08/17/2023		3 Year	5.1.4C	Power Meter Number Verified	662779048	4000 GCP,A80465				C		EGAN D H (engv178)
5	08/17/2023		3 Year	5.1.4C	Power Phone Number Verified	888-218-3919	4000 GCP,A80465				C		EGAN D H (engv178)

SMP/FRA Inspection Reporting: Tests (Short-term)

6	08/17/2023	3 Year	5.1.4C	Power Co Name Verified	SW ELECTRIC POWER CO (SWEPCO)	4000 GCP,A80465				C	EGAN D H (engv178)
7	08/17/2023	Yearly	8.1.3D	Circuit Plan Review	ALL	4000 GCP,A80465				C	EGAN D H (engv178)
8	08/17/2023	Yearly	8.1.10D	Gate Level Horizontal	ALL	4000 GCP,A80465				C	EGAN D H (engv178)
9	08/17/2023	Yearly	8.1.3B	Crossing Recorder Test	ALL	4000 GCP,A80465				C	EGAN D H (engv178)
10	08/17/2023	Yearly	1.1.15	SATS AUDIT	ALL	4000 GCP,A80465				C	EGAN D H (engv178)
11	08/17/2023	Yearly	7.1.3	Enclosure and Mast Inspection	ALL	4000 GCP,A80465				C	EGAN D H (engv178)
12	08/17/2023	Yearly	234.255 (c)	Hold Clear	ALL	4000 GCP,A80465				C	EGAN D H (engv178)
13	08/17/2023	Yearly	234.259	Warning Time	GCP 4000 STANBY NB	4000 GCP,A80465	RECORDED	25s	25s	C	EGAN D H (engv178)
14	08/17/2023	Yearly	234.259	Warning Time	GCP 4000 STANBY SB	4000 GCP,A80465	RECORDED	25s	25s	C	EGAN D H (engv178)
15	08/17/2023	Yearly	234.259	Warning Time	GCP 4000 NORMAL NB	4000 GCP,A80465	RECORDED	25s	25s	C	EGAN D H (engv178)

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SMP/FRA Inspection Reporting Tests (Short-term)

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▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: REISOR SUB **MP:** 310.960 **Signal MP:** 310.950 **Segment:** 1885-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 36354 **Street:** LINE AVENUE **City:** SHREVEPORT **County:** CADDO **State:** LA **Asset Type:** CROSSING
Asset Desc: 794331E (Gates/Cants) **From:** 08/01/2023 **To:** 08/30/2023 **Frequency:** ALL **Include**
Unscheduled: Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

22 Records found, Displaying 1 - 15
 (All 1 2)

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	determined Time	Actual Time	Test Result	Test Comment	Tested By
1	08/07/2023		Quarterly	8.1.11C	Kept Clean and Debris Free	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
2	08/07/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	ISLAND NORMAL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
3	08/07/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	ISLAND STBY	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
4	08/07/2023		Monthly	8.0.2	Monthly Warning Time Review	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
5	08/07/2023		Quarterly	234.271	Track Connections	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
6	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	EOR ACE	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
7	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	EOR BDF	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
8	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	G2PR	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
9	08/07/2023		Monthly	234.261	Traffic Signal Pre-empt	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)

SMP/FRA Inspection Reporting: Tests (Short-term)

10	08/07/2023	Monthly	8.1.1E (5,6)	Relay Inspection	GPR	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
11	08/07/2023 08/07/2023	Monthly	234.251	Standby Power	B-12B	3000 GCP/2000,3000 D2	R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts EGAN D H (engv178)
12	08/07/2023	Monthly	234.251	Standby Power	B-12	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
13	08/07/2023	Monthly	234.251	Standby Power	B-12A	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
14	08/07/2023	Monthly	234.249	Grounds	B-12X	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
15	08/07/2023	Monthly	234.249	Grounds	B-12A	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)

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SMP/FRA Inspection Reporting Tests (Short-term)

