

August 16, 2023

Alan Shaw
Norfolk Southern
1200 Peachtree St NE
Atlanta, GA

Mr. Shaw:

On behalf of the Transportation Trades Department (TTD) of the AFL-CIO, we are writing to urge Norfolk Southern (NS) to swiftly join the Federal Railroad Administration (FRA)'s Confidential Close Call Reporting System, which enables workers to confidentially report "close call" safety incidents without fear of discipline. Since your toxic train derailment in East Palestine, Ohio, 6 months ago, all eyes are on Norfolk Southern to lead the industry toward safety reforms. The recent federal [report](#) on Norfolk Southern's safety culture demonstrates that there is still room for improvement. Following East Palestine, you have repeatedly stated that NS will "make it right" so we urge you to follow through on that commitment by participating in this program.

Following calls from [rail unions](#) and [Secretary Buttigieg](#) earlier this year, the Association of American Railroads (AAR) announced on March 2nd that the Class I freight railroads would join the Confidential Close Call Reporting System. However, it has been nearly six months since AAR made that public commitment and none of the Class I railroads have voluntarily joined the program. We appreciate the ongoing discussions between industry and labor regarding revisions to the current program but must caution against these negotiations becoming a delay tactic.

Current federal data shows that approximately every three hours, there is a reportable injury. Approximately every eight hours, there is a derailment that reaches the FRA's reporting threshold of \$11,500 in damage. In other words, three times every day there could be another East Palestine but we believe this program could help mitigate such future disasters. Since the implementation of a similar program in the aviation industry, the fatality rate decreased 83% in less than a 10-year span. We believe that implementing the program fully in the freight rail industry can similarly improve safety.

Rail workers are the eyes and ears of the system. Yet worker perspectives about current and prospective safety incidents are not fully leveraged at the moment. We believe the Confidential Close Call Reporting System can help leverage these vital worker perspectives and improve safety at Norfolk Southern. We appreciate the increased collaboration between labor and industry in recent months and hope we can continue onward in the spirit of mutually-beneficial cooperation to deliver on rail safety for America.

Sincerely,



Greg Regan, President