

There's a Little Bit of Lac-Mégantic in Every Rail Incident Since 2013

Fritz Edler, RWU Member, BLET #482, Retired

Every week there's another derailment or runaway train somewhere on a North American railroad. So perhaps it's easy to understand it's hard to focus on a four-year old tragedy in a small town in Quebec, Canada ... Lac-Mégantic. But the fact is, the issues that have been raised in that tragedy remain unaddressed. In Canada, the number of reported runaway trains has increased every year since that fateful wreck. How can that be? Every railroader has a real stake in what is happening about the Lac-Mégantic case right now. Here's why.

First, a quick review of the facts. In 2013, a runaway oil train crashed and burned in Lac-Mégantic, killing 47 people. All evidence exposed now through both official investigations and reporting by journalists show that the wreck was caused by a long series of reckless safety practices, including the threat of discipline from Montreal, Maine & Atlantic (MM&A) management against engineers who made use of the (automatic) air brakes in the securement of their trains. The ever increasing length and weight, along with deferred maintenance of equipment and infrastructure, combined with single crew operation of the most dangerous types of cargoes all combined to virtually guarantee that this was not an "accident", but rather an inevitable catastrophe. July 6, 2013 was that day.

But rather than focusing on known unsafe corporate practices and policies and near non-existent government oversight, the Canadian and Quebec governments scapegoated two railroad workers, Tom Harding and Richard LaBrie. They are both charged with 47 counts of negligence resulting in death, and face penalties that could put them in prison for the rest of their lives. This is despite that fact that the policies and practices were beyond their control. The railroad executives who enforced those dangerous policies and the government regulators who condoned them are not facing even a single day in jail. In fact, the top MM&A managers are running other railroads in the US and around the world to this day!

Every rail incident in North America today has a little bit of Lac-Mégantic as its root cause. Some have a lot. Railroad management and the government want people to believe that Tom Harding and Richard LaBrie caused the Lac-Mégantic tragedy. But they have been off the railroad for nearly four years now, four years of additional runaway trains and derailments and crashes. They didn't cause any of these any more than they caused the wreck at Lac-Mégantic. The truth is every rail incident in North America, including Lac-Mégantic, started with unsafe conditions, policies, and procedures created by management, that put rail workers and communities at risk, all in the interest of private profit. Rather than fixing the hazards, they simply blame the victims - just like in the case outlined above - when something goes wrong.

In April, the Court in Quebec will be considering a key element of the case ... whether or not the Canadian Transportation Safety Board (TSB) Report on the wreck along with related documents can be submitted as evidence. The Defense team also wants to hear testimony from Board members. Without these key pieces of evidence it will be much harder for the railroad worker defendants to get a fair trial, or for the people of Lac-Mégantic to get justice.

We railroaders focus first on our brothers and sisters on the job. But we are not the only ones who suffer from unsafe conditions and policies. Even now, nearly four years since the train wreck, a literal hole remains unfilled in that town where 47 died immediately and lives continue to be broken in the aftermath. Two-thirds of the residents are considered to have post traumatic stress disorder and sadly, there have been several suicides. Their once pristine land and water will likely never fully recover from the toxic impact. Lac-Mégantic is still paying for corporate policies that put profits before safety while government regulators looked the other way.

The trial of course, can go one of two ways. Rail workers have real skin in this game. The trial *could* address the unsafe conditions and culture that MM&A management was able to get away with. Or it could simply focus on what two railroad workers did or didn't do that day. If management policies are put on trial, every job in the rail industry will be made a bit safer. But if the court is allowed to focus on and convict two rail workers, then we can expect all of our jobs to now be subject to the corporate push to cut corners. MM&A was pioneering unsafe practices that are still lauded by the mainstream rail industry, the same industry that is looking to the outcome of this trial to give it the green light to blame the ugly results of every risky policy decision on those who actually do the work.

So many issues that we face on the job - including fatigue, lack of safety culture and single crew operations - are posed in this one case. What can we do to assist? Two things come to mind: *resources and public support*. Harding and LaBrie must have the resources to mount the kind of defense in court that can turn back the scapegoating. Between now and the September trial, we must find ways to pass the hat. It's time to get serious about material solidarity. There is way too much at stake to leave the outcome up to the "justice" system on its own.

Public support also matters. The Canadian government has to know that people are watching, and Harding and LaBrie need to know their fellow railroaders are standing with them. Now is the time for a round of solidarity messages to their union local with copies to the lawyers working on the defense:

USW 1976 / Section locale 1976, 2360 De LaSalle, Suite 202, Montreal, QC H1V 2L1. Email: info@1976usw.ca

Thomas Walsh, 165 Rue Wellington N. Suite310, Sherbrooke, QC Canada J1H 5B9. thomaspwalsh@hotmail.com

