

What 1 Will Not Fail

To Mention About Chicken-Pack

Robert B. Frank

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Leg. Rep. - Div. 839

Railway Age (July issue) kindly and very generously printed my editorial entitled: Conventional vs. Remote Control. Among the points made was a derby challenge for any cherry picked Belt-Pack crew to approach equal or exceed 2/3 of our productivity with a conventional switch engine. So that no particular railroad might suffer the agony of defeat, the derby could have been hosted by the Pueblo, CO R.R. Test Facility. Competitive sport is a very logical and humane alternative to war and/or anarchy. The spirit of "John Henry and his R.R. hammer" would agree. Sadly, this stuff of legend will never happen because Belt-Pack and all its cowardly cronies have ignored our derby invitation. "That's right," they have lost by default. Therefore and henceforth, I will refer to Belt-Pack as "Chicken-Pack".

Speaking of the July Railway Age, did you notice there was not a single Chicken-Pack advertiser in the August, September or October issues of this publication? For three months, I was under the idea that Chicken-Pack suppliers were sore losers over the July issue. Further investigation, however, proved myself wrong. The Chicken-Pack advertising was suspended due to lack of money. Why? In the industry's rush to implement Chicken-Pack, more U.S. units have gone into service in the last several months than in the last several years combined. The haste of this "cram-down" has triggered warranty claims resulting in trade-out exchanges, next-day deliveries, lodging and airline tickets for Chicken-Pack repairmen, retro-fitting, etc., etc., etc. The ChickenPack suppliers can now join the line of losers behind rail labor, rail carriers and rail customers. Bad enough, that engineer careers were traded in for the less than marginal economics of Chicken-Pack. Almost good enough, however, that the one-time, would-be profit from the sale of a Chicken-Pack has been traded in for warranty cancer. This is better than poetic justice.. -it's instant Karma!

Speaking of railroad publications, Union Pacific recently issued a press release stating Chicken-Pack will be implemented system wide in order to avoid radio confusion between trainmen and engineers. Damn it, give me a break! Radio rules aren't even enforced, let alone retaught. As a BNSF safety rep., I have lost track of the number of times I have begged, yelled and lobbied to clean up the radio rules. Remember, a rule not enforced is not a rule. Therefore, we can only conclude that the carriers are hoping for...no, praying for conventional switch en\$re disasters to support their case for Chicken-Pack! Obviously, we as engineers will need to enforce the radio rules ourselves. Safety and rules enforcement is too important to be entrusted to rail management alone, who have too many conflicting interests of greed, politics and mere organizational suß'ival. So I beg you, my brother engineers, to not allow your brother trainmen to start their moves by giving car count first and job number last! This is ass-backwards and is non-compliant with GCOR 2.2 and 2.13! I can't stress enough, the importance of demanding that the distance to be moved be placed

in the middle of the radio transmission. Remember, the numbers one thru ten all have one syllable except for the number seven. The new radios are engineered to "step" on the first spoken syllable, no matter how soon you press the transmit button. The painful point of all this is that we need to be better and safer than the electronics, which are trying to replace us; not just for the love of our family's economic well being, but for our very survival as a species of craft — over 139 BLE years and counting.

Speaking of Union Pacific, I'm told their UTU engineers are allowed to train on ChickenPack, but BLE members are not. The U.P. atrocities don't stop here. The U.P. is also placing a third switchman in the locomotive cab of certain Chicken-Pack jobs to enable point protection. Obviously, the BLE is being savagely teased for the purpose of suckering us into a wildcat strike. Please don't fall for this public relations booby trap. Far better that we might follow another course of action, which is legal, and explained in the next and perhaps most important paragraphs.

Even on the BNSF, engineers have been denied Chicken-Pack training, despite their trainmen flow-back rights. These denied engineers have yet to submit the special claims over this loss of rightfi-ll opportunity. You know the syndrome- What do I claim? How do I claim it? I'll wait years for my special claims pay. The carrier will deny it anyway etc., etc. Disingenuous rail management negotiates perfectly legitimate special claims, by simply denying them, for the engineered purpose of slowly evaporating our contract(s) away, without our negotiation. Chicken-Pack, however, is far too important for special claims to go unsubmitted. The buck has to stop here for the most important issue in BLE history, so far. Be mindful that radical problems require radical solutions. So, are you ready? Are you ready to oVercome the obstacles?

As you know, today's special claims require the competence of an attorney, literally. The process is so time consuming, long and complex, ill-thanks to the carriers, that a 33 1/3% attorney-like commission should be paid to that elected offcer(s) of egalitarian heroism, with a proven track record. Every Local Division has at least one. As you read this, you will know who that person(s) is already. Please don't begrudge him, his commission pay. He will earn it. (A salary, which is incentiveless, is not recommended) Afterall, his 33 1/3% of something is infinitely better than your 66 2/3% of nothing. Come to think of it, why not expand this program to include special claims, in addition to Chicken-Pack. The sad truth is, for every one claim submitted, there are at least 20 that aren't.

Think of this process as a Special Claims "Machine" to be run by a Special Claims Para Legal Officer, with Durable Power of Attomey. The advantages of running claims through the "Machine" would be many. For example, CONVENIENCE, in-depth historical knowledge, standardization, networking, blanket retro-writing, authority of weight, economy of scale, honed professionalism and monitoring of boards and claims — "when you didn't even know that you had a claim coming". Of course, you could still submit your own claims, but personally, I would choose the "Machine", instantly.

Ideally, 49% or less of why we submit special claims is for the extra pay. Ideally, 51% or more of why we submit special claims is to enforce the contract(s). The Special Claims 'Machine', if implemented across the U.S. (like Chicken-Pack), would force the carriers to negotiate in good fait}L those parts of the contract(s) needing revision, to produce winwin contractual opportunities for us and the carriers. I would also anticipate that with the backing of the "Machine", all BLE officers and members will have more co-operation when

dealing with disingenuous carrier officials. This is what we're proposing for Division 839 — a darn good Local. We would appreciate national input for our business model.

Getting back to Chicken-Pack — suffice it to say, there is a point where cost effectiveness ends and greed begins. There is a point where greed ends and false economy begins. There is even a point where false economy ends and economic chaos begins. We are at that latter point with Chicken-Pack. To wit and in conclusion, honest railroad officials freely admit that for every switch-engine engineer that has been pulled off due to Chicken-Pack, at least one switchman has been added back in his place. Also, honest railroad computers freely admit, where Chicken-Pack is in use, terminal dwell time for rail cars has increased by 1/3, which proportionately mirrors Chicken-Pack's 1/3 less productivity. If, for example, your terminal has an average inventory of 1,000 cars x one dollar per car-hour x an extra 8 hrs. per car, the extra \$8,000 in rail car usage per day is several times more than what the switch-engine engineers would have cost, not to mention the delay to customer shipments, plus the costs of Chicken-Pack ownership. "I think I'll buy some railroad stock for my three daughters". Thank you.