Amtrak Reform Council recommends dismantling of Amtrak

The Amtrak Reform Council “pulled the trigger” on Amtrak in a report to Congress on February 7, saying Amtrak is irreversibly flawed and should be broken up to give the free market an opportunity to improve America’s passenger rail system.

The U.S. House Transportation Committee has scheduled a hearing on February 14 to review the proposal. Amtrak has requested $1.2 billion in federal assistance, and said it will cease many long-distance routes by October if it does not receive the necessary funding (see related article, page 6).

Rail Labor was critical of the proposal and dismissed it — as well as the ARC itself — as “blasé.”

“The ARC has never been a legitimate panel,” said Sonny Hall, President of the AFL-CIO’s Transportation Trades Department (TTD). “It was stacked with people who walked in the door on a mission to breakup Amtrak and allow private interests to cherry-pick its most desirable parts.”

The Rail Labor Division of the TTD filed a lawsuit on January 22 to stop the ARC’s efforts to destroy Amtrak. However, it failed to persuade a federal judge to block release of the council’s report (see related article, page 6).

Many of the ARC’s recommendations for dismantling and privatizing Amtrak have been tried before in Great Britain — but the results have been disastrous for the country’s traveling public. The British rail system is marred by poor infrastructure and equipment maintenance, major accidents, constant delays, and nationwide labor strikes. It has gotten so bad that British citizens have scheduled a national boycott of the railways in March.

“The Amtrak Reform Council has wasted far too many taxpayer dollars advancing already-rejected ideas,” TTD President Hall said.

The ARC’s report says that Amtrak...
Railroad Retirement benefit changes

The Railroad Retirement and Survivors’ Improvement Act of 2001 (P.L. 107-96), enacted on December 21, 2001, makes several changes to the Railroad Retirement Act. The legislation restores full early retirement eligibility at age 60 for railroad employees with 30 or more years of service and eliminates the maximum provision that had previously capped some employee and spouse railroad retirement benefits. Prior to this legislation, only female employees were eligible for full 60/30 benefits. While 1983 legislation retained the provision for early retirement at age 60 for employees with 30 years of railroad service and for their spouses, the 1983 law imposed a reduction for early retirement in the same social security level 1 tier II benefits. Railroad retirement benefits awarded employees retiring before age 62 and their spouses. Tier II railroad retirement benefits paid to employees and their spouses at age 60 without an age reduction.

If 1983 amendments to the Railroad Retirement Act by eliminating the tier I age reduction in 60/30 cases for employee-spouses whose railroad retirement annuities began after January 1, 2001, or later even if they retire before they attain age 62. The spouses of such employees would also be eligible for full benefits at age 60. In general, a railroad retirement annuity on the first full month the employee and/or spouse is age 60.

The Railroad Retirement Board estimates that the average monthly annuity payable to an employee retiring in 2002 with 30 or more years of service would be about $2,400 under the new law. Under prior law, the amount would have been about $2,100, because of the reduced requirement in the tier I benefit.

2. Will the beginning date of an employee’s annuity determine whether or his or her annuity is computed under the new law? If an employee’s annuity begins before January 1, 2002, and was awarded when the employee was under age 62, his or her tier I benefit will remain reduced for early retirement after age 60. Benefits awarded prior to 2002 that were subject to the maximum provision as computed under prior law (using combined railroad and social security-covered earnings) would be subject to those reductions. Benefits awarded under the tier I benefit, before any reductions for early retirement annuity, would be subject to the amount of the tier I benefit that the employee received at the time of his or her death, and a widow(er)’s tier II benefit in the amount of the tier II benefit that was payable to the employee at the time of his or her death.

The new law establishes an “initial minimum amount” which yields, in effect, a widow(er)’s tier II benefit equal to the tier II benefit the employee would have had if 30 or more years of service; and a widow(er)’s tier II benefit on her annuity beginning after age 62. A tier I benefit is also payable by the Board, but only if the employee has an “insured status” under Social Security Act rules (usually 40 quarters of coverage), and a combined railroad retirement and social security-covered earnings. The tier I benefit was, however, reduced by any social security benefit also payable. If a retiree has no qualifying social security coverage, only a tier II benefit would be payable. Examples of persons without social security coverage could be Federal civil service employees hired prior to 1984, or some state or municipal employees previously not covered by social security.