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▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: REISOR SUB **MP:** 312.180 **Signal MP:** 312.170 **Segment:** 1885-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 36355 **Street:** ST VINCENT AVENUE **City:** SHREVEPORT **County:** CADDO **State:** LA **Asset**
Type: CROSSING **Asset Desc:** 794332L (Gates/Cants) **From:** 08/01/2023 **To:** 08/30/2023 **Frequency:** ALL
Include Unscheduled: Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

21 Records found, Displaying 1 - 15
 (All 1 2)

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-determined Time	Actual Time	Test Result	Test Comment	Tested By
1	u	08/07/2023	Monthly	234.251	Standby Power	B-12					R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	engv178
2	08/07/2023		Quarterly	8.1.11C	Kept Clean and Debris Free	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
3	08/07/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	STNDBY	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
4	08/07/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	ISLAND MAIN	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
5	08/07/2023		Monthly	8.0.2	Monthly Warning Time Review	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
6	08/07/2023		Quarterly	234.271	Track Connections	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
7	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	GPR	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
8	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	EOR	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)

SMP/FRA Inspection Reporting: Tests (Short-term)

9	08/07/2023	Monthly	8.1.1E (5,6)	Relay Inspection	XGR	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
10	08/07/2023	Monthly	8.1.1E (5,6)	Relay Inspection	GR	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
11	08/07/2023	Monthly	8.1.1E (5,6)	Relay Inspection	XR	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
12	08/07/2023	Monthly	234.255 (b)	Gate Operation	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
13	08/07/2023	Monthly	234.255 (a)	Gate and Mech Condition	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
14	08/07/2023	Monthly	234.257 (a & b)	Warning System Operation	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
15	08/07/2023	Monthly	234.251	Standby Power	B-12X	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)

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SMP/FRA Inspection Reporting Tests (Short-term)

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▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: REISOR SUB **MP:** 314.610 **Signal MP:** 314.670 **Segment:** 1885-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 36359 **Street:** JEWELLA ROAD **City:** SHREVEPORT **County:** CADDO **State:** LA **Asset Type:** CROSSING
Asset Desc: 794337V (Gates/Cants) **From:** 08/01/2023 **To:** 08/30/2023 **Frequency:** ALL **Include**
Unscheduled: Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

22 Records found, Displaying 1 - 15
 (All 1 2)

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-determined Time	Actual Time	Test Result	Test Comment	Tested By
1	u	08/07/2023	Monthly	234.249	Grounds	B-12					R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	engv178
2	08/07/2023		Quarterly	8.1.11C	Kept Clean and Debris Free	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
3	08/07/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	NORMAL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
4	08/07/2023		Quarterly	8.1.4C	Island Shunt Sensitivity	STANDBY	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
5	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	EOR ACE	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
6	08/07/2023		Quarterly	234.271	Track Connections	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
7	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	EOR BDF	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
8	08/07/2023		Monthly	8.1.1E (5,6)	Relay Inspection	G2PR	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)

SMP/FRA Inspection Reporting: Tests (Short-term)

9	08/07/2023	Monthly	8.1.1E (5,6)	Relay Inspection	GPR	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
10	08/07/2023	Monthly	234.255 (b)	Gate Operation	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
11	08/07/2023	Monthly	8.0.2	Monthly Warning Time Review	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
12	08/07/2023	Monthly	234.255 (a)	Gate and Mech Condition	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
13	08/07/2023	Monthly	234.257 (a & b)	Warning System Operation	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
14	08/07/2023	Monthly	234.251	Standby Power	REMOTE	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
15	08/07/2023	Monthly	234.253 (c)	Visibility - Damage	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)

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SMP/FRA Inspection Reporting Tests (Short-term)

▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: REISOR SUB **MP:** 305.830 **Signal MP:** 305.830 **Segment:** 1885-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 36346 **Street:** LEONARD ROAD/PR 122 **City:** SHREVEPORT **County:** CADDO **State:** LA **Asset Type:** CROSSING **Asset Desc:** 794323M (Gates) **From:** 07/01/2023 **To:** 07/31/2023 **Frequency:** ALL **Include Unscheduled:** Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-determined Time	Actual Time	Test Result	Test Comment	Tested By
1	u	07/11/2023	Monthly	234.255 (a)	Gate and Mech Condition	ALL					R	DEFECTIVE FOUNDATION; No Mitigation per MSM - Waiting on Resources	engv178
2	u	07/11/2023	Monthly	234.251	Standby Power	B-12X					R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	engv178
3	07/11/2023		Monthly	234.255 (b)	Gate Operation	ALL	4000 GCP,A80465				C		EGAN D H (engv178)
4	07/11/2023		Monthly	234.257 (a & b)	Warning System Operation	ALL	4000 GCP,A80465				C		EGAN D H (engv178)
5	07/11/2023	07/11/2023	Monthly	234.255 (a)	Gate and Mech Condition	ALL	4000 GCP,A80465				R	DEFECTIVE FOUNDATION; No Mitigation per MSM - Waiting on Resources	EGAN D H (engv178)
6	07/11/2023		Monthly	234.253 (c)	Visibility - Damage	ALL	4000 GCP,A80465				C		EGAN D H (engv178)
7	07/11/2023		Monthly	234.251	Standby Power	B-12	4000 GCP,A80465				C		EGAN D H (engv178)
8	07/11/2023	07/11/2023	Monthly	234.251	Standby Power	B-12X	4000 GCP,A80465				R	DEFECTIVE BATTERY(S); No Mitigation per MSM -	EGAN D H (engv178)

						Waiting on Parts		
9	07/11/2023	Monthly	234.249	Grounds	B-12	4000 GCP,A80465	C	EGAN D H (engv178)
10	07/11/2023	Monthly	234.249	Grounds	B-12X	4000 GCP,A80465	C	EGAN D H (engv178)

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SMP/FRA Inspection Reporting Tests (Short-term)

▼ Your selection criteria (Click the arrow to hide/unhide this section)

Subdivision: REISOR SUB **MP:** 310.960 **Signal MP:** 310.950 **Segment:** 1885-0nbsp; **Track:** SIMN **ZTS:** ENM
Sys No: 36354 **Street:** LINE AVENUE **City:** SHREVEPORT **County:** CADDO **State:** LA **Asset Type:** CROSSING
Asset Desc: 794331E (Gates/Cants) **From:** 07/01/2023 **To:** 07/31/2023 **Frequency:** ALL **Include**
Unscheduled: Yes

▼ Result Code legend (Click the arrow to hide/unhide this section)

Test Result Codes

- C** - Test complete. Equipment in satisfactory condition.
- A** - Adjustment made and test complete. Equipment in satisfactory condition.
- R** - Repairs or replacement needed.
- S** - Repairs or replacement made. Equipment in satisfactory condition.
- O** - Out of service.

Other Codes

- u** - Unscheduled Test

19 Records found, Displaying 1 - 15
 (All 1 2)

No.	Test Date	Date Found Requiring Repair	Test Frequency	Test Rule	FRA Test Description	Equipment Tested or Inspected	Train Detection Device Name	Method Used	Pre-determined Time	Actual Time	Test Result	Test Comment	Tested By
1	u	07/10/2023	Monthly	234.251	Standby Power	B-12B					R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts	engv178
2	07/10/2023		Monthly	8.1.1E (5,6)	Relay Inspection	EOR ACE	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
3	07/10/2023		Monthly	8.1.1E (5,6)	Relay Inspection	EOR BDF	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
4	07/10/2023		Monthly	8.1.1E (5,6)	Relay Inspection	G2PR	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
5	07/10/2023		Monthly	8.1.1E (5,6)	Relay Inspection	GPR	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
6	07/10/2023		Monthly	234.261	Traffic Signal Pre-empt	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
7	07/10/2023		Monthly	8.0.2	Monthly Warning Time Review	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)
8	07/10/2023		Monthly	234.255 (b)	Gate Operation	ALL	3000 GCP/2000,3000 D2				C		EGAN D H (engv178)

