



A bold voice for transportation workers

PREVENTING FEDERAL DOLLARS FROM DISPLACING WORKERS

The federal infrastructure law made the largest-ever investment in passenger rail in America, paving the way for a historic expansion of passenger rail service in nearly every state. Now, as federal grants are available to every state to expand passenger rail service, it's never been more urgent to require grant recipients to comply with laws that protect passenger rail workers who are adversely affected by the grants. Failure to do so could result in displacement of passenger rail workers when we need a robust workforce to meet this planned national expansion of service.

We call on the Federal Railroad Administration (FRA) to close a long-standing loophole that allows recipients of federal passenger rail grants to displace workers' jobs and wages with no recourse. This long overdue action would ensure that passenger rail workers do not lose their jobs because of federally-funded passenger rail projects and would bring these workers into parity with freight rail and public transit workers, who receive similar protections when their jobs or wages are displaced.

In 2008, Congress passed a law requiring states to protect the jobs and earnings of railroad workers who are displaced by federal grants for passenger rail projects. Nearly 15 years later, workers are still waiting for the FRA to implement these protections. It is long past time for the FRA to implement these protections; it can do so by simply replacing the word "railroad" with "applicant" or "recipient" to encompass all entities that may be awarded federal grants.

From coast to coast, states like Virginia and California are leading the way in expanding passenger rail service and the federal government is supporting these efforts through money from federal grant programs. While we support every state's effort to expand passenger rail service, these grants must include worker protections.

Recently, private companies like Florida's Brightline passenger rail system became newly-eligible for these kinds of federal grants under the Bipartisan Infrastructure Law. Without these protections in place, these federal grants could result in displacement of union workers employed by Amtrak and other passenger transportation entities, as well as employees of freight railroads whose lines are used for passenger service. Additionally, federal law requires that entities that operate on lines constructed or improved with FRA and certain Department of Transportation (DOT) grants be rail carriers under federal rail labor statutes. FRA and DOT must ensure that operators on such lines comply with these requirements.

Simply put, we believe that whichever entity is awarded federal funding – whether it's a railroad, private provider, state, or other entity – should be responsible for implementing and maintaining these employee protections.

We firmly believe that money from the federal government should advance labor protections and standards, not undermine them. The success of our national rail system over the last 100 years is in large part due to critical labor protections that unions have fought to provide to railroad workers so that we have a robust workforce for both freight and passenger rail service.

It's been 14 years since Congress mandated this change. There is no time to further delay action.

Policy Statement No. F22-02
Adopted November 10, 2022