

# Opinion: Our fatigued railway system needs repair, for safety's sake

BY REX BEATTY, SPECIAL TO THE MONTREAL GAZETTE NOVEMBER 28, 2013

Since the horrible tragedy at Lac-Mégantic, we've seen more and more rail accidents across North America: from Quebec to Alabama, Alberta to Illinois and parts in between.

And blame has been ladled out freely: Executives blaming unionized workers, unions blaming corporate greed superseding public safety, regulators not doing enough, unsafe DOT-111 tankers carrying dangerous goods, and more.

All play a role, but the problem is, when you blame others you lose the power to change. And the fact is, the entire railway system suffers from fatigue; right down the line. And until we acknowledge this, the system will not truly change.

No one sets out to create an unsafe situation, but I believe a fatigued system gives rise to safety breaches.

The breakdown in the system in Canada went into high gear in 1995 with the Initial Public Offering of Canadian National Railways. The once-government-owned railway then became beholden to the vagaries of the public stock market, and productivity gains jumped well ahead of public safety — at both CN and its competitor, Canadian Pacific Railway. And this cost-cutting culture spread to the smaller companies, or short lines.

Around the same time, the federal Liberal government of the day deregulated the system further, creating even more pressure on Transport Canada and the Transportation Safety Board.

As a union person, it pains me to say this, but as a Canadian railroader interested in public safety, I must acknowledge: the Conservative government in Ottawa has done more to increase rail safety than the previous government.

It has slowly been tightening regulations, and it even found \$44 million in new money for Transport Canada during the recession, money that was aimed at increasing rail safety.

Yes, Lac-Mégantic occurred under this current government's watch, but the wheels were greased for a fatigued rail system long ago.

For example, railways in Canada are allowed to develop their own safety systems called Safety Management Systems. This legacy deregulation is something that Ottawa should

rectify. At the very least, it should make SMS information more transparent to the public, especially for the sake of Canadians who hear trains rumbling very close to their own homes.

Combining deregulation and a ceaseless drive to protect investors (instead of the public) is a recipe for disaster. As a union, we know that efficiencies are essential these days, especially in a global marketplace. Labour is, after all, a partner with corporations, because without profit there can be no long-term jobs.

But a relentless push to productivity over safety is another matter. As a colleague has been saying for years, “Good luck and gravity are the only two things preventing another Mississauga train derailment.” Sadly, the luck ran out at Lac-Mégantic.

The drive for greater shareholder value has seen aggressive intrusions into the very processes that are fundamental to rail safety. For example, the number of exemptions CN and CP receive from the Canadian Railway Operating Rules is staggering — including the one man-crew operation that became the focus of attention in the Lac-Mégantic tragedy.

The rail cars involved in Lac-Mégantic, designated as DOT-111s, were flagged 20 years ago as having a tendency to breach in a derailment. DOT-111s built since 2011 are safer, but hundreds of thousands of older, unsafe ones remain in use today.

The truth of the matter is that all stakeholders realize that removing all older DOT-111s from use all at once would drastically impact the North American economy. (Because of the runaway speed at Lac-Mégantic, the tankers would likely have exploded regardless what type they were. And although the exact cause is not yet known, one thing is certain: had the train been manned at all times, the tragedy would most certainly not have occurred.)

Our rail system needs repair and it will take all stakeholders to step up and address the situation. It is not about blame. It is not about protecting jobs. It is about lives and breathing new life into a fatigued system by weighing risks and always putting public safety ahead of productivity.

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