SMP/FRA Inspection Reporting: Tests (Short-term)

9	07/10/2023	Monthly	234.255 (a)	Gate and Mech Condition	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
10	07/10/2023	Monthly	234.253 (c)	Visibility - Damage	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
11	07/10/2023	Monthly	234.257 (a & b)	Warning System Operation	ALL	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
12	07/10/2023	Monthly	234.251	Standby Power	B-12X	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
13	07/10/2023 07/10/2023	Monthly	234.251	Standby Power	B-12B	3000 GCP/2000,3000 D2	R	DEFECTIVE BATTERY(S); No Mitigation per MSM - Waiting on Parts EGAN D H (engv178)
14	07/10/2023	Monthly	234.251	Standby Power	B-12	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)
15	07/10/2023	Monthly	234.251	Standby Power	B-12A	3000 GCP/2000,3000 D2	C	EGAN D H (engv178)

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My name is [REDACTED], and I am a Pipefitter Mechanical Department employee for BNSF Railway. I have worked for BNSF for over 10 years. I am currently assigned to work [REDACTED] shift in the yard at [REDACTED], Nebraska performing running repairs to the locomotives air brake systems, cooling systems, locomotive sanitation systems (toilets) and a variety of other pipefitter work. I am a qualified mechanical inspector under federal railroad regulations specific to the work that I perform.

BNSF Railroad is not prepared to grow the freight rail industry because BNSF cannot even meet its current rail service demands since it is so understaffed, and BNSF fails to properly maintain their locomotives. When I first hired on, we had approximately 57 pipefitters here in [REDACTED] to perform our work. We were trained more adequately to do our work, and we were urged by management to do the best quality of work as possible because they did not want trains coming back into the shop sooner than necessary. That was because it was a poor reflection on the shop foreman's management as well as the quality of our work if trains broke down shortly after coming into a repair shop. This is because the expectation was that we would take the time necessary to do the highest quality of work to have the train run well for as long as possible. Basically, it was an unofficial competition amongst all our shops of how well we could do our job to keep the train running well and keep them out of the shop except for scheduled inspections and maintenance. That is not the case anymore. It is no longer an embarrassment for trains to not be adequately inspected, serviced, repaired and maintained. The standard now, on a good day, is how fast we can do just enough to get the train to the next terminal. On a regular day the standard is we are urged to ignore the critical inspections, services, maintenance and repairs.

BNSF has cut its workforce to the bone, as there are now only 28 pipefitters here at my shop location. We are so understaffed in the Mechanical Department that we cannot keep up with the critical inspection, service, maintenance and repair work. BNSF regularly contracts out our work due to "manpower issues". If we have bad weather, which we do regularly as railroads operate outdoors in numerous climate regions, BNSF's lack of workers really gets exposed. Two years in a row now, BNSF has asked the FRA for waivers granting them permission to not perform regulatorily required safety inspections, service, maintenance and repairs. BNSF claims that it is due to winter weather but again, we all know winter comes every winter and it is always unpredictable. BNSF mandated overtime 6 days per week (and contracted out our work) to try to keep the locomotives moving. The winter weather did not cause a worker shortage. BNSF did with all its furloughs.

But it is not just winter weather that causes locomotive failures. Summer weather can cause numerous problems with locomotives too. Just a few weeks ago when it was really hot outside, BNSF had numerous locomotives fail for a variety of reasons, including overheating, so the locomotives had to be shopped for service and repairs. BNSF mandated 6 Day Workweeks and overtime again to try to keep the locomotives moving but there were still service problems and BNSF could not meet their own active locomotive power goals. Just like winter, summer comes every year, and the weather is unpredictable, and the heat affects the locomotives performance.

