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Surface Transportation Board
395 E Street Southwest
Washington D.C 20423
RE: EP 770 Rail Service Hearing

ENTERED
Office of Proceedings
April 19, 2022
Part of
Public Record

April 19, 2022

Dear Board Members,

My name is Philip Oliver I am a 3rd generation railroader with close to 24 years experience. I am writing you because I have concerns about the hearing that the board is going to have with the class one executives so that the truth can be told. I am a yard Forman and my last position was in Parkersburg WV. During my time there I encountered many serious service disruptions due to the lack of safety, manpower, locomotives, and yard and local operations. I will try to be brief but specific. Due to CSX lack of safety, manpower and implementation of PSR, our yard and customers have been turned upside down. I have witnessed trains such as the Q316 and Q317 sit in our yard for hours waiting on yard crews to switch it. Local cars for customers sit in our yard for days if not weeks. A few reasons why ,car inspectors were cut off in yard operations, they class one and inspect inbound and outbound freight. Yard switching crews are not qualified to do such inspections and were also being used to recrew trains and locals outside yard due to lack of road crews. More non- compliance cars or bad orders in the fill outs for trains and locals that should be switched out. Local service crews use to do yard work or recrew trains when they should be servicing the customers. This would also contribute to a 5 day a week and customers only getting service maybe 2 to 3 times a week if that. Which led to more congestion in yard with cars not making it to customers. And that brings it to the Mobil rail tool where the customers cars were being exceptioned customer reason, blaming the customers for not getting their cars so they could get them off the clock that monitors a cars dwell time. They were told to do so by yard masters and Train masters or MTO's etc. Interchanges in yards that were not properly planned and the manpower not to classify the cars. Also yardmasters did not show proper car counts due to not showing or building switch lists for bad order cars and using enroutes to hide switching operations and total moves on the inbound and outbound Q trains. There is a lack of maintenance in yard tracks that classify hazardous materials! They combined local and yard master jobs. I could go on but if the board was to get to the bottom of this, here is a list of issues that need fixed that could also help other places in class one railroads operations that could also lead to issues that could resolve passenger service problems. I also attached a letter and file from my representative Alex Mooney for more issues relevant to these disruptions and to verify what I am saying!

Philip N. Oliver
Yard Foreman, CSX Transportation

U.S. Department of Labor

Occupational Safety and Health Administration
Philadelphia Regional Office
1835 Market Street
Mailstop OSHA-RO/19
Philadelphia, PA 19103-2968
Phone: (215) 861-4900
Fax: (215) 861-4904



February 22, 2022

The Honorable Alex Mooney
U.S. House of Representatives
Washington, DC 20515

Dear Representative Mooney,

This is in response to your correspondence to the Occupational Safety and Health Administration (OSHA) concerning reports of safety hazards, harassment, threats of intimidation, suspension, and religious discrimination by CSX Transportation, Inc. (CSX) alleged by your constituent, Philip Oliver. Since the matter concerns working conditions in Parkersburg, West Virginia, your inquiry has been referred to the OSHA Philadelphia Region for a response.

Mr. Oliver filed a whistleblower complaint with the OSHA on September 4, 2021, alleging retaliatory employment practices that resulted in his suspension for reporting safety violations to his employer, CSX. The OSHA Whistleblower Protection Program has the authority to investigate whistleblower complaints related to the reporting of safety hazards enforced by the Federal Railroad Administration (FRA). The FRA Office of Railroad Safety is responsible for the investigation of complaints related to safety.

Mr. Oliver and his assigned Whistleblower Investigator have been communicating, with the most recent contact on January 6, 2022. The Supervisory Investigator communicated with Mr. Oliver on February 10, 2022, and provided additional updates to his case. Upon the completion of the investigation, Mr. Oliver will be notified of all findings. Additionally, as a matter of policy, OSHA also notified the FRA of Mr. Oliver's allegations in September 2021 as well and the U.S. Equal Employment Opportunity Commission for his concerns of religious discrimination. Mr. Oliver may contact these agencies directly at:

Federal Railroad Administration Office of Railroad Safety
1200 New Jersey Avenue, SE
Washington DC 20590
Telephone: 202-336-4000 or 202-493-6014
Email: frapa@dot.gov
<https://railroads.dot.gov/>

Equal Employment Opportunity Commission, Philadelphia District Office
801 Market Street Suite 1000
Philadelphia, PA 19107
Telephone: 800-669-4000 or 267-589-9700

E-mail: PDOContact@eeoc.gov
<https://publicportal.eeoc.gov/Portal/Login.aspx>

If you have any questions, please contact the Office of Congressional and Intergovernmental Affairs at (202) 693-4600.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael J. Rivera". The signature is stylized with a large, looped "M" and a cursive "Rivera".

Michael J. Rivera
Regional Administrator