6. Will employees with five years of service also be eligible for railroad retirement disability annuities? An employee who had five years of service and social security coverage, counting both railroad retirement and social security-covered earnings, this maximum provision was $164, and the average spouse reduction was $78.

5. How has the basic service requirement of 10 years of creditable railroad service been changed by the new law? The new law provides railroad retirement annuities to employees with less than ten years (120 months) of railroad service if they are credited with at least five years of railroad service after 1995. Benefits payable on the basis of this provision are not retroactive and are payable for months prior to January 2002, but are payable beginning January 1, 2002, to those employees who were five years of service after 1995. Employees previously denied benefits for insufficient service may be eligible for new application for benefits.

Employees with five years of service after 1995 be eligible for benefits? A railroad employee with five years’ service after 1995 must still have a “current connection” with the railroad industry in order for survivors annuities to be payable by the Board, rather than the Social Security Administration. A “current connection” includes both a tier I and a tier II benefit to be payable, an “insured status” under Social Security Act rules, and the amount of the tier I benefit that the employee received at the time of his or her death.

7. Will the survivors of employees with five years of service after 1995 be eligible for benefits? A deceased employee with five years of service after 1995 must still have a “current connection” with the railroad industry in order for survivors annuities to be payable by the Board, rather than the Social Security Administration. A “current connection” includes both a tier I and a tier II benefit to be payable, an “insured status” under Social Security Act rules, and the amount of the tier I benefit that the employee received at the time of his or her death.

8. How are railroad retirement widows’ benefits affected by the new law? Under prior law, the widow(er)’s tier I benefit, before any reductions for early retirement, was payable for months prior to the amount of the tier I benefit that the employee received at the time of his or her death; and a widow(er)’s tier II benefit on her annuity beginning after age 62. A tier I benefit is also payable by the Board, but only if the employee has an “insured status” under Social Security Act rules (usually 40 quarters of coverage), and a combined railroad retirement and social security-covered earnings. The tier I benefit was, however, reduced by any social security benefit also payable. If a retiree has no qualifying social security coverage, only a tier II benefit would be payable. Examples of persons without social security coverage could be Federal civil service employees hired prior to 1984, or some state or municipal employees previously not covered by social security.

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No change in federal income tax provisions

The enactment of Public Law 107-90 (H.R. 10) did not change the way railroad retirement annuity payments are treated under Federal income tax provisions.

Federal income tax purposes, most Railroad Retirement Act annuities are divided into two components. The first component is the amount, if any, which is equivalent to what the annuitant would have received under the Social Security Act if rail service had always been covered by that Act instead of the Railroad Retirement Act. The second annuity component for Federal income tax purposes is the amount, if any, in excess of what social security would have paid to the annuitant if it had always covered rail service.

The annuity component that is equivalent to a social security benefit is taxed like a true social security benefit. The part of the annuity that exceeds what social security would pay is taxed like a private pension. This is an important distinction because the effective tax rate on social security benefits is lower than the effective tax rate for private pensions. Private pension payments, although subject to income tax for previously taxed contributions made to the pension plan by employees during their working years, are taxed like ordinary income.

When a rail employee receives an annuity before age 62 on the basis of 30 or more years of service, or because of an occupational disability, no part of the annuity is equal to a social security benefit. This is true because social security does not pay benefits based on age to anyone before age 62. It does not pay occupational disability benefits.

Widow(er)s affected by this change can receive an expected increase in their Social Security benefit, retroactive to February 1st, in their Social Security benefit. Widow(er)s who are due an increase do not need to notify the Board of their Social Security benefit. Widow(er)s on the Board’s rolls advising them of the change in the law, and also advising them as to whether they should be receiving additional railroad retirement annuity payments.

14. How can individuals find out more information about how these changes affect them?

The Board is making every effort to notify individuals about these changes resulting from this legislation as soon as possible.

Railroad Retirement Board offices are open to the public Monday through Friday, except on Federal holidays. Persons can find the address and telephone number of the Board office serving their area by calling the Board’s automated toll-free Help Line at 1-800-333-6820 or by going to the Board’s Web site at www.rrb.gov.