It is not unusual for BNSF to have defective locomotives leave the shop and put into the train consists, either to move the locomotive on down the line to another shop or to serve as supportive power rather than the lead locomotive. This is just wrong though for a variety of reasons. For example, if a locomotive's braking system is leaking air but it is not below the federal level to remove it from service, the General Foreman will authorize for the locomotive to be placed into the train consists but not as the lead locomotive. But once the train gets out on the line, the brakes will often fail and disrupt service. This happens repeatedly, especially during heat waves and winter storm weather when the locomotives fail more regularly. Similar train failures occur too, with the cooling system of the trains are not properly

repaired because the railroad pushes the locomotives out of the shop too quickly and the trains end up overheating and even catching fire.

Another example is when defective locomotives are put into the train consists not to serve as lead locomotives. However, when the lead locomotive(s) fails, the defective locomotive(s) becomes the lead to operate the train. A locomotive with air brakes that are leaking near the defective threshold as your "Plan B" should not be the standard that the railroads aim for. But it's not just air brakes that can be an issue. There is a litany of other mechanical issues, as well as sanitation issues. For example, earlier this year during bad winter weather, there were several locomotives with broken toilets that also had not been emptied. Managers pushed the locomotives out of the shop and put them as supportive power, saying that the locomotive toilet defects were not critical. But when the winter storms hit and the lead locomotives failed, the conductors and engineers had to go operate the trains from the supportive locomotives where the broken, defective toilets were filled with urine and feces and overflowing on the floors. This is the 21st century, in the wealthiest country in the world for one of the largest most profitable railroads. No one should have to walk through filth and squalor to do their job.

It is not just the shortage of Mechanical Department Workers and weather that stands in the way of BNSF providing service to its current customers or growing the industry, it is also the lack of operating equipment and parts. When BNSF first started buying into PSR, they took several of their locomotives out of service and put them onto storage tracks. BNSF then began running less trains, but they were significantly longer than before. Trains started breaking down across BNSF's network as they were pushed to their mechanical limits. To save money, BNSF instructed Mechanical Department employees to take parts off of the locomotives that had been put in storage. We did this for a few years, uninstalling critical parts off of the stored locomotives and reinstalling them on the locomotives in the shops. But then we had essentially stripped all the stored locomotives of their valuable parts, so BNSF sold numerous stored locomotives for scrap. In other words, there are no longer extra locomotives sitting in storage that are service ready or have the parts we need to expeditiously make repairs. Even if BNSF had not scrapped the locomotives, it would take weeks to get them back up and running if needed because of a lack of available parts.

Maintenance of the locomotives has gotten worse in more recent months too since BNSF furloughed more Mechanical Department employees. Now BNSF is force-assigning Mechanical Department workers from other crafts to perform work that they have not historically performed. BNSF has not provided them with any formal training to perform this work, such as depressurizing high-pressure brake and coolant systems. But BNSF will assign these other Mechanical Department employees to perform our work. If the other craft employees express safety concerns about how to perform the work, the managers will tell them to look at the Job Safety Analysis (JSA) manual and they will often tell the workers that they will not be around any longer if they don't do the job. This is not okay. People should not be working in fear as it is a distraction and distractions in the workplace are extremely dangerous. It is also not okay because BNSF should be employing enough workers to perform their respective work to begin with.

BNSF could avoid a lot of these services issues if they employed enough Mechanical Department workers and if we were given adequate time to perform our respective safety critical work. And BNSF is certainly not positioned to grow the industry with their current lack of Mechanical Department workers. The service disruptions and growth will never come unless BNSF and all other railroads are held to a higher safety standard and a better standard to provide service to its customers. Otherwise, it's just going to be more cutting of workers and corners to chase profits. That only benefits the shareholders and executives.

My name is [REDACTED] and I work as a Pipefitter in the CSX Mechanical Department in [REDACTED]. I have worked for CSX for over 20 years in the [REDACTED]. As part of my daily responsibilities, I perform various types of pipefitter work on CSX locomotives, including inspecting, repairing and maintaining locomotive air brake systems, cooling systems which are high-pressure, toilets, sanding systems, and other related work. This type of work involves fabricating and customizing various parts, and involves cutting, grinding, torch cutting, welding, brazing metals.

