



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

Freddie N. Simpson  
*President*

Dave D. Joynt  
*Secretary-Treasurer*

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Mr. Michael Rush  
Senior Vice President Safety and Operations  
Association of American Railroads  
425 3<sup>rd</sup> Street SW, Suite 1000  
Washington, DC 20024

Dear Mr. Rush:

BMWED and the railroad companies represented by the AAR share the common need to provide our members, their employees, with the safest workplace possible. This goal is embedded in the Preamble to the BMWED Bylaws: "The objectives of the Brotherhood are... 4) to alleviate distress and suffering caused by sickness and disability among our members." The same aspiration is foundational to industry safety rules.

Similar interests are also reflected in numerous federal statutes and regulations. Several of these regulations specifically encourage and even require collaboration and cooperation between BMWED and railroad companies to identify and mitigate, or if possible, eliminate, health and safety hazards associated with the workplace.

Over the years, BMWED representatives have anecdotally noted reports of adverse health and safety outcomes among our members. But action cannot be predicated on mere anecdotal reports. Seeking clarity, BMWED embarked on a mission to establish objective scientific metrics concerning the health and safety status of our members and retirees. Beginning in 2015, BMWED engaged a team of highly-credentialed researchers to design, direct and author a Maintenance-of-Way (MOW) Health and Safety research study. The purpose of this effort was to identify potential safety and health risks, if any, impacting MOW workers.

We are confident that our research study is mirrored in similar efforts conducted by AAR and its various member railroads.

In our respective roles, labor and industry are mutually bound by common purpose, moral obligation, and legal requirements to understand and address potential health and safety hazards in the railroad work environment. We are also obligated to collaborate and cooperate by statutory and regulatory incentive. Our statutory mandate begins with the Rail Safety Improvement Act (RSIA) of 2008, which requires the development of railroad-specific risk reduction programs that systematically evaluate safety risks on railroad transportation systems. The same mandate requires management of those risks to reduce railroad accidents, incidents, injuries, and fatalities. The Federal Railroad Administration (FRA) has promulgated additional regulations (49 CFR Parts 270 and 271) to implement the requirements of the Act for passenger and freight railroads, respectively.