



Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Freddie N. Simpson
President

David D. Joynt
Secretary-Treasurer

March 19, 2020

Mr. Pat Ottensmeyer
President & CEO
Kansas City Southern Railway Company
P. O. Box 219335
Kansas City, MO 64121-9335

Dear Mr. Ottensmeyer:

Under letter dated March 11, 2020 (attached), the rail chiefs of the Cooperating Railway Labor Organizations (CRLO) submitted a letter to National Railway Labor Conference (NRLC) Chairman, Brendan Branon, urging the rail industry to suspend all attendance policies in effect, take no disciplinary action for employees who stay home due to illness and to provide paid sick leave for such employees. The CRLO further urged the rail industry to take actions to provide appropriate sanitation supplies to railroad employees and further inquired of the specific steps rail carriers were taking to protect the health and safety of railroad workers during the COVID-19 epidemic.

NRLC Chairman Branon responded under letter dated March 13, 2020 (also attached), advising that prevention and response plans – which include workplace sanitation, hygiene and attendance policies - were being developed and implemented on an individual carrier basis and communicated directly to the employees of the respective carrier, as well as the General Chairperson(s) and Local Chairperson(s) representing such employees. However, to date, several members and the General Chairperson(s) remain unaware of these alleged preventative and response plans and any related policies.

Therefore, I am hereby requesting that the Carrier immediately provide copies of its preventative and response plans and any related policies regarding attendance for BMWED-represented maintenance of way employees. Furthermore, I hereby urge you to amend such plans and policies if they do not currently contain the recommendations specified within the CRLO's March 11, 2020 letter.

We are in a national crisis and while we must keep the country moving so that citizens' needs can be met, we must also do it in as safe a manner as possible by providing railroad workers basic necessary protections within the workplace and the benefits necessary to address their needs should they fall ill due to the COVID-19 epidemic. I anticipate your response.

Sincerely,

Freddie N. Simpson
President

cc: R. Sanchez
D. Albers
R. Morrison

H. Granier
P. Kennedy

Z. Voegel
R. Shanahan

Attachments

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Cooperating Railway Labor Organizations

Health and Welfare Committee

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Rockville, MD 20850
301-948-4910

R. A. Scardelletti
Chairman

D. R. Pierce
Vice Chairman

F. L. McCann
Treasurer

American Train Dispatchers
Association

Brotherhood of Locomotive
Engineers and Trainmen
Division/IBT

Brotherhood of Maintenance
of Way Employees Division/IBT

Brotherhood of Railroad
Signalmen

International Association of
Machinists and Aerospace
Workers

SMART Mechanical
Department

International Brotherhood of
Boilermakers, Iron Shipbuilders,
Blacksmiths, Forgers and
Helpers

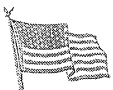
International Brotherhood of
Electrical Workers

National Conference of
Firemen & Oilers/SEIU

Transport Workers Union

Transportation
Communications Union/IAM

SMART Transportation Division



United We Stand



March 11, 2020

VIA EMAIL

Mr. Brendan Branon, Chairman
National Railway Labor Conference
251-18th Street, South, Suite 750
Arlington, VA 2220

Dear Mr. Branon:

With the ongoing news stories about the COVID-19, concerns have been raised over procedures and steps the railroad industry is taking to protect its workforce against the ongoing coronavirus, or COVID-19, pandemic. Given that the Centers for Disease Control and Prevention (CDC) has confirmed cases in at least 39 States, for which some have called for State of Emergencies, we urge all railroads to take immediate steps to protect our membership and the coworkers and public with which they have contact.

While other industries are already taking action, for example, airlines are cancelling flights to areas of high infestation and by multi-national employers who are restricting employee travel to such areas and the Cruise Lines International Association (CLIA), the leading voice of the global cruise industry, announced the adoption of additional enhanced screening measures in response to COVID-19 – little is known about what protective measures the railroad industry is taking.

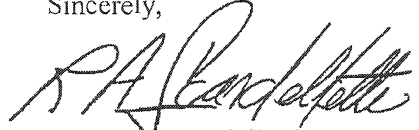
Given the below CDC recommended guidelines, it is requested that all attendance policies be suspended; there be no discipline for any employee who stays home due to illness, and given that not all employees have sick leave, all employees who stay home should receive paid leave. Further, appropriate sanitation to cleanse surfaces and common areas where employees work should be performed and supplies of hand sanitizers and wipes that contain at least 60-95% alcohol and wipes be made readily available.