Patience on the part of annuitants will be appreciated when contacting Board offices, as a higher than usual volume of calls is expected as a result of this legislation. E-mail inquiries about this legislation can be sent to the Board’s Help Line at RRBOnlineService@rrb.gov and clicking on “Send us a secure message” under “Latest News.”•
BLET NEWS

Amtrak collision ‘impaired by fatigue’

On February 5, the National Transportation Safety Board issued a final report blaming the fatal 1999 collision between an Amtrak train and a tractor-trailer on the truck driver’s failure to stop when he heard the warning bells and saw the crossing gates. The truck driver, 35-year-old John R. Stokes, was crossing the tracks around the safety gates at the grade crossing in Bourbonnais, Ill., NTSB investigators said, resulting in the deaths of 520-people killed and 122 injured. It also caused an estimated $14.3 million in damages.

Stokes said he felt he could cross the tracks before the train reached the intersection, a judgment “likely impaired by fatigue,” the NTSB said. The conclusion added, the truck driver had one alcohol level of 0.25, implying sleep in the 38 hours before the accident, the NTSB said.

The BLET’s Safety Task force was an active participant in the NTSB’s entire accident investigation process, including its public hearing and sunshine meeting, where the final report was introduced. BLE General Secretary-Treasurer W.C. “Bill” Walpert, Chairman of the Safety Task Force, recognizing the participation of Safety Task Force members Carl Fields of BLE Division 682 (Hammond, Ind.), Tom O’Brien (Joliet, Ill.) and John P. Tolman, Assistant to the International President, BLE investigators further concluded that the crossing gates and warning lights were working properly at the time of the crash, which occurred on March 15, 1999. The accident occurred when Amtrak’s City of New Orleans smashed into a tractor-trailer truck loaded with steel at a grade crossing.

An investigation by the Illinois State Police found that the gates were not working correctly at the time of the accident, but that the driver, John R. Stokes, drove past flashing red lights at the crossing. During NTSB hearings, witnesses differed on whether the crossing gate struck the trailer as Stokes drove his truck across the tracks. Stokes told authorities later the reason he didn’t see the train approaching, and claimed the bells, lights and gates started after he began crossing the tracks.

The Illinois police report agreed with the NTSB report in concluding that Stokes was “physically impaired by extreme sleep deprivation or fatigue.” Federal rules require truck drivers to take an eight-hour break after 10 hours of driving, but Stokes reportedly had a much shorter rest.

The Brotherhood of Locomotive Engineers and the Grand Trunk Western Railroad have signed a new contract that gives the BLE the exclusive right to attend apprentice engineer training classes.

In addition, the BLE and GTW signed a Letter of Understanding, which gives apprentice engineers an immediate increase in pay of almost $50 per basic day.

According to the agreement, BLE representatives will attend the apprentice engineer training classes, “for the purpose of addressing apprentice engineers in connection with familiarizing them with their rights and obligations with respect to training and promotion under agreements between the Carrier and the BLE, as well as other matters related to apprentice engineer education.”

The agreement, ratified by BLE members on the GTW, was negotiated by BLE General Chairman John M. Karakian with assistance from National Vice-President Paul T. Sorrow. The agreement also establishes a union shop provision.

The Letter of Understanding provides apprentice engineers with an eight-hour basic day of $150 per day over a five-day weekly guarantee. The Letter of Understanding modified GTW’s former six-day guarantee rate of $850.15 ($180.33 per day) to a five-day guarantee at a rate of $800 ($160 per day).

Brother Karakian noted that the new GTW apprentice engineer basic day is greater than the basic day of any conductor on the GTW.

In the event apprentice engineers are required to work on either the sixth or seventh day in that work week, they will be paid $150 for each additional day in excess of five days worked.

The International Division commands General Chairman Karakian, Vice-President, Sorrow; and the other members of the Grand Trunk Western General Committee for their work in negotiating this agreement.

Affiliate Support

Continued from Page 1

members — have pledged to support the BLE if it is forced to fight for its survival. These unions have also directly contacted the National Mediaion Board and specifically asked the NMB not to conclude existing craft agreements in the railroad industry.

In recent weeks, 12 unions representing more than 5 million members have written letters to the National Mediation Board and to BLE International President Don M. Hahs, urging the NMB not to conclude existing craft agreements in the railroad industry.

Since publication of the January issue of the Newsletter, the BLE has received letters of support from six additional unions.

In a February 20 letter to President Hahs, the International Brotherhood of Teamsters lent its full support to the BLE.

