

**Pennsylvania Federation BMWED - IBT
Northeast System Federation BMWED- IBT
Amtrak Eastern General Committee - BRS
American Railway and Airway Supervisors Association - IAM**

421 North Seventh Street
Suite 299
Philadelphia, PA 19123

overnight mail

June 8, 2016

National Railroad Passenger Corporation
Windels Marx Lane Mittendorf, LLP
Anthony Coscia, Chairman of the Board
120 Albany Street Plaza
New Brunswick, NJ 08901

Dear Chairman of the NRPC Board Coscia:

Re: State of Safety Emergency on Amtrak's Northeast Corridor

We have informed you of the current state of emergency on Amtrak's Northeast Corridor. Our meetings with senior Amtrak management have resulted in only minor reform in this crisis. A central issue to these discussions is the close call policy that Amtrak terminated in the fall of 2014. We desire to have it reinstated. During the 14 years that the close call policy was implemented there were 3 employee fatalities. In the last 18 months since Amtrak unilaterally terminated the close call policy there have been 4 employee fatalities. Amtrak terminated the close call policy and replaced it with a cardinal rule program that threatens to dismiss anyone who violates a cardinal rule. This type of intimidation makes the Northeast corridor a far more dangerous place to work. The tactics employed by the current Amtrak management have been widely rejected by most managements as self defeating and unworkable.

Attached is an email dated June 7, 2016 from Amtrak's Chief Engineer Rodrigo Bitar to the engineering Unions where he rejects the need for a workable close call policy. He emphasizes the need to use discipline to rule the property. He asks the Federal Railroad Administration to do his job for him with their version of a misnamed "close call policy" called C3RS. We say it is misnamed because C3RS is not a "close call policy" but instead a recording system to study trends over a period of time. It does little to fix immediate issues and current problems. We are dealing with life and death issues of the employees and passengers. It is very important we have a close call policy that labor and management can use to fix problems. Amtrak's focus on dismissing employees will not make the NEC a safe place to work and travel. While it may seem redundant to state again, Amtrak management is promoting policy based on fear and we are promoting policy that had served the parties well for 14 years.

We want an immediate meeting with you to correct this situation. Chief Engineer Bitar's thinking is the same thinking that has brought us two terrible train wrecks, 8 passenger fatalities and 4 employee fatalities in the last 18 months. Do not underestimate our resolve to protect the lives of the members of our Unions. We are willing to take any and all steps necessary to ensure that the lives of our members and the riding public are protected.

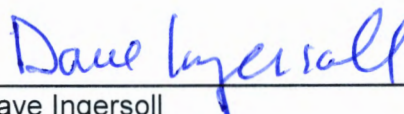
Please contact any of the undersigned to schedule a time and place for this meeting. Every day you delay in leading the company with meaningful reform is another day waiting for another fatal event.

We require the immediate restoration of the close call policy that Amtrak terminated in 2014.

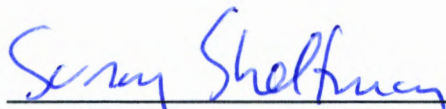
For the safety of the men and women who spill sweat and blood on this railroad every day we await your response.



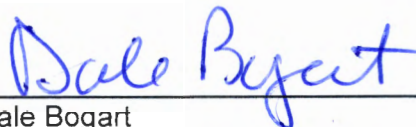
Jed Dodd
General Chairman
Pennsylvania Federation BMWED - IBT



Dave Ingersoll
General Chairman
Amtrak Eastern General Committee - BRS



Sonny Sheltman
General Chairman
America Railway and Airway Supervisors
Association



Dale Bogart
General Chairman
Northeastern System Federation BMWED -
IBT

cc Amtrak Board of Directors

Jed Dodd

From: Bitar, Rodrigo <Rodrigo.Bitar@amtrak.com>
Sent: Tuesday, June 7, 2016 9:11 AM
To: Jed Dodd
Cc: 'dave ingersoll'; Sheltman, Charles; Stadtler, DJ; 'BMW (Bogart)'
Subject: RE: Amtrak Close Call Proposal

Mr. Dodd,

Over the last few days, I have had meetings with: Operations, Safety, Labor Relations and my leadership in Engineering to discuss your proposal. As you know, the Union proposed revisions to the Close call program removes the disciplinary aspect of the process. It is our judgment that certain scenarios require discipline according to other established processes and policies.

Amtrak leadership has had several meetings with you as well as ARASA and BRS leadership to try to reach an agreement, but to date we have not been able to reach a successful resolution on this point. For that reason, Amtrak will be reaching out to FRA's C3RS leadership committee requesting guidance and to find out what other opportunities may be out there to achieve successful resolution. I will let you know what dates they have available once I hear back from them.

