



*A bold voice for transportation workers*

## **MANDATE TWO-PERSON CREWS ON FREIGHT TRAINS**

Just four months ago in Quebec, a runaway train carrying 72 cars of crude oil killed 47 people and demolished the town of Lac-Mégantic. The accident occurred after a crew member, working alone, parked the train uphill from the town for the night. Unmanned, the train rolled down the track and exploded. Though the official investigation is ongoing, this devastating accident is the most recent reminder of the safety challenges that face this industry and the need for a federal mandate requiring at least a two-person crew on every U.S. freight train.

In the aftermath of this accident, Canada issued an emergency directive requiring a minimum of two-person crews for trains carrying hazardous materials. Here in the U.S., the Federal Railroad Administration (FRA) released an Emergency Order directing railroads to take specific, immediate precautions to prevent a similar accident. The agency also instructed its Rail Safety Advisory Committee (RSAC) to examine the issue of crew size. While we applaud these actions, any RSAC recommendation must garner a consensus from stakeholders and given that the rail companies have consistently opposed two-person crew mandates, we are concerned that this process will not produce the change in policy that is so urgently needed.

To address this issue legislatively, Rep. Michael Michaud (D-ME) has introduced the Safe Freight Act (H.R. 3040), a bill which mandates that each freight train crew consist of at least one certified conductor and one certified engineer. We applaud Rep. Michaud for introducing this common sense legislation and call on Members of Congress to co-sponsor and support this bill. We are disappointed that our nation's railroads have predictably dismissed the need for this legislation. The railroads ignore the Quebec accident and use a skewed statistical analysis to claim a lack of accidents in the United State caused by one-person crews. The reality of the safety statistics is that they reflect the skill and professionalism of two-person crews that are moving trains today – they do not negate the need to adopt federal policy banning one-person crews.

While two-person crews are the norm on U.S. freight lines, crew size is often an issue that the railroads would like to determine only during the collective bargaining process not by government mandate. Such a basic safety issue should not be open for negotiation and it should not be something for which unions have to give something else up in order to achieve. Safety should not be bartered at a bargaining table. More to the point, not all rail workers have a union voice and smaller, non-union railroads can put one-person crews out on the tracks, not only jeopardizing safety but also setting a dangerous, competitive trend that larger railroads will seek to follow.



In fact, the Class I railroads have tried to bargain away this issue, underscoring the need for this legislation. Rail operations are safer today because of important capital investments and a dedicated workforce. We find it ironic that instead of recognizing this fact, the railroads are advocating a policy that would give them the ability to downsize this workforce and expose communities to avoidable safety risks in our freight network.

In the U.S., a freight train can weigh up to 15,000 tons, averages over a mile long and last year the industry transported 2.47 million carloads of hazardous materials. It is absurd to argue that such a massive piece of equipment can be safely operated by one individual, especially given the many tasks for which at least two people are needed in order to operate a freight train and the myriad of FRA regulations and railroad operating rules that must be followed.

If a train operated by a single crewmember were to encounter an emergency situation like a highway crossing collision with an automobile, a release of hazardous materials or a mechanical problem, that crewmember could not leave the engine idling in order to investigate the issue. Those emergency response needs would have to wait until another crewmember could arrive from many miles away. Should a train breakdown and block a highway crossing, a second crewmember would be needed to quickly disconnect the train to unblock that crossing. In fact, the train involved in the Canadian accident this summer was parked uphill from the effected community for just that reason – to avoid blocking any road crossings due to the lack of a second crewmember’s assistance.

In July of 2012, the FRA released a report on the Cognitive Task Analysis of conductors that indicated that conductors and engineers on freight trains work together as a team and support each other’s decision making processes for a safe operation. One of the most important safety aspects that these employees work together on is combating fatigue – a top safety issue in the rail industry. Employer practices, including mandated long shifts and totally unpredictable work schedules lead to a fatigued workforce that has a direct and negative effect on safety. A second crewmember will help both employees stay alert and provide an essential backstop against the mishaps that can occur when memory or judgment is affected by chronic fatigue. Limited redundancy is also needed to maintain safe operations in the event that the other crewmember should become injured or incapacitated, a fact that is recognized by Federal Aviation Administration as it prohibits cockpit crews of less than two pilots. Additionally, the second pilot is responsible for monitoring the safe operation of the flight and insuring that all procedures are followed completely and correctly. Rail operations would benefit from this requirement as well.

More must be done to ensure the protection of hardworking rail employees and the American public from the dangers that one-person crews pose. The FRA must move swiftly and aggressively to close this loophole and Congress should likewise address this issue by passing H.R. 3040, the Safe Freight Act.

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