

A Report to the Washington State Legislative Board  
Concerning work for the BLET National Division

The “Jerry McGuire” Syndrome

At times of change in our lives, we reflect on our past and plan for the future. In the movie Jerry McGuire, the lead character’s moment of reflection though authentic proved to be career ending also. I am trusting to faith that Hollywood exaggerates.

Recently, I was forced to change my work load, sort of adjust my priorities, in order to better fulfill my commitment to engineers and trainmen throughout the US, engineers and trainmen in Washington State, my family and myself. I realized that my many commitments were infringing on each other and I was not fulfilling my responsibilities to all of these people to the high standard that I expect of myself.

In making this decision, I offered the BLET National Division the right of first refusal. I very clearly stated that I needed to reduce my working commitments. I told the BLET leadership I would work for the BLET on the issues of Fatigue, Human Factors and other regulatory efforts on a national level; however, I could not do all this while still representing engineers in Washington State and working as an engineer for BNSF railroad. To do so would mean that I would have to sacrifice my most precious gift from God, my family.

While I am loyal to this proud brotherhood, I do not believe that the sacrifices of our forefathers were made so that our generation should not benefit from them, both as members and as leaders of the BLET. In kind, I believe our legacy must be to make our craft, our brotherhood and our lives better for the benefit of our sons and daughters that will follow in our footsteps as railroad workers.

For the good of our brotherhood, our leadership decided that the needs of the brotherhood out weighed my individual needs. I worked mightily over many months to find a workable solution, as did many BLET leaders, but our combined good faith efforts could not align my individual needs with the over riding need to perpetuate the efforts to maintain and improve the great legacy of our brotherhood.

This failure does not mean that I do not continue my work on the issues of fatigue, human factors and other projects to fulfill my duty to give back the full measure that I have been given by our forefathers. After all men and women of good faith, be they the president of a union, an engineer operating a train, or a “foamer” standing by the wayside camera in hand, work daily to effect improvement in working conditions important to railroad workers. Railroad worker safety, true safety, is an ideal held by many people not just leaders and members of the BLET. Where ever I go in this life, I will always be conscious of railroad worker safety. This change of employment relationship only means I will not fulfill those duties as a representative of the National Division of the BLET as I did in my recent ad hoc capacity.

What has resulted from this process is a reflection on the turning point our great brotherhood now faces with my own experience only incidental to the great changes going on in the BLET. Below I comment on three issues that are vital to the BLET: unity, fatigue, and remote control.

Our Forefathers fought for a brotherhood that would safeguard our families first by keeping our members alive and safe, and should that fail, then by safeguarding widows and orphans of our members. This is a proud legacy that was gifted to us over the past 142 years. In the face of new technologies, increased demands for efficiency from railroads and overwhelming responsibilities in the cab of the engine, our duty to maintain this legacy requires that we work harder and smarter to continuously improve the health and safety of our members and our member's families.

Our forefathers fought, even to their deaths, for fair pay for hard work, for equality of opportunity, for greater leisure time to enjoy the fruits of our labor. Our duty to maintain this legacy is to work to value the effort and responsibility exercised daily by our members to the full measure of its worth.

Today, you and I as members of a proud group of railroad workers, now valued as an integral part of the International Brotherhood of Teamsters, must fight anew for the life of our brotherhood and the lives of our brothers and sisters.

This life and death struggle is playing out in battles across the US railroad industry from Norfolk Southern to Union Pacific; literally from the Atlantic to the Pacific Oceans. Each member, every engineer, every conductor, every trainperson must stand and be counted. I urge you to be counted in favor of a better legacy for our sons and daughters than the already great legacy we inherited from our forefathers. Our brotherhood will only survive and thrive when all railroad workers join together in unity to exercise the true power and potential of our combined efforts.

While the unity of our brotherhood struggles to survive, our individual members are literally dying because of known hazards. We know that you cannot operate a train when you cannot stay awake because of fatigue. From Crookston, MI to McDonough, TX our brothers and sisters are being sacrificed on a pyre of railroad worker fatigue. Railroad workers are begging for relief. Families are crying for the loss of fathers, mothers, sister and brothers.

