



Brotherhood of Railroad Signalmen

917 Shenandoah Shores Road
Front Royal, VA 22630

Phone: (540) 622-6522
Fax: (540) 622-6532

Michael S. Baldwin
President

James M. Finnegan
Secretary-Treasurer

309224

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Docket Operations Facility
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423

RE: Docket Number FD 36818, Central Oregon and Pacific–Lease and Operation Exemption
with Interchange Commitment–Union Pacific Railroad Company

Rebuttal on Behalf of the Brotherhood of Railroad Signalmen

Central Oregon & Pacific Railroad (COPR) asserts that the Brotherhood of Railroad Signalmen (BRS) acknowledges there is no impact to labor, but this claim is misleading for several reasons. COPR failed to notify BRS in advance, despite notifying other labor organizations. BRS only became aware of the transaction through the Federal Register and subsequent discussions with Union Pacific (UP) management. The absence of a formal notification denied BRS an opportunity to proactively assess the impact and advocate for our members before the decision-making process advanced.

COPR selectively cites BRS's statement that *"the current arrangement of maintenance and testing may not directly harm our membership"* while ignoring that BRS expressed concerns about the broader implications of the transaction. BRS explicitly stated its opposition to the loss of work and pointed out the potential for future job losses. By framing BRS's recognition of current stability as an endorsement of the transaction's labor impact, COPR completely mischaracterizes BRS's position.

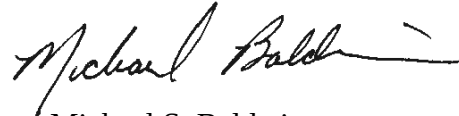
COPR argues that BRS was informed through the Federal Register, but this does not satisfy the regulatory requirement for direct notice under 49 C.F.R. §1150.42(e). The regulation mandates proactive notification to affected labor organizations to ensure fair engagement, not passive reliance on public postings. The Board's decision to stay the transaction and instruct COPR to notify BRS validates this point and stresses the necessity of proper notification.

The original Notice of Exemption, filed on December 10, 2024, failed to disclose that 10 highway-rail grade crossings were included in the transaction. More often than not, our members continue to maintain signal equipment in similar transactions. However, this exclusion prevented BRS from fully understanding the transfer's scope and its potential impact on signal maintenance work. When BRS sought clarification from UP regarding the details, we were misled about the transaction's true impact. By withholding information, UP and COPR limited BRS's ability to respond effectively and advocate for our members.

Without proper notification and full disclosure, BRS cannot adequately assess the consequences of losing maintenance responsibility for these 10 highway-rail grade crossings. If these responsibilities are transferred without our knowledge, there is no way to determine whether existing signal employees will be reassigned, replaced, or if staffing levels will be reduced over time. By failing to notify BRS, UP and COPR have effectively undermined our ability to advocate for our members and protect their jobs.

For any further discussion or clarification, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Baldwin", with a stylized flourish at the end.

Michael S. Baldwin
President

cc: All parties of record