I feel like CSX is one of the better class I railroads to work for these days, based on all the bad news I hear about the other freight railroads. I think a lot of that though is because CSX carried out all its PSR changes nearly a decade ago now, so the workers have adjusted to the chaos of that operating model, or it has become our "normal". While there have been improvements since Foote and Boychuk left, a lot of issues remain that need to be addressed, with one of the main issues being the lack of adequate manpower to maintain the current fleet of locomotives.

Anytime the Mechanical Department workers ask about getting more help in the shop, management tells us that Jacksonville (executives) has to look out for the shareholders, not the workers and CSX's customers. They also tell us that Jacksonville thinks there are too many workers. If that was true, why does CSX send contracting out notices to contract out our work due to lack of manpower? Our people are extremely talented and take pride in the work that we do. But if CSX does not employ enough of us, we cannot do the work in the time frame that it needs to be done to meet service demands. We still want the work assigned to us because it is our work, and many of us will work overtime to get it done. But CSX should be hiring and training people so that we have enough people to inspect, service, maintain, repair and rebuild their locomotive fleets at a level that really meets customers' service needs. They're not doing that, and CSX is certainly not staffing up in a way that would make it prepared for increasing shipping by rail with potential customers.

Because we do not have enough workers, locomotives end up sitting in the shop longer than they need to. As an example, it is not unusual for locomotive braking systems to wear out and fail for a variety of reasons, including normal use or derailments. It takes time to inspect, repair or rebuild the airbrake systems. But if there is not enough of us, we cannot get the locomotives repaired fast enough. This is not good for business because it delays moving goods. We also do not get locomotives repaired as fast as we used to because CSX got rid of all of their parts inventory and the Mechanical Department workers that would handle the inventory and expedite parts for repairs, and the railroad quit having us fabricate and manufacture a lot of parts in our shop. It can take days now to get parts from the very limited supply of manufacturers that basically have the railroads as hostage to them. This too is bad for keeping trains in service.

I love the work that I do. It has provided my family and I with a respectful income and benefits for over the last two decades. But I worry I will never see my retirement because the railroad keeps cutting workers, and they keep turning down business. I am no genius, or as the railroad executives would say – I am just a railroader – but I do know that if you are in a customer-service business you have to provide good service to have customers. CSX used to provide much more reliable service, especially before PSR, and it seemed like they provided services to all customers. But since PSR, they turn potential customers away and focus more on the most profitable customers. We will never grow until we are able to maintain and service what we have though but again, we need more workers to make that happen.

My name is [REDACTED], and I am a Pipefitter Mechanical Department employee for Union Pacific Railroad. I have worked for UP for over 15 years. I am currently assigned to work 1st shift in [REDACTED] performing major overhauls and repair work to UP's locomotives. This work includes inspecting, repairing and maintaining locomotive toilets, cooling systems, fuel systems, oil piping, sand piping systems, air brake systems that are high-pressurized, and other pipefitter work, including metal fabrication, torch cutting, brazing and welding.

UP struggles to provide rail services to its current customers because management has cut so many of us from the Mechanical Department. When I hired on, there were approximately 30 pipefitters in [REDACTED] and we climbed as high as nearly 70 pipefitters at one point before PSR. But once UP adopted PSR, everything changed. There's only 11 of us left now. The lack of workers has really caused problems for UP's service, because we just do not have the people with the skills necessary to maintain or repair locomotives as fast as they need them. Several of UP's locomotives are over 15 years old, which means their mechanical components are more worn out or tend to wear out more quickly, so they need rebuilt and they require more routine maintenance to keep them running. What ends up happening quite often though, is that the long-haul trains end up breaking down out on the main line and train service gets congested. A broken locomotive is a defective locomotive. It nevertheless runs across the rails to eventually be brought back into the shop for us to rebuild them as fast as we can to get them back in service. This often takes longer than management wants though because there are not enough parts in stock, and there are not enough skilled Mechanical workers to turn out the work like the railroad is ran with precision.