Researchers argue that a correlation exists between working in excess of 50 hours in a week and increased accidents, injuries, and death in the railroad industry. Yet some politicians, some federal regulators, some railroad executives and managers, some railroad labor leaders, some engineers, some conductors and some train people argue that fatigue is not a serious safety and social issue in the railroad industry. In the tradition of "Jerry McGuire," I want to tell you that ***railroad worker fatigue is very real.*** In addition, I want to say that a serious effort is being collectively applied to discredit any process that will permit an objective measurement of railroad worker fatigue based on scientific knowledge to prove or disprove dueling assumptions in the railroad industry.

Metaphorically speaking a boxing match is being readied to finally determine the “World Champion Authority” for railroad worker fatigue.

Boxing Announcer: “In this corner, in the black trunks, weighing in at 500 pounds are gorilla experts that argue that fatigue is not measurable, fatigue is not defined and fatigue does not exist...going by the name ***Killer No Fatigue Assumption***. And in this corner, in the white trunks, weighing in at 98 pounds are lone voice experts that argue that fatigue can be measured in railroads just like it is measured in other groups and that a correlation exists between reduced efficiency from fatigued workers and increased accidents and deaths...going by the name ***Lifesaving Fatigue Relief Assumption***. At the bell, come out fighting.”

That bell is going to ring this summer of 2005. By December 2005, this fight may be over or else this brotherhood and all railroad labor will have failed to fulfill its duty to the legacy of our forefathers. This is the time line that exists at this moment of reflection in June of 2005.

And if you thought that if we could all “just get along” as one union and just let people lay off once and a while, everything would be “hunky dory;” have I got a pin to burst your bubble.

If you have run a train in the US, or for the most part if you noticed there were railroads operating in the US, you had to notice that accidents and incidents have been increasing since 2001. This has not happened across the board generally, but specifically in yard operations and categorized as resulting from “human factors.”

The FRA says that people are not protecting the points of movements, not watching for switches and a half dozen other similar failures. Oh and by the way, the New York Times happened to notice that people were getting killed at railroad crossings under “suspicious” or improper circumstances.

So in its infinite wisdom, our arbiters of justice and safety in US railroad operations have determined that if a penalty could be conjured against all those evil lazy people that are failing to observe railroad rules, the world would be a happier place: The sun will shine brighter and the moon will always have a romantic hue in the night sky.

But lest you forget, my fellow railroad worker, a significant technological advancement in railroad operations called Locomotive Remote Control Operations occurred on or about the same time that yard accidents/incidents began to increase. And at this same time, in the tradition of our proud Brotherhood of Locomotive Engineers, engineers and trainmen politely waved their hands in the air and said, very courteously, that only safe implementation and regulation of new technology will protect railroad workers and the communities we work in.

But in this iteration of political correctness in 2005, the railroad industry calls it “human factors” and thereby points an accusatory finger at the ritual scapegoat instead of

the underlying cause. All the players are the same as in the fatigue charade, only the words have been changed.

Our members are made to believe by this misguided group of players that safety is a difficult process. These are people that believe if something goes wrong it is because they failed to observe the letter of the railroad operating rule.

**“BUNK”**

Safety is common sense, only the language employed to describe what happens changes with the seasons. In Washington State from 2002-2003 our safety language said that Remote Control Operations needed to be regulated. From late 2003-2004, the language of the safety debate morphed to the “point protection” issue needed to be regulated. Now in 2005, the language morphs again and it is “human factors” that need to be regulated.

Brothers and Sisters, in the tradition of “Jerry McGuire,” I want to tell you that common sense in railroad operations means a human being is physically viewing and controlling the leading movement of a train regardless of the direction of that movement. Anything less is a foolish risk that begs for the proper combination of circumstances to result in injury and death. Russian roulette, Chicken, or whatever language you use to label Foolish, Unnecessary and Irrational risk could just as easily substitute for “human factors,” “point protection,” or “remote control.” It is not human scapegoats that need regulation as much as the system and tools those humans use to move trains in the US.

Brothers and Sisters, at this turning point that our brotherhood faces, I suggest there is a direction and a process that honors the legacy of our forefathers and provides a gift to our sons and daughters that will follow us. I ask you to think of disunity, fatigue and unnecessary risk taking as demons that need to be exorcised with all the strength and wisdom of our forefathers. We must slay the demons that attack us from outside our organization; we must tame the demons that will distract us from within our organization and we must overcome our demons within ourselves that keep us from our ultimate greatness of unity and strength. In this way, you and I will survive into a richly deserved retirement and our Brotherhood will survive and thrive for at least another 100 years. Our work has only just begun...

Thank you for your past support,

Mark K. Ricci, Ph.D., Chairman  
WSLB-BLET