

Oregon Joint Transportation Committee

March 4, 2019

Testimony in Opposition to HB 2907

Rod Doerr – Union Pacific Railroad VP & Chief Safety Officer

Chair Beyer, members of the Committee, my name is Rod Doerr. I am the Vice President and Chief Safety Officer for Union Pacific Railroad. I am here today to respectfully express opposition to HB 2907.

Safety is Union Pacific's No. 1 priority. As a company, we continuously look for innovative approaches to enhance the safety of our employees, communities, and the customers we serve. We invest significant resources in training, research and development, and public education to improve safety across our company.

Historically, safety and technology improvements have been a primary catalyst for crew size related negotiations. As a result of these improvements, rail labor and rail management have agreed to reductions in crew size from as many as five persons in the 1970s to two persons on most territories today.

These collectively bargained crew reductions were achieved without compromising safety. Rail employee injury, train accident and grade crossing collision rates have declined by 79 percent or more since the 1980s. And hazardous material accidents rates are down 91 percent.

In every category and metric used to measure safety outcomes, Union Pacific is proud to have achieved exceptional safety records in what is already the safest industry for ground freight transportation. According to the U.S. Bureau of Labor Statistics, railroads have lower employee injury rates than most other modes of transportation and major industry groups, even grocery stores. In fact, for the 4th consecutive year Union Pacific is the safest railroad in the U.S. as measured by the Federal Railroad Administration (FRA).

As proud as we are, we will not be satisfied until we reach our target of ZERO accidents, injuries or fatalities involving employees, pedestrians, drivers, and trains.

FRA has acknowledged there is no safety justification for mandating crew size. Specifically, the FRA stated, "[We] cannot provide reliable or conclusive statistical data to suggest whether one-person crew operations are generally safer or less safe than multiple-person crew operations." (2016 Notice of Proposed Rulemaking.)

Additionally, in 2016, National Transportation Safety Board Chairman Christopher Hart testified: "Based on our limited experience in this and other modes, we don't find that two-person [train] crews offer a safety benefit."

Risk based safety programs such as Union Pacific's RIM program – Rim stands for Risk Identification and Mitigation will inform our approach as we contemplate different work practices to move the nation's freight. The Federal Railroad Administration and our labor organizations will accept nothing less.

Please allow labor and federal regulators to continue producing ever better safety results. Passing a law that upsets these forces may have unintended consequences as we strive to remain a relevant mode of transportation.

In light of the interstate nature of rail transportation, the FRA's role in regulating railroad safety, lack of evidence demonstrating multiple-person crews are safer than single-person crews, the potential negative impact of minimum crew size legislation on superior technological improvements, and the historical role of collective bargaining addressing this issue, states should not attempt to legislate in this space.

Again, safety can only be advanced by the industry's experts developing new processes and technology together, labor and management.

For these reasons, I respectfully request a NO vote on HB 2907.

I am happy to answer any questions.