

Surface Transportation Board
395 E Street Southwest
Washington D.C. 20423

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RE: EP 770 Rail Service Hearing

April 22, 2022

Dear Chairman Oberman,

I have worked as a train, yard and engineer employee (TY&E) for one this nation's class one railways for nearly 25 years. (Hired on Feb. 08,1998). In my career, I have seen numerous changes. Some were minor and others have been very significant. I want to state for the record, that the current rate in change of policy and practice is tectonic in its width and breadth.

I won't cover the new draconian Hi-Viz policy in this letter. However, I want to make sure that this board knows some of the chilling effects this new Attendance Guideline Policy (ATG) is having. As I don't have access to hard data, I can only offer anecdotal information as it pertains to myself and my coworkers. If this policy is designed to reduce manpower, it's having its desired effect. As of this week, at my work location, several employees are either in the process of being dismissed or are actively seeking other employment. These employees have always been reliable and never flew foul of the previous ATG. One that allowed them to schedule their lives around a busy work life.

If there's a manpower shortage, it's one that's self-inflicted by the rail carriers.

If I may, I want to highlight a coworker of mine. He's been employed for over 11 years now and is a US Marine Vet. He did 3 tours in Iraq and 1 tour in Afghanistan. In that time he, like many others, developed Post Traumatic Stress Syndrome (PTSD). With the previous ATG, he was able to make his weekly appointments as prescribed without any issues. Out of fear that he'd run out of points, thus facing discipline and or worse dismissal, he has since canceled his PTSD treatment and trying to make his appointments. I'd also like to highlight some of the divorcees I work with. Most have court ordered visitation rights that certainly never coincide with a railroading schedule. Again, with the previous ATG they were able to manage their lives as best they could all while being available to work a railroaders schedule.

If there's a man power shortage, it's one that's self inflicted by the rail carriers.

For myself? I've recently attained "empty nest" status! Meaning that the pressure to be home and be present for the entirety of my family is greatly diminished. Certainly though, that doesn't mean that I don't have a need to be off at times that best suit me and my work life schedule. I recently had to spend 10 of my 30 points to make an out of town flight. Those 10 points will take me 6 weeks to earn back by staying "marked up" and available.

In my tenure, now spanning more than 24 years, I've experienced the saying "the more things change the more they stay the same" over and over. I could go on about Precision Scheduled Railroading (PSR), Trip Optimizer (TO), HiViz, etc. All of those things you are well versed on and have heard of numerous time by now. I'd rather point to the one thing that lies at the root of it all, that being, "cooperate competitiveness". We as employees are being subjected to and being called upon, in the name of competitiveness, to make sacrifices that the ones making these demands could never make themselves. Why? Higher profits!

In America, we have been blessed to have based our economy on a free market system. That the market knows best. I'm an adherent to small government and as few regulations as needed. The nations rail carriers have finally taken that mantra too far. They have asked, rather demanded, that military vets, divorcees, and the rest of us who want to live as normal a life as possible to make the sacrifice to be available 90% of any given month in the name of competitiveness. Many of my coworkers that I know personally, and have heard of anecdotally, have decided that the burden is too much to bear. A burden that needed not happen.

The manpower shortage is one that has been manufactured, driven by increased cooperate profits. Beginning in 2015, with the crash of coal and then to the Covid-19 pandemic, the nations rail carriers have shed a reported 30% of its manpower. This past year has been a perfect storm for job seekers. Finally, the scale seems to be tipping in favor of the worker as both furloughed and active employees look elsewhere. That fact has had and continues to add to its effect on the nations rail carriers man power shortage. Rail carriers have failed to respond to the call. They've provided little to no incentives for furloughed employees to return and for active employees to stay. They only seek to do more with less and less.

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Shippers also have had enough. Thanks to them, these hearings are the main reason why you all are gathered seeking testimony and the truth of it all. The supply chain is liken to a set of cog wheels. When it's well lubricated and maintained, it runs rather well. Almost lost in the back ground of life; however, every now and again a cog gets worn to the point where it needs to be replaced. The nations rail carriers have failed to maintain, even to a very modest standard, the set of cog wheels they possessed. Beaten and broken, the machine is teetering on collapse. New hire classes are failing to fill up and the ones that do, most new hires don't complete their training after learning of the environment they will be walking into when they complete their training.

These hearings needed not happen. A lot time and money is going to be spent on catch phrases, euphemisms, acronym's, and other fancy cooperate lingo that hopefully will end in the nations rail carriers acknowledging that they've not held up their end of the bargain. If I may, I'd like to offer an honest opinion. I would suggest a partial re-regulation of the railway industry until the senior managers understand that the needs of our nations supply chain and workforce, far outweigh their insatiable hunger for productivity increases per employee and unchecked profits.

I apologize for the length of this letter. It has been made very clear that if I refer to any one railway that I will be terminated for violation of General Code of operating rule, 1.2.6, 1.6 and 1.9. I would like nothing more than to be able to testify in person, but the inhumane ATG policy I work under has put a pinch on ANY personal time off.

Best regards,

Anthony P. Lecholat,
Legislative Representative for the Brotherhood of Locomotive Engineers and Trainmen.
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