There are also numerous service issues caused by the low horsepower locomotives that are used by UP for local service runs. Several of the low horsepower locomotives are over 30 years old, and their air brake system design is flawed because the air cab allows water to leak into the line system and rust the brake line pipes from the inside out. Because of the lack of adequate Mechanical workers given the time to do more routine inspection, service, maintenance and repairs, and because of the age of the locomotives and their flawed air brake system design, what ends up happening is during a local service run, the locomotives' airbrake systems fail. The train breaks down, the crew is stranded, the main line gets congested, and it begins the domino effect of disrupting service across the network. This is avoidable. We need more pipefitters to proactively rebuild the locomotives' air brake systems on these locomotives so that we have less breakdowns and avoid reactively making repairs.

UP recently conducted a conference call and stated that they would be hiring more Mechanical Department employees. The problem though is that they are already short-handed, and they are only hiring for the rate of attrition for an understaffed Mechanical Department. Also, they are not hiring any pipefitters, even though our critical work exists. It feels like UP is doing the same thing that other freight railroads are doing, which is trying to force other crafts to perform our work and eliminate us. This is dangerous, and there is no reason for this because there is no shortage of work in the shops, especially if UP plans to attract new customers.

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STATEMENT OF JAMES ORWAN

I am a General Chairman of the International Association of Machinists and Aerospace Workers District #19 with responsibility for the Norfolk Southern Railway. Norfolk Southern is not in a position to grow.

They are currently hiring but they are not keeping up with attrition and new hires are quitting more frequently than I have seen in my railroad career. NS will not update its antiquated new hire pay scale. This is a major factor in their trouble finding applicants to hire.

And NSR has been robbing stored locomotives for parts. For example, at the Enola diesel shop, stored locomotives are used as active inventory. Employees pull parts off those locomotives at least 3-4 times a week to use on in-service locomotives. Parts are taken off of stored units and put on units in the shop at Conway multiple times a week. This practice delays the stored locomotives being able to be returned to service promptly. And parts are not even charged out against the stored locomotives until they are brought into the shop to return to service. Similarly, at NSR's Juniata Locomotive Shop in Altoona, PA locomotives in need of engine or generator replacements have been shuttled back to service by placing used generators or engines from other locomotives in them. This method of robbing "Peter to pay Paul" has been ongoing for months. This has also happened with traction motor combos as well. With NSR's running repair shops only having limited parts on the property, due to their process of using a central system store house to ship all parts to the shops as needed, this creates even more delay in being able to respond to new customers and new business opportunities.

/s/ James Orwan

James Orwan

General Chairman

District Lodge 19, IAMAW

STATEMENT OF [REDACTED]

I have worked for BNSF as a locomotive Machinist (mechanic) for over 25 years. When I was hired at BNSF it was a world-class railroad. They strived to have the best repaired and maintained locomotives in the rail industry. At the start of my career, we had over 300 Machinists and four different skilled labor organizations, that fixed locomotives to a higher standard than the Federal Railroad Administration (FRA) requirements. Slowly they have removed one of the skilled labor organizations and downsized the remaining, so now we only have around 240 Machinists to fix locomotives but the workload has not stopped. We no longer have time to fix locomotives to BNSF standards and just run everything to the bare FRA standards. With the reductions in the workforce, shopcraft employees are being assigned to do work of crafts other than their own and often that means that they are not performing work that they are qualified to do or trained to do This is not a sustainable model for railroading, work does not always get completed but the foreman signs it off anyway so they can hit their required numbers. Not the world-class railroad I hired at.

Today, because of workforce reductions, BNSF is unable to keep up with the work of returning locomotives with defects to service. Currently, there are 433 BNSF locomotives that that are Laid-Up Bad Order (LUBO), meaning that they are broken in some manner or missing parts. This is about ___% of BNSF's active fleet. If BNSF were to experience a surge in demand for service, these locomotives would be useless to it. In January of 2023, BNSF had over 1000 locomotives overdue for FRA required inspections, that is the minimal requirement for use of a locomotive (satisfying an FRA inspection does not mean that the locomotive is in good and serviceable condition, only that it passed the federal requirement to be on the tracks). BNSF had to ask the FRA to forbear on enforcement of the locomotive regulations and to contract-out the FRA inspections, which it had never done before. Not learning its lesson, BNSF imposed a hiring freeze several months later. In January of 2024 BNSF again had over 600 locomotives overdue for FRA inspections. With BNSF being so skeletally staffed that it cannot complete the most basic locomotive inspections in a timely manner, it is certainly not situated to respond to a surge in demand or to assure shippers that it has the equipment to handle more traffic.