“It is my understanding that UTU severed its ties with the AFT-CIO for the sole purpose of raiding the BLE,” wrote Teamster General President James P. Hoffa. “Such action must not be tolerated.”

The Teamsters will support the BLE in its campaign to convince the National Mediation Board to refrain from changing its long-term definition of rail operating crafts to a single craft. We are in the BLE, understand what it means to honor another union’s historical jurisdiction, and we vow to work closely with the BLE on this important issue,” Hoffa concluded.

The Teamsters represent 1.4 million workers in various industries, including truck drivers and dock workers.

On January 21, the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers (IBBE) wrote to XMI Chair- man Francis J. Duggan, urging the NMB to continue its definition of railroad operating crafts.

“My understanding is that theIBB has the full support of the National Conference of Firemen & Oilers with thwarting any raiding attempts by the UTCU,” wrote General John M.키. President of the NCFU.

On January 24, the Brotherhood of Maintenance of Way Employees wrote a letter to the NMB, clearly expressing the fact that it opposes modifications to railroad crafts or classes, “such as that sought by the UTCU.”

“BIMWE continues to oppose NMB intrusion into matters of employee self-organization,” wrote BIMWE President John W. Hart.

For more than 50,000 members, the BIMWE represents railroad workers who build and maintain the railroad track and structures in the U.S. and Canada. On January 31, the BLE received a letter of support from the 240,000-member International Association of Fire Fighters (IAFF).

“We are pleased to offer... our support for your efforts in defending against the attacks that have recently been waged against your union by the United Transportation Union,” wrote IAFF General President Harold A. Schaeberl.

Copies of all letters are available on the BLE website.

Resolution of the Rail Labor Division, Transportation Trades Department, AFL-CIO

Passed on February 7, 2002

WHEREAS, the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) is a voluntary federation of America’s unions, representing more than 13 million working women and men nationwide; and

WHEREAS, the AFL-CIO’s mission is to bring social and economic justice to our nation by enabling working people to have a voice on the job, in government, in a changing global economy and in their communities; and

WHEREAS, the AFL-CIO’s role is to promote and protect the rights, interests and safety of its affiliates and members through solidarity, aggressive representation and education; and

NOW THEREFORE, we hereby RESOLVE that any affiliate that leaves the AFL-CIO with the intent of raiding an affiliated union shall not be allowed back into the House of Labor for a period of not less than five years; and

BE IT FURTHER RESOLVED that such organizations shall not be allowed to renew or apply for any AFL-CIO membership status unless or until they merge with a labor organization that is an affiliate of the AFL-CIO, or said organization is under new leadership; and

BE IT FURTHER RESOLVED that there shall be a 45 day grace period from the date of adoption of this resolution for any organization to be notified of the charges and the changes of this resolution.
Burlington Northern Santa Fe

On January 22, Burlington Northern Santa Fe Corp. said its fourth-quarter profits — before unusual items — fell to $472 million. The Fort Worth, Texas-based transport giant, the No. 2 U.S. railroad behind Union Pacific, reported fourth-quarter profits fell 46 cents per share from 65 cents per share a year earlier.

Excluding unusual items, including a $42 million after-tax charge for workforce reduction related costs, earnings were $ 57 cents per share, up 2 percent from the latest period. Freight revenues for the 2001 fourth quarter were $2.27 billion, 2 percent lower on over 3 percent higher ton-miles compared with the same 2000 period.

Revenues fell to $2.3 billion from $2.34 billion a year earlier, in part because of the loss of a major transport contract with giant automaker General Motors.

BNSF's earnings per share for the full year ended December 31, 2001, including unusual items, was $1.87 on a diluted basis compared with earnings of $2.36 per diluted share in 2000. Operating expenses of $7.39 billion for full-year 2001 increased by $330 million or 5 percent on 2 percent higher ton-miles. Full-year operating income fell to $1.79 billion from $2.15 billion in 2000.

Canadian National Railway

Canadian National Railway Co. paid little heed to the recession in the fourth quarter of 2001, posting a 25% increase in profit over the same quarter one year ago.

While pretax earnings were inflated by the acquisition of the Wisconsin Central Transportation Corp., it also managed to control costs while finding 10% more revenue.

