



United Passenger Rail Federation  
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION  
International Brotherhood of Teamsters

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Via email

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National Railroad Passenger Corporation  
Steven Predmore, *Executive VP and Chief Safety Officer*  
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Mr. Predmore,

We have a very serious safety problem that requires your immediate attention. Very recently we have had two (2) instances involving major rule violations while exclusive track occupancy (ETO) was being used as the form of on-track protection. Both instances held the potential to seriously injure or kill Amtrak employees. To date, Amtrak has not formally addressed either incident. For some reason, Amtrak has chosen not to issue a safety alert or initiate a safety stand down. Overall, the disregard for such serious situations, with potential life-or-death implications, is troubling.

Notwithstanding the above-identified concerns, there is some positive news in each incident. In both situations the employees were utilizing watchmen/train approach warning (TAW) in addition to ETO. Due to the utilization of watchmen, employees were warned of the oncoming train and had ample warning of the approaching train which allowed them to safely clear for the passing train. These incidents reinforce the importance of having multiple layers of on-track protection. Clearly, these additional safety measures can, and did, avert a disaster when preventable mistakes are made. These incidents underscore how multiple layers of protection are essential to avert potentially fatal situations caused by preventable mistakes.

I bring this to your attention for another reason. In the last few years, several members of Amtrak management have been attempting to convince many newer BMWED-IBT members that watchmen are not necessary when ETO has been established. We recognize that in a perfect world ETO would be all that is needed, but the reality is that an added layer of protection in the form of watchmen/TAW is still essential. The reality is, these last two (2) major incidents could have easily resulted in multiple deaths had watchmen/train approach warning not been established. Again, we directly oppose any member of Amtrak management instructing BMWED-IBT foreman or newly hired members discouraging the use of watchmen protection in addition to ETO. Without this additional layer of on-track protection established, it is likely only a matter of time before the next tragedy occurs at Amtrak.

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As you are likely aware, Amtrak has an opportunity that comes once in a career; the ability to train a new workforce without preconceived experiences and truly prioritize their safety. With so many new employees, management included, we are at a golden opportunity to teach this new workforce the safest way possible to protect themselves from preventable mistakes. In this regard we demand that Amtrak take this opportunity to train its new workforce and truly prioritize their safety during this training.

Admittedly, this letter has been truly difficult to write especially in light of some of the co-workers/friends that have been killed on Amtrak and the fear of losing another person. Overall, I feel this is an opportunity for the BMWED and Amtrak to work together to ensure this new generation of Employees start out on the safest foot. Since its inception, Amtrak has enjoyed its best safety record when the BMWED and Amtrak management worked together on resolving safety issues.

In an effort to work together, I would ask that Amtrak raise awareness when safety sensitive incidents occur. Going forward, I would ask that this information be shared immediately to heighten awareness and be used as a teaching tool. When Amtrak fails to release a factual account of what happened, many workers receive inaccurate information through rumors and learn nothing from the experience. Overall, when it diminishes the importance of serious incidents when no proactive steps are taken.

In addition, and just as important, is the use of watchmen protection. This layer of protection is essential in safe-guarding Roadway Workers when preventable Roadway Worker Protection (RWP) mistakes are made. Again, I am perplexed and deeply concerned by the recent efforts of certain members of management to urge foreman not to use watchmen protection. In most cases, exclusive track protection only protects equipment susceptible to ABS ramifications. It does not protect from non-ABS equipment, runaway equipment, equipment moving 20MPH or less, etc. or mistakes in obtaining or removing track protection, as in both of these recent instances.

The following are some immediate suggestions to enhance worker safety and prevent potential life-threatening occurrences in the future:

1. When a major rule violation or safety incident occurs, a safety alert should be shared with employees within 48 hours. This will effectively communicate the seriousness of the situation, while providing employees with an accurate depiction of the incident and, if available, root causes and contributing factors that will help prevent future incidents.
2. Amtrak shall immediately stop the practice of discouraging employees from the use of watchmen/train approach warning protection in addition to exclusive track occupancy (ETO) thereby encouraging them to depend solely on ETO for track protection. As previously mentioned, employees were able to clear the track safely because of the actions of Watchmen. Incorporating Watchmen as an extra protective layer is crucial for protecting RWP workers in cases of preventable RWP errors. I am deeply concerned by management's relentless pressure to dissuade employees from using Watchmen protection, especially when past incidents clearly show that Watchmen save lives when errors occur. In most cases, exclusive track protection only protects equipment susceptible to ABS ramifications. It does not protect from non-ABS equipment, runaway equipment, equipment moving 20 MPH or less, and it does not protect employees when mistakes are made in obtaining or removing protection, as demonstrated in recent instances.

As a sobering reminder, I direct attention to the last BMWED-IBT member employed with Amtrak that lost his like. I am referring to Luke Gsell, who was age 20 with less than one (1) year as an employee with Amtrak. I am sure you agree, that we cannot allow another tragedy like this to occur, nor can we allow ourselves to forget why it's important. I can still hear his Dad crying at the funeral...

**Luke J. Gsell, age 20**



Luke J. Gsell, age 20, of Garnet Valley, PA passed away tragically on April 24, 2018. A resident of Garnet Valley, Luke graduated from Garnet Valley High School, class of 2016. He later was hired by Amtrak and was a Trackman for the past 8 months. Luke was a member of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters Lodge no. 3012. Luke will be sadly missed by his family and friends. He is survived by his parents, Ernest and Jacquelyn Winters Gsell, siblings, Natalie, Ernest Jr., Gabrielle and Victoria Gsell, paternal grandparents, Craig and Janet Gsell, maternal grandmother, Sharon Winters, maternal great grandfather, William Winters and numerous aunts, uncles and cousins.

[https://www.uprfbmwed.org/docs/safety/Luke\\_Gsell/Anderson\\_ltr\\_Gsell\\_20180514.pdf](https://www.uprfbmwed.org/docs/safety/Luke_Gsell/Anderson_ltr_Gsell_20180514.pdf)

Mr. Predmore, I look forward to, not only working with you in correcting these life-threatening protection issues, but to guide this new generation of railroad workers to be the safest railroad workers in the world. Their lives depend on us being successful.

Sincerely,

United Passenger Rail Federation BMWED

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