

Surface Transportation Board
395 E Street SW
Washington, DC 20423

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Office of Proceedings
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Re: EP 770 Rail Service Hearing

April 20, 2022

Dear Board Members,

My name is William M. Brownfield and I am a current employee of BNSF Railway. I have been employed by BNSF for 20 years as a Conductor. I am frustrated and saddened at the current state of BNSF and their management.

BNSF has changed completely since I first began working in 2002. At that time, we had union contract agreements with BNSF, which they followed to the letter. In more recent times, since 2018, BNSF has completely disregarded any union contract agreements and is not bargaining in good faith. The most recent example is the new High VIS attendance policy. This High VIS policy has disregarded the most recent contract on attendance. Employees are given 30 points forever. There is no refreshing your points every 90 days as other railroads do, such as Union Pacific. BNSF gives employees 30 points only. You can earn four points, IF you work or are available for 14 days straight. If you use a vacation or personal leave day, your 14-day count restarts.

Employees cannot earn more than 30 points. So being available or working for 14 days in row, has no incentive. There is no reward or bonus to pad your 30 points. Since the High VIS implementation in February 2022, many TYE employees are very low on points, with virtually no way to earn back significant points. Many employees have quit or are retiring because of the constant pressure to work without any down time. The further problem with this situation is BNSF, of their own doing, is now short staffed in Galesburg, Illinois and many other depots across their territory.

When a TYE employee is home, they are constantly called after ten hours (FRA rest) to jump up and take a train to any destination, whether the employee is qualified to go to that destination. So, employees, who would normally have 48-hour rest cycle for the Kansas City pool, are now being called after ten hours. This interrupts sleep, doctor appointments, family plans, etc. Personally, I have been called eight times in one night to jump up. Out of these eight calls, I was qualified for one direction. If BNSF's Chief Crew Caller implemented the computer program that would identify which destinations the TYE employee is qualified for, this would reduce the number of calls to unqualified directions. This can be remedied by BNSF easily! As a matter of fact, I have reached out to BNSF Human Resources and Labor Relations departments to explain the importance of this issue, with little to no response.

As an employee used to a 48-hour rest cycle, it is difficult to get into the habit of sleeping as soon as I return home from a trip. I have lost an abundance of sleep, family time, and health with the current state of the unknown. The rest cycle changes between each trip. The online mainframe that we have always used to gauge when we would be called for work is no longer accurate. The board may say I'm not going to work within the next 24 hours, but I'm being called in ten hours instead. I was once confident when called to report to work that I would go to Kansas City—my board's destination. Now, I can be called for Kansas City, Creston Iowa, or La Crosse Wisconsin. Or, I can be called for many

destinations that I am not qualified for such as Chicago, Quincy Illinois, Madison Illinois, Centralia Illinois, Peoria Illinois, along with many others.

In the vane of saving money, BNSF is making trains so long that they can barely get over the road in 12 hours. This results in trains being tied down in sidings and on the main lines. This also adds to the lack of available crews, when TYE employees are on duty for as long as 17 hours or more. BNSF dispatchers are not concerned with getting TYE employees off trains and to their destinations. Again, this is further compounded by the lack of crew vans as well as relief crews.

Once the TYE employee makes it to the away from home terminal, the lack of available hotel rooms in the BNSF contracted hotel, delays the start of many employees' rest cycles. Many TYE employees are shuffled between hotels when the contracted hotel is full or will not accept any more railroad workers.

On a personal note, I have suffered two significant injuries that can be directly attributed to BNSF and the conditions of ballast and debris along the tracks. My first injury in 2004 was a severely twisted ankle. The ballast along the track was loose and provided no traction and shifted as I stepped off a car. The trainmaster took me to the emergency room in Chicago Illinois. The trainmaster insisting on taking photos of my boot. He insisted I take off my boot for a photo before my ankle could swell. Once the swelling came on, he refused to take another photo. The trainmaster came into my treatment room without my permission and would not leave. In addition, the trainmaster spoke with the doctor without my permission as I was being treated. This is typical action by most BNSF trainmasters. I felt at the time that I was being accused of lying about my obvious injury.

In August 2016, my train went into emergency requiring me to tie my train down. As the air was recovered, I was walking back to begin untying the hand brakes. As I walked back to begin my work, I tripped on a piece of plastic sheeting that was not properly removed from the ballast causing me to fall forward. The resulting injury was two tears in my rotator cuff and a fractured ball joint. Again, it was if I was lying about my injury.

This information, which may not be relevant to the situation at hand, is demonstrative of the treatment of TYE employees at BNSF Railway. I loved my job at BNSF as a train conductor. I believe that many of the steps BNSF is taking is to cull their workforce down so they can move to engineer only crews. I no longer love my job because of the actions BNSF has instituted. The High VIS policy is just another slap in the face to long-term employees.

Please do not hesitate to reach out to me with any questions. I am happy to further discuss the issues facing BNSF's TYE employees.

Thank you,

William M. Brownfield
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