In the quarter, CN reported net income of C$286 million ($1.48 a share), compared with C$257 million ($1.29) a year earlier. Revenue rose to C$5.14 billion from C$3.19 billion. Of that, the acquisition of WC, effective on Oct. 9, contributed net income of C$17 million (96) and C$129 million of additional revenue.

The company’s operating ratio, a measure of efficiency based on the percentage of revenue needed to run the railroad, improved by 2.2 points in the quarter to an industry leading 66.1%.

For the year, CN had income of C$878 million on an adjusted basis. That’s up from C$878 million a year earlier. Excluding one-time items, CN had income of C$914 million ($3.65), up from C$857 million ($4.67) in 2000. Revenue was C$5.65 billion, up from C$5.43 billion.

Canadian Pacific Railway

Canadian Pacific Railway expects a “tough first half” because of the economic downturn and possible drought conditions for grain crops in Western Canada, company executives told a news wire service on January 22.

The firm released fourth-quarter financial results on January 21. Profits, excluding nonrecurring items, fell 5 percent to C$118 million ($73.3 million), or 74 Canadian cents per share. In the full year of 2000, it earned C$124 million, or 76 Canadian cents a share.

A severe drought, in 2000, in southeastern Alberta and southwestern Saskatchewan drastically reduced CP’s grain shipments. While it is early in the year, a mild winter and the resulting lack of snow are again raising concerns for grain crops in Western Canada.

Saskatchewan drastically reduced CP’s grain shipments. While it is early in the year, a mild winter and the resulting lack of snow are again raising concerns about moisture levels in Western Canada.

As part of a cost-cutting operation in 2002, CP expects to abandon about 300 miles of under-used lines and to pare an undisclosed number of jobs. After cutting more than 1,300 staff last year, CP employs about 16,900.

CSX Transportation

CSX Corp., the parent company of CSX Transportation, reported on January 23 a fourth-quarter profit of 865 million, or 31 cents per share, up from 854 million, or 26 cents per share, the previous year.

CSXT operates the third-largest railroad in the United States. The latest three-month period includes the railroad’s annual election of two directors.

For 2001, CSX net income from continuing operations was $293 million, or $1.38 per share, compared to $186 million, or 88 cents per share, for 2000. Excluding the litigation provision, net income from continuing operations was $330 million or $1.55 per share, an increase of 77 percent.

Kansas City Southern

Kansas City Southern Industries Inc. said on January 31 that fourth-quarter profits more than doubled, helped by a surge in domestic coal shipments.

The railroad reported net income of $11.1 million, or 18 cents per share, compared with $3.6 million, or 6 cents, a year earlier. Revenues increased 8 percent, to $45.5 million from $134.8 million.

KCS said its net tons of coal shipped increased about 35 percent from third-quarter levels because of strong demand from utility plants.

It also said shipments rose for paper products, export grain, certain chemicals and plastics products and military shipments. These were partially offset by declines for domestic grain, food products, ore and mineral products, steel and scrap metal shipments and intermodal products, mostly due to the slow economy.

Kansas City Southern said it expects coal revenues to decline in 2002 as the result of a contractual rate reduction at one customer and the expiration of another contract.

KCS said its equity earnings in its railroad in Mexico, Grupo TPM, tentatively increased $2.2 million and interest expense declined $1.7 million. It said those improvements were partly offset by a $0.8 million increase in the income tax provision.

Norfolk Southern Corp.

Norfolk Southern Corp. said on January 24 that cost control measures helped its fourth-quarter and yearly earnings beat Wall Street expectations despite the slow economy.

The holding company, which owns the Norfolk Southern Railroad, earned $15 million, or 30 cents per share, in the three months ended Dec. 31, including an after-tax gain of $12 million, or 3 cents per share, from the sale of a real estate parcel.

That compared with earnings in the fourth quarter of 2000 of 85 million, or 1 cent per share, when the company took a work force reduction charge of $30 million, or 10 cents per share.

Revenues grew slightly to $1.53 billion, compared with $1.52 billion in the fourth quarter of 2000, despite a 1 percent, or 20,600-unit, decrease in carloads.

Annual profits rose to $375 million, or 97 cents per share, including an after-tax gain of $15 million, or 3 cents per share, related to the 1998 sale of Norfolk Southern’s former motor carrier subsidiary, North American Van Lines Inc. In 2000, the company earned $172 million, or 45 cents per share, including a work force reduction charge of $101 million, or 26 cents per share.