The recommendations of the CDC are employees should:

- **Actively encourage sick employees to stay home:**
 - Employees who have symptoms of acute respiratory illness are recommended to stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick.
 - Ensure that your sick leave policies are flexible and consistent with public health guidance and that employees are aware of these policies.
 - Do not require a healthcare provider's note for employees who are sick with acute respiratory illness to validate their illness or to return to work, as healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.
 - Employers should maintain flexible policies that permit employees to stay home to care for a sick family member. Employers should be aware that more employees may need to stay at home to care for sick children or other sick family members than is usual.
- **Emphasize staying home when sick, respiratory etiquette and hand hygiene by all employees:**
 - Place posters that encourage staying home when sick, cough and sneeze etiquette, and hand hygiene at the entrance to your workplace and in other workplace areas where they are likely to be seen.
 - Provide tissues and no-touch disposal receptacles for use by employees.
 - Instruct employees to clean their hands often with an alcohol-based hand sanitizer that contains at least 60-95% alcohol, or wash their hands with soap and water for at least 20 seconds. Soap and water should be used preferentially if hands are visibly dirty.
 - Provide soap and water and alcohol-based hand rubs in the workplace. Ensure that adequate supplies are maintained. Place hand rubs in multiple locations or in conference rooms to encourage hand hygiene.
 - Visit the coughing and sneezing etiquette and clean hands webpage for more information.
- **Perform routine environmental cleaning:**
 - Routinely clean all frequently touched surfaces in the workplace, such as workstations, countertops, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label.
 - No additional disinfection beyond routine cleaning is recommended at this time.
 - Provide disposable wipes so that commonly used surfaces (for example, doorknobs, keyboards, remote controls, desks) can be wiped down by employees before each use.

I trust you share my concerns over the severity of this situation, and I look forward to learning what specific steps the railroad industry intends to take to address this threat to the health and safety of our members.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. A. Scardelletti', written in a cursive style.

Robert A. Scardelletti
Chairman

cc: CRLO Chiefs

<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

<https://cruising.org/news-and-research/press-room/2020/march/clia-covid-19-toolkit>

NATIONAL RAILWAY LABOR CONFERENCE

251 – 18th STREET, SOUTH, SUITE 750, ARLINGTON, VA 22202 / TELEPHONE: 571-336-7600 FAX: 571-336-7605

BRENDAN M. BRANON
Chairman

JEFFREY F. RODGERS
Vice Chairman

MICHAEL P. MARATTO
General Counsel

VIA USPS AND EMAIL

March 13, 2020

Mr. Robert A. Scardelletti
President
Transportation-Communications International Union
3 Research Place
Rockville, MD 20850

Re: Coronavirus and COVID-19

Dear Mr. Scardelletti:

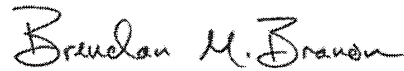
I am writing in reply to your recent letter dated March 11, 2020 regarding the SARS-CoV-2 coronavirus and the COVID-19.

The National Railway Labor Conference and its member carriers are committed to promoting and protecting the health and safety of the nation's freight railroad employees, families, and communities. We have been actively monitoring the health threat posed by the spread of the COVID-19 virus. Our member carriers have been working closely with their medical experts to implement and maintain prevention and response measures that are consistent with CDC recommendations and guidance and that appropriately safeguard employees and operations.

As this situation has progressed, prevention and response measures have been developed and implemented by each carrier. These responses have been communicated by the carriers directly to their employees and their associated General and Local Chairmen and are being continually updated, daily in many cases. These communications address how carriers are responding to the COVID-19 virus and cover many of the areas noted in your letter, including attendance policies, personal hygiene, and workplace cleaning measures. Specific questions relating to a carrier's response may be raised directly to the contacts identified in the applicable carrier's communications or to the carrier's labor relations department.

If you wish to discuss further, please feel free to call me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Brendan M. Branon". The signature is written in a cursive, flowing style.

Brendan M. Branon

cc: NCCC Members (via email only)
CRLO Chiefs (via email only)