

**Pennsylvania Federation BMWED - IBT
Northeast System Federation BMWED- IBT
Amtrak Eastern General Committee - BRS
American Railway and Airway
Supervisors Association MW-IAM**

421 North Seventh Street
Suite 299
Philadelphia, PA 19123

June 3, 2016

Dear Brothers and Sisters,

This letter is a report to you about the discussions we have been having with senior Amtrak management to make the property a safer place to work. The short answer is there is minimal progress and it is clear we are on our own when it comes to protecting our lives. Our management believes that a safety program means you issue instructions and dismiss anyone who violates the instructions, spy on everyone by putting cameras that record sound and audio in every Amtrak vehicle, and drug test any employee near any accident whether they were involved in the accident or not. This Amtrak management refuses to take responsibility to fulfill their legal requirement to provide a safe place to work. Every day we go to work under their leadership our lives are in danger; therefore we need to defend ourselves against their union busting, arrogance and incompetence.

This management is in the top ten companies with the highest number of OSHA whistle blower complaints against them. These complaints are filed by employees because Amtrak intimidated and discriminated against them when they spoke out about things that are wrong about Amtrak, including, but not limited to, safety. This management team has brought us two train wrecks with eight passenger fatalities and both of these accidents could have been prevented if they had done their jobs as managers. We have had four employee fatalities since they cancelled the close call policy 18 months ago that served management and labor well for 14 years. These fatalities could have been prevented, but management prefers to issue memos and threats to hide their responsibility rather than meet their legal obligation to provide a safe work place.

In our meetings with management, since the last two needless fatalities, they have agreed to put the NORAC shunting rules back into the Roadway Worker Protection manual. They have also agreed to reissue the hot spot book that was developed to establish the minimum number of necessary watchmen to provide us enough advance notice to ensure that every worker is in a place of safety at least 15 seconds before a train approaches the work site. Moreover, they have agreed to increase the number of Supervisor mentors from one to five. These are all good changes but they are minor. While we are making some progress on re-establishing the close call policy, it is not yet re-established. They continue to practice management by fear and intimidation by threatening to dismiss any worker that they catch violating the cardinal rules. They

acknowledge the need to make significant changes in the training programs for RWP and NORAC, but indicate that this will take at least a year. They promise to include us in the revamped training program, but these are just words and given their track record we have no reason to believe there will be any meaningful change in the training.

The level of arrogance and ignorance we are encountering is infuriating. The current Amtrak management has no intentions of truly cooperating, or collaborating, with us to make the railroad a safer place to work. Our anger will not make Amtrak a safer place to work. Only our solidarity and courage will allow us to survive the current period in which they are in charge. If we want to stop the slaughter on the railroad we will have to do it ourselves. This management is most interested in shifting blame to the employees to pit workers against workers in order to weaken and break our Unions.

We are sticking together. We are calling upon all members of all of our Unions to apply the following rules to ensure the safest possible work place for all.

Use of Supplemental Shunting Device

NORAC Rule 140-S2 requires the employee in charge of "covered fouling activities" to apply an approved Supplemental Shunting Device (SSD) to the track(s) to be fouled, after receiving foul time from the Dispatcher or Operator. The Rule requires an SSD when equipment is used to foul the track for more than 5 minutes. However, it goes on to say,

"Roadway Workers performing service without equipment may elect to use an SSD."

We call upon all members of the Unions to insist that a Supplemental Shunting Device is applied to track(s) to be fouled whenever foul time is requested from the Dispatcher. Our lives depend on this. If there is not enough time to apply the SSD, and verify it in accordance with the rules, then wait until there is enough time. Do not work under foul time without an SSD.

Hot Spot Book - Placement of the Minimum Number of Watchmen

The hot spot book indicates how many watchmen and advance watchmen are needed to ensure that every worker is in a place of safety at least 15 seconds before a train approaches the work site. Federal law requires the 15 seconds. Incredibly, we still have managers who are only calling the hot spot book a "guide" and trying to convince the employee in charge, or the gang members, to work with less than the minimum watchmen needed to perform the job in accordance with the requirements of Federal law. At every on track safety job briefing, the hot spot book should be consulted

and a determination should be made as to whether the minimum number of watchmen necessary is enough to perform the job safely. Never go on the tracks with less and make sure the minimum necessary is enough.

We call upon all members of the Unions to insist that the minimum number of watchmen necessary, as established by the hot spot book, is available to perform the job in question. If the minimum number is not available wait until management provides the minimum number or perform another task. Do not be intimidated by a management that has never worked on the railroad and thinks our lives are less important than getting the job done.

NORAC Rule 140-S1 Foul Time

Norac Rule 140-S1 permits the employee who has been granted Foul Time by the Dispatcher to permit other employees to join the work under that employee's foul time permission. An additional job briefing is required for the new employees. Obviously, if it is the same job then we have no problem permitting this to happen.

However, this rule is being routinely used to permit other work, at other locations, by other work groups under this foul. The work has nothing to do with the request for the original foul time. This practice is called "piggy-backing." Under no circumstances is this a safe practice and we call for it to stop immediately. Foreman, or other employees in charge, who permit this put themselves in great danger of discipline as they are also responsible for everything this new work group does. This added responsibility is ridiculous because sometimes you can't even see what the new work group is doing. Do you really think this management team will have your back when something goes wrong?

We call upon all members of the Unions to immediately halt the practice of piggy-backing. The employee in charge should always refuse access to the foul time protection issued to them by the Dispatcher to other work groups not related to their job site.

Unfortunately, Amtrak management is more interested in marginalizing the unions, and blaming the employees, than meeting their legal obligations to provide a safe work environment. They are not competent to manage the tough job of operating and maintaining a railroad. Their expertise is in blaming others for their failure and in union busting. For the most part, they are either government bureaucrats with no railroad operational or maintenance experience, or they are hired from failed railroad systems that have even worse safety records than Amtrak (METRO and Metro North). Rather than providing leadership, they are literally polishing their resumes with the blood

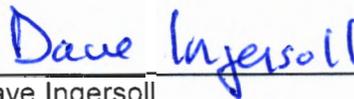
of the employees and passengers before their "careers" take them somewhere else.

We are not going anywhere. The question is how many of us will pay the ultimate price to go to work under these conditions before they are gone? We are determined to have no other fatalities on this property. This will require each of us to stick up for each other and insist that when there is descretion in the rules that the safest path is taken. If this means work must wait before it can be done safely, then it means work must wait before it can be done safely.

In Solidarity,



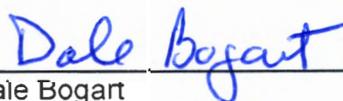
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