Union Pacific Corp.

Union Pacific Corp., North America’s biggest railroad operator, said on January 24 that fourth-quarter profits shot up 29 percent amid a strong pickup in coal shipments.

The firm, which also owns a trucking operation, said that quarterly net income was $275 million, or $1.16 per share, up from $229 million, or 90 cents. The 2000 fourth quarter figures excluded a $72 million charge for job cuts.

Operating revenues rose 2 percent to $8 billion from $8.06 billion.

Energy-related revenues, mainly for carrying coal, were up 13 percent from the same three months ended Dec. 31, 2000. Agricultural shipments, including a jump in grain shipments to Mexico, rose 8 percent, according to spokesman John Bromley.

Consumer-related revenues, such as industrial products, chemicals and automotive, dropped. Intermodal business, involving shipments carried on both rail and other transport forms, such as trucks, rose 1 percent.

Results were helped by a 10 percent rise in worker productivity and a 20 percent drop in fuel and utilities costs, Union Pacific said.

For all of 2001, net income rose 6 percent to $806 million, or $3.77 a share. For all of 2000, profits rose 91 percent, or $3.61 a share, before the after-tax charge for staff cuts.

Union Pacific, which has ridden a broad rally in rail stocks fueled by hopes of a upswing in the U.S. economy, is up 12 percent over the last 12 months.
Amtrak to layoff 1,000, cut long distance routes

Amtrak President George Warrington announced on January 31 that Amtrak will eliminate 300 management positions and 700 agreement positions in an effort to boost the railroad's bottom line. The layoffs are expected to cut Amtrak's operating costs by $110 million. The railroad will also eliminate discretionary spending and will reduce capital spending by $175 million. Amtrak said that while it is not cutting routes at this time, it may have to cut some long distance routes in the near future.

The 300 management positions represent about 10 percent of the railroad's management workforce. Approximately 100 managers will face immediate layoff while the remaining 200 will receive 4-6 weeks notice. The 700 agreement positions represent about four percent of Amtrak's unionized workforce, and the cuts will come primarily from the shop crafts. Under pressure from government regulators to become operationally self-sufficient by 2002, Amtrak has suffered a loss of business for the railroad. Amtrak says it has lost $52 million due to the railroad's bottom line.

Amtrak will need $1.2 billion to fund its operations in Fiscal Year 2003, “every step of the way, the whole industry failed the facts and told the fables it wanted to tell,” said TTD President Hall, who is also President of the Transport Workers Union. In order for four years as a ‘fact-finding’ body they think they would have seen what an abysmal failure privatized rail has been in places like England, with its rampant delays and shoddy maintenance. But the ARC saw what it wanted to see, heard what it wanted to hear, and today did what it always wanted to do — with taxpayers picking up the tab.” According to TTDP President Hall, organized labor will not turn to Capitol Hill to fight for the survival of Amtrak in its current form.

“Transportation labor will now mobilize to ensure Amtrak as a national system obtains the federal resources it needs in FY 2003,” he said.
The derailment of a 112-car CP Rail train on January 18 near Minot, N.D., claimed the life of one local resident, injured two rail crew members, and forced officials to order the evacuation of a portion of the city of Minot.

Fortunately, the accident probably would have been much worse had it not been for the quick-thinking train crew members, whose actions probably prevented further injury and death.

According to BLE Special Representative Dave Ditzel, who represented the BLE Safety Task Force at the scene of the accident, some 30 cars derailed, including approxi- mately 15 tank-cars of anhydrous ammonia, some of which ruptured, causing a release of toxic fumes, which later covered a significant portion of the city.

Immediately following the derailment and the hazmat re- lease, locomotive Engineer J.A. Olson of BLE Division 160 (Harvey, N.D.) and Conductor Craig Benson, a member of the UTU, “made some quick deci- sions that saved many more lives and prevented injuries,” according to the BLE’s North Dakota State Legislative Board Chairman Mike Muscha.

After the derailment, the train crew members were able to detach the locomotive power from the consist and use it to escape the immediate threat of the deadly toxic vapor cloud. Brother Olson continued to send a distress signal from the cab of the locomotive while making several emergency calls with a cellular phone.

