



Brotherhood of Locomotive Engineers and Trainmen

A Division of the Rail Conference-International Brotherhood of Teamsters

OREGON STATE LEGISLATIVE BOARD
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CHRISTOPHER L. MYRON
Chairman

TO: Chairs McLain and Gorsek
Vice-Chairs
Members of the Committee
RE: SB 723 Support

My name is Christopher Myron, Chairman of the Oregon State Legislative Board of the Brotherhood of Locomotive Engineers and Trainmen as well as a railroad engineer of over 20 years. I live in Klamath Falls and am an Oregon native.

I wanted to say a few things in support of Senate Bill 723. During my career, I have seen many, many changes. Few good. Mostly not so much. When I first started, many trains still had three people, with two being the bare minimum, a locomotive engineer and conductor. Throughout my career, this has been the status quo and needs to remain so.

Although there are countless reasons to support this bill, I first want to highlight a few areas those on the opposite side may attempt to misdirect you on.

First off, we are not seeking to add anything with this bill. It simply maintains the status quo of two qualified people on a train, something already established under a federal ruling. The railroads will mention that this is already a federal ruling so there is no need for a state law, but what they most likely won't mention is that they have filed suit against the rule-making. They are hoping this fails on a state level while simultaneously fighting against it on a federal level. We are hoping to be among the 13 other states, including CA and WA, with similar legislation already on the books with many others currently pursuing it. We aren't trailblazing some outlandish bill or usurping any authority, we are merely advocating that Oregonians have a say in their public safety when it comes to railroads.

Additionally, you may hear this is a collectively bargained issue. Although certain crafts and positions have been revised with collective bargaining through the years, it is our position that in no way a crew should fall below two people. It is such an imperative position that as I mentioned, there is an FRA ruling mandating the second position. We are just pursuing a backstop on a state level. This is not an attempt to override the collective bargaining process, it is just our position that public safety has no place in the collectively bargained realm.

Another misdirect by the opposite side may indicate that this issue is preempted, however this holds no merit. That's a simple fact. Many states have various laws and agencies governing railroads that operate in their state, including 13 other states with mandatory two-person crew size laws, including Washington and California.

Finally, they may claim with advancing technology that the requirement for a second person is not needed. As a locomotive engineer, I can tell you that is 100% not the case. The technology they may reference include Positive Train Control, a system that assists the crew in operating within the limits of their authority. But it is riddled with problems. Energy Management Systems such as Trip Optimizer or Leader are other systems that act as a sort of cruise control, but, you guessed it, fail on the regular and have led to derailments, equipment damage, and even injuries to crew members. The technology is nowhere near as capable as they may have you believe. We are strong supporters in technology. But only in safe, effective technology that will help us to do our jobs safer.

I can give you countless examples from my career when a second person was needed to avoid catastrophe. I have seen and heard time and time again of the second person assisting injured people involved in train vs. pedestrian or vehicle incidents, responding to equipment failure, separating a stopped train at a crossing to allow emergency vehicles responding to a call to pass through, and simply to be the second set of eyes looking for hazards along the typical 12-hour journey a train takes from one point to another. A 12-hour journey often completed with inaccurate lineup information. A lineup being how railroaders are placed in an order for call. This is an extremely volatile with call times swinging back and forth from hours to even a day or more. No joke, we even call it a lie-up.

So I'll close with this: Imagine you're an engineer. You've checked the lineups all day and your projected call consistently has been showing 9am the next morning. You decide to spend a little extra time in the evening with your kids to make up for being gone so much throughout the week. You eat a good meal and spend some time with your spouse. Then as you lay your head on your pillow to get sleep at 9pm, your phone rings. It's the railroad's automated system, i.e. their wonderful "technology," calling you. Your call has moved up nearly 12 hours, you now have to report at 10:30pm and remain on duty until 10:30am, operating a 20,000 ton train full of the nastiest chemicals and compounds throughout the state. And there is little recourse you can take, if you don't take the call, you could face termination.

This is akin to someone being told, without notice, to hop in their car just as they were planning to get some sleep, and drive from Salem to Bakersfield or Salt Lake City, both are about 12 hours away. They don't know when they'll get to stop to use the facilities, even if at all. Oh, and they can't listen to music, that isn't allowed under rule. They can't read either. Phones? Nope, those have to be off and stowed. All they can do is drive, non-stop.

Now imagine doing that all alone.

Are we as Oregonians willing to allow this absurd lack of safety on the railroads in our state? I say no. We are better than that. We are smarter than that. And the hardworking railroaders of this state deserve better than that. Their families deserve to have them come home safely. And we, as Oregonians, deserve to have our communities near railways safe. This is the crux of the bill, safety. No smokescreens, no misdirects, just safety.

Thank you for your time.

Christopher Myron
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Brotherhood of Locomotive Engineers and Trainmen
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