

Update on S. 1889 – the Railroad Safety Enhancement Act of 2007

There has been some noise concerning S. 1889, but as yet the bill has not come to the floor for a vote. Currently, a hold has been placed on the bill which prevents a vote.

One of the biggest issues of the bill deals with amendments to the Hours of Service Act. The Carriers, through the American Association of Railroads (AAR), were able to insert a cap of 276 hours per month combined on-duty time and limbo time. This double standard of including limbo time for some purposes, but not including it for others, needs to be changed. If limbo time is taken out of the equation, the need for the cap completely disappears. Also, capping hours worked per month does nothing to address the issue of fatigue, which is a big reason to have a rail safety bill.

The bill also provides for a 3-hour daily limbo time allowance with no cap, allowing the Carriers to continue their abusive practice.

The bill provides, in part, for:

- a fatigue related pilot project;
- development and implementation of critical incident stress debriefing programs;
- protection from harassment for medical treatment; and
- increased standards of training.

to name just a few.

Provisions we oppose include:

- creation of a security department within the FRA, allowing police-like access to criminal records and databases with almost no protection for the employee; and
- FRA monitoring of radio channels exposing BLET members to increased risk of discipline or federal enforcement action.

Our best hope of incorporating the many beneficial provisions contained in H.R. 2095, the House version of the Rail Safety bill, will come through a conference committee if the Senate bill is passed.

If the hold is removed from the bill, we will advise of the next course of action. --