They proceeded to what they considered a safe distance from the crash site, and then ran from the area on foot to escape the toxic cloud. They then warned motorists to turn away from the toxic vehicles and not to enter the spill site. Upon leaving the locomotive, they had the presence of mind to bring along some of the hazmat papers, which helped state and local authorities quickly learn the danger of the toxic cloud.

“Many were reports of injuries due to the toxic cloud that spread in the hours after the derailment, and they probably would have been many more injuries — and pos- sibly deaths — had it not been for the quick thinking of the crew members who noti- fied authorities regarding the toxic spill,” Brother Muscha said.

Brother Muscha also said the derailment highlights the need for engineer certification. Although only one crew member had been aboard and had been in- capacitated during the derail- ment, then there would have been no one available to notify local authorities about the deadly cloud of gas headed toward the heavily populated area.

Minot resident John Grabinger, 38, was found dead in his yard, and tests deter- mined his death was related to the derailment. Reports in the local press following the 1:47 a.m. derailment indicated that as a 1 a.m., many people were already seeking medical care. More than 100 persons were treated in the emergency room at local Trinity Hospi- tal, where 15 persons were admitted, some in the intensive care unit. Others sought medi- cal attention at the nearby Minot Air Force Base hospital.

Brother Olson received treatment at a local hospital and was later released. The conductor was also taken to the hospital but required fur- ther treatment.

The CP Rail train, which had originated in Edmonton, Alberta, with a destination of St. Paul, Minnesota, was trav- erseing eastbound in air tem- peratures between five to ten degrees below zero, as it ap- proached the location where the derailment occurred.

At BLE headquarters in Cleveland, BLE President Don Hahns commenced the prompt action of the train crew to re- move themselves from harm’s way. “Had they not acted quickly to get out of the area, we would surely have had a much more tragic outcome to this derailment,” he said. “Train crews each day rou- tinely move hundreds of tons of hazardous materials, and in virtually an instant of time, they can find themselves in a fight for their lives,” he contin- ued. “This is a part of railroad- ing that our people must live with each and every day they work, and something the gen- eral public seldom considers as they watch trains go by at grade crossings, or pass through various towns and cities in Canada and the United States.”

In speaking of the locomo- tive engineer, J.A. Olson, BLE Division 160 Local Chairman Craig Thurow said, “Jim is a very dedicated and conscien- tious engineer, who is well liked by all of his co-workers. I speak for all the members of Division 160 to say we were con- cerned about the welfare of Jim, and all those involved in this incident.”

The Federal Railroad Ad- ministration and the National Transportation Safety Board (NTSB) spearheaded the acci- dent investigation. The NTSB assumed supervision of the in- vestigation and has under- taken the process of accident cause finding. Typically, the process leading to a final cause determination by the NTSB can take up to a year complete. The BLE dispatched its Safety Task Force to the scene, where the BLE was made a party-of-interest in the NTSB’s investigation.
BLE strikes RailAmerica shortline in Nova Scotia

In an effort to obtain their first-ever contract, members of the Brotherhood of Locomotive Engineers are on strike against the Cape Breton & Central Nova Scotia Railway (CB&CNS), a subsidiary of RailAmerica.

The 34 striking locomotive engineers and conductors elected the BLE as their designated collective bargaining representative in October of 2000. They walked off the job at 7 a.m. on February 6 over the following issues: Term of agreement; seniority; work scheduling; working hours; rest; crew consist; material change in working conditions; vacations; pension plan; training; and spare boards.

The picket lines have been set up in Sydney, Port Hawkesbury, and at the railroad’s headquarters in Stellarton. Dave Swales, local chairman of BLE Division 900 (Stellarton, N.S.), said that morale among the strikers remains high.

“The members are out here (on picket lines) and we fully intend to keep solidifying our cause and do what we have to do,” he said.

Negotiations began on a first contract in early 2001, according to BLE Special Representative Robert J. Toole.

“The talks so far have been good; there is a mutual desire to get an agreement,” said Toole.

“With no successful results, a Provincial conciliator was requested for assistance, and still no results,” said Toole.

The highlight of the course is a simulated hazmat response in full safety gear. Transportation, lodging and meals are provided for all participants by a Federal grant. In addition, participants who are unable to receive regular pay through the railroad while attending a training session are eligible for a stipend of $428.

To register for the training, please contact (800) 393-2716 or visit http://www.gemeany.org/hazmat.html.

For more information, please contact <dcble@aol.com> or call (202) 347-7596.