Regarding "Hot Spots", the group also discussed the issue and determined that maximums and minimums are, and have always been intended as, guide lines not as a requirement. Furthermore we believe the other information contained in the cover page is of value to all employees, especially new employees; therefore, no changes will be made to the cover page other than the date and the ARASA logo. The employee in charge has the authority to make a determination and that is clearly written down as such.

From: Jed Dodd [mailto:doddjed@verizon.net]
Sent: Thursday, June 2, 2016 6:49 AM
To: Bitar, Rodrigo <Rodrigo.Bitar@amtrak.com>
Cc: 'dave ingersoll' <daveingersoll@verizon.net>; Sheltman, Charles <SheltnC@amtrak.com>; Stadtler, DJ <DJ.Stadtler@amtrak.com>; 'BMW (Bogart)' <cptrackman@yahoo.com>
Subject: RE: Amtrak Close Call Proposal

Mr. Bitar,

Attached is our proposal for the close call policy. The changes are marked in red or if the language is to be omitted it is crossed out.

The proposal is sent with the understanding that:

1. It will be made an attachment to the C3RS proposal as previously discussed and proposed by the Union; and
2. Any close call reported that is not covered by the exceptions in the section titled, "Events not covered" and is reported immediately will protect all employees involved in the close call event. In other words, the need for each employee to self-report is not needed to receive the protection from discipline if the close call is reported by any employee.

It has been two months now that we lost two good men at Chester, PA. Amtrak had a close call policy that worked well for the Union and Amtrak, management and the employees for 14 years that management cancelled without explanation. We were prepared to sign the C3RS agreement with the cancelled close policy as an attachment 6 weeks ago. The delay in establishing a platform with which we can investigate close call issues and take remedial steps to correct their future occurrences is without excuse. We believe the property is no safer today than it was on April 3, 2016 and our failure to reach agreement on this critical element is a primary reason for it.

Please provide us with your answer.

Jed Dodd

From: Bitar, Rodrigo [<mailto:Rodrigo.Bitar@amtrak.com>]
Sent: Tuesday, May 31, 2016 4:12 PM
To: Jed Dodd <doddjed@verizon.net>
Cc: dave ingersoll <daveingersoll@verizon.net>; Sheltman, Charles <SheltnC@amtrak.com>; Stadtler, DJ <DJ.Stadtler@amtrak.com>
Subject: RE: Amtrak Close Call Proposal

Jed, Dave and Sonny,
Attached is the latest version of the Close Call proposal draft. It includes comments from Labor Relations, Safety, Legal Counsel, Operations and Engineering.

Also,
This is the revised language that will be used to replace the first page on the hot spots booklet:

“The final decision as to the number of watchmen required will be determined by the Employee Responsible for On-Track Protection (EROTP), the recommendations made are to be used as a guide, and are not to be considered as minimum or maximum requirements”.

From: Jed Dodd [<mailto:doddjed@verizon.net>]
Sent: Tuesday, May 31, 2016 10:01 AM
To: Bitar, Rodrigo <Rodrigo.Bitar@amtrak.com>
Cc: dave ingersoll <daveingersoll@verizon.net>; Sheltman, Charles <SheltnC@amtrak.com>
Subject: Amtrak Close Call Proposal

Mr. Bitar,

Please send us Amtrak's new close call proposal.

Jed Dodd

Jed Dodd

From: Jed Dodd <doddjed@verizon.net>
Sent: Tuesday, May 31, 2016 4:32 PM
To: 'Bitar, Rodrigo'
Cc: 'dave ingersoll'; 'Sheltman, Charles'; 'Stadtler, DJ'
Subject: RE: Amtrak Close Call Proposal

Mr. Bitar,

We will review your proposal on Amtrak's close call policy to add as an attachment to the C3RS agreement and respond.

At our previous meeting we agreed that the language in the Hot Spot Book would be replaced by the following language:

"The final decision as to the number of watchmen required will be determined by the Employee Responsible for On-Track Protection (EROTP)."

Jed Dodd

From: Bitar, Rodrigo [mailto:Rodrigo.Bitar@amtrak.com]
Sent: Tuesday, May 31, 2016 4:12 PM
To: Jed Dodd <doddjed@verizon.net>
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Cc: dave ingersoll <daveingersoll@verizon.net>; Sheltman, Charles <SheltnC@amtrak.com>
Subject: Amtrak Close Call Proposal

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