Clearly, locomotives are not getting inspected and repaired to a world-class standard. It would appear the BNSF has decided to follow the PSR model of railroading. I don't believe this model is sustainable and will only hurt the Carrier and their employees in the long term. It may have a short-term gain for stockholders but does not appear to be building a railroad for growth and longevity.

/s/ [REDACTED]
[REDACTED]

8/14/2024

STATEMENT OF [REDACTED]

I, [REDACTED], have worked for the BNSF Ry. for over 20 years.

When I hired in we had more than 300 Machinists working at my location with an average shop count of 30 locomotives (the number of locomotives for which our shop was responsible). Now we currently have 230 Machinists with an average shop count of over 50 locomotives. Beyond this, the company has downsized other craftsman with the expectation we, the Machinists take on this extra work, and that other crafts perform work that is not their work. This means that locomotives are not inspected and repaired as well as before and that locomotives are being sent out of the shops even though they are not being inspected and repaired so that they are in appropriately operational condition which can mean that they breakdown or underperform in service, which affects system velocity and congestion as well as expiration of train crews.

Additionally, the foremen constantly signs off defect or change wheel sheet readings to release units to achieve the daily number of releases they are expected by management to make. They do not report or fix FRA defects found on mainline fuel pads, so the train doesn't get interrupted en route.

BNSF also robs parts off of units that are laid up in good order status to keep a unit from having hours against it. This means that the locomotive is not really in good shape and that the robbed locomotive could not be brought into service if BNSF needs additional locomotives. If there is an increase in demand for service, the BNSF locomotive fleet is not in condition to support additional service.

BNSF expect the working men and women to do the same amount of work with less people. Then, when we can't keep up, they force us to work 6 days in a row to bail them out! We are tired of the carrier's chasing the money at our expense! We want them to succeed. We want the railroad to provide good service to its customers and for more freight to move by rail. But that goal cannot be achieved by sending sub-standard locomotives out into service and by abusing and exploiting the workforce.

/S/ [REDACTED]
[REDACTED]

BNSF Out-of-Service Locomotives/Active Fleet

Metric Name	Previous Day Values	Current Day Values	Prior Day Difference	Real-time Values as of
				8/13/2024 6:30:14 AM
OOS Total	433	440	7	460
Availability %	91.5%	91.0%	-0.5%	N/A
Availability HHP %	91.1%	90.8%	-0.3%	N/A
Availability LHP %	93.0%	92.1%	-0.9%	N/A
1-3's Online	145	143	-2	138
Past Due Online	30	28	-2	30
OOS Shop Count	258	269	11	292
Shop Releases	134	129	-5	17
Shop Arrivals	145	140	-5	41
1-3 Shopped	62	71	9	11
Scheduled Maintenance Shopped	41	41	0	12
Other Defects Shopped	42	28	-14	18
1-3 Failures	55	69	14	10
Average Age (hrs) (1-3 Defects)	62.5	49.0	-13.5	61.2
System FLY (30)	3.292	3.279	-0.01	N/A
Active Fleet	4895	4902	7	4887
Planned Active Fleet	4915	4915	0	4915
Surge Fleet	248	254	6	254
Intermediate Active Fleet	1189	1188	-1	1188
Non-Shop Dwell	17.5	17.9	0.4	N/A
Median Dwell	14.3	13.7	-0.6	N/A
Locomotive Miles per Day	275.36	261.35	-14.01	N/A
GT24 Locos Needing Ride or Shopped	N/A	N/A	N/A	18