



united transportation union

JASON T. BOSWELL
General Chairperson
PERU, IN

GUY C. FREDERICK
Assistant Chairperson
BELLEVUE, OH

JAMES P. CURCIO
Associate Chairperson
MAUMEE, OH

GERALD WOHLGEMUTH
Secretary
HUNTSVILLE, MO

MARK A. MCKEE
Sr. Vice Chairperson - NKP
NEW HAVEN, IN

Mr. Terry N. Evans
Vice President Transportation
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510

General Committee of Adjustment NORFOLK SOUTHERN RAILWAY

(Nickel Plate, Wabash, and portions of former Conrail)

817 Kilbourne Street
Bellevue, Ohio 44811-9407



June 3, 2013

WALTER Y. HOWARD
Sr. Vice Chairperson - WAB
TAYLOR, MI

ROBERT A. HAGEN
Sr. Vice Chairperson - CR
SUSQUEHANNA, PA

DAVID M. ORONA
Jr. Vice Chairperson - NKP
TINLEY PARK, IL

DANIEL C. CALHOUN
Jr. Vice Chairperson - WAB
DECATUR, IL

GREGORY M. REAGAN
Jr. Vice Chairperson - CR
ADDISON, NY

Dear Sir:

Over the past several months, I have received numerous complaints about the direction of the Safety/Service Committees, the abuse and disregard of the intent of the START Policy, and general disrespect for this Union and its agreements.

After a conference call with the Executive Board of this Committee, it was decided to express our concerns on several items and attempt to receive cooperation from the Carrier to solve these issues. Otherwise, this Committee's participation in Carrier sponsored committees/programs will cease effective June 15, 2013.

The United Transportation Union has always endeavored to not only work with the Carrier to remain a respected and viable rail transportation company but to also experience growth in our industry that is mutually beneficial. As stated, over the past several months a consistent breakdown of labor-management relations has occurred that has left morale, trust, and respect at an extremely low point.

Several issues have created this serious situation and necessary reaction by this Committee:

- 1) Since the latest revision to the START Policy last year, the level of discipline has increased. In most instances, the START Minor has actually vanished and most violations are now considered Serious. In addition, the maximum level of discipline for Serious offenses (10 days deferred or 10 days actual) is automatically offered to the employee. No variance for work record, attendance, or extenuating circumstances is even considered. In several instances, employees are immediately withheld from service for several days which creates management incentive to elevate the offense to a Major just to coincide with the discipline parameters of the START Policy.

- 2) Safety and Service Committees and other Carrier sponsored committees seem to be bound by budget instead of the intent of the program. Employee participation and involvement on these committees has dwindled to a bare minimum. In many cases, large districts only have one engineer and one conductor on the committee. In the past, Local Chairmen and Legislative Representatives were always included on the committees without taking away or limiting participation for other employees, however this has ceased as well. The Carrier seems to "hand pick" the transportation employees who become a part of these committees rather than involving the organizations. It is fundamentally clear that a distinct correlation subsists between employee participation and reduction of injuries and unsafe practices. This Committee subscribes to participation in committees that are innovative, collaborative, and shared projects. However, we will not participate in the current committees which have strayed from the proven processes and directions of past committees that produced a safer work environment.
- 3) LET/ACT training has evolved into a classroom program instead of a hands-on approach. Trainees are required to attend periodic classroom training that takes away valuable time and experience from actual on-the-job training. As you know, the training programs are extremely limited in duration and this further reduction in training time to watch videos and have classroom discussions is very unproductive. This Organization expects our local officers to be involved in these training programs, however in many cases, their participation is excluded and suggestions to improve training are ignored by Division Training Coordinators.
- 4) A general disrespect for this Union and the craft of conductor appears to be occurring from the top down by the Carrier. In addition to the items listed above, several other instances point to this concern. Several divisions continue to fail to invite myself and some Local Chairmen to labor/management meetings that have direct impacts on our agreements and our membership. The Carrier failed to renew guaranteed extra-board agreements for 2013 at locations that wished to keep them in place. Several locations that have furloughed employees are running short on manpower, but the Carrier fails to recall employees. Blatant violations of our Collective Bargaining Agreement and Crew Consist Agreement continue but claims and grievances are ignored or denied. Most notably, the Carrier has failed to negotiate fairly and in good faith in reaching an on-property agreement provided by the 2011 UTU National Agreement.
- 5) The new ADI training that intends to provide a behavioral and cultural change to this railroad seems to be an overwhelming disappointment. The new "kinder and gentler" railroad is nowhere to be found. Intention without action is useless! The ADI training to management is full of intentions, but the actions are missing. This can be evidenced by the treatment employees receive daily in relation to the above issues. I sat in a conference room with Executive Vice President and Chief Operating Officer Mark Manion over a year ago and listened to his commitment and dedication to this process, yet that has not trickled down to the lower levels of management.

Mr. T. N. Evans, VP-Transp
June 3, 2013
Page -3-

These topics reflect but a few of the ingredients that have led to this unrest amongst our membership and action by this Committee to withdrawal from any participation in Carrier sponsored committees/programs.

The UTU will continue to be a dedicated advocate for safety, service, and training but will not continue to cooperate in committees/programs only to experience disregard and disrespect of our rights, agreements and our membership.

Your timely response to this crucial matter is vitally important.

Sincerely,



Jason T. Boswell
General Chairperson
United Transportation Union

cc: M. D. Manion, VC and COO
S. R. Weaver, VP LR
NS General Managers
NS Division Superintendents
UTU NS General Chairpersons
UTU State Directors
All Local Chairpersons
All Local Secretaries
All Local Presidents