

Jerry L. Kalbfell  
General Chairman

Glenn R. Marker  
Vice General Chairman



1333 E. College Avenue Suite A  
South Milwaukee, WI 53172  
414-489-3700

General Committee of Adjustment  
Union Pacific Railroad Company  
(Former C&NW Railway Co.)

July 17, 2020  
(R-69-20)

Mr. Eric Gehringer  
Executive Vice President – Operations  
Union Pacific Railroad  
Mail Stop/Room 1180  
1400 Douglas Street  
Omaha, NE 68179

Reference: Velocity first Safety last

Dear Mr. Gehringer:

On June 29, 2020, at approximately 2230 hours, at Council Bluffs, Iowa, the crew on MCBPR was involved in a critical incident when they struck a pedestrian severing his arm. The pedestrian crossed through the train using the second locomotive (UP5489) in the consist. There was a significant amount of blood on hand rails, stairs and platform. The original crew on train MCBPR was relieved at Council Bluffs and the train was moved by a Council Bluff zone crew to clear up blocked crossings. At this point locomotive UP5489 had not been cleaned.

At approximately 0100 hours, the Union Pacific ordered a crew to operate MCBPR from Council Bluffs to Boone, Iowa. The crew was notified that there was an incident with MCBPR and that there was human blood on the hand rails, stairs and platform.

At 0900 hours a crew was ordered at Boone, Iowa, for assignment MCBPR to operate to Clinton, Iowa. The crew was notified by the inbound crew the train was involved in an incident in Council Bluffs and locomotive UP5489 had human blood on the hand rails, stairs and platform. The crew called the dispatcher who instructed the crew to stage MCBPR at Mile Post 195 and wait for the Mechanic-In-Charge (MIC). Thirty minutes later the dispatcher called the crew on MCBPR and stated that he could not get in touch with the MIC and to operate to Cedar Rapids, Iowa, where the MIC would meet MCBPR. Upon arrival at Cedar Rapids the crew advised the MIC that the clean up was for human blood. The MIC told the crew that he did not have the proper equipment to clean the locomotive. The dispatcher ordered the crew to operate MCBPR to Clinton, Iowa. Upon arrival at Clinton, Iowa, the crew notified the outbound crew that was to operate MCBPR to Chicago, Illinois of the blood on hand rails, stairs and platform. Locomotive MCBPR was not cleaned at Clinton, Iowa. The Chicago crew operated MCBPR to Proviso yard. The Organization has no record of locomotive UP5489 ever being properly cleaned.

MCBPR operated approximately four hundred fifty miles (450) miles and through over four (4) terminals after the incident without being properly cleaned. Locomotive UP5489 operated approximately twenty-four (24) hours after the incident without being properly cleaned. A minimum of three (3) crews handled locomotive UP5489 without it being properly cleaned.

This incident is a microcosm on the Union Pacific Railroad concerning safety. The attitude at the Union Pacific Railroad is that this was a successful trip, safety of the crew be damned, MCBPR arrived at its final terminal without a delay.

It was only after the crew that went on duty at Boone, Iowa and operated MCBPR to Clinton, Iowa, made a complaint to the safety hot line (Attached) that the Union Pacific responded. On July 2, 2020, Manager Ryan Long responded to the safety hot line complaint. On July 10, 2020, General Superintendent R. Wells responded to Local BLET Alternative Legislative Director Ben Hassmen email (Attached) and stated:

**“Ben,**

**Thanks for contacting me. This is not ok and the way the issue should have been handled. The superintendents will be reaching out to each employees that entered the hotline complaints, to discuss the issue with them personally. It may appear I don't care based on what you see below - that is not the case. We will learn and communicate with the team members that were involved and address the issue internally. We will make the appropriate adjustments.**

**I apologize that we did not perform and communicate much better than we did here.”**

Superintendent Krumrey response to the email was *“I will be reaching out to all involved employees. Thanks for bringing it to our attention.”*

As of the date of this letter, Superintendent Krumrey has not reached out to the three (3) crews who operated MCBPR

Given the seriousness of this issue the Organization requests that Union Pacific Railroad supply this office with the records for the cleaning of locomotive UP5489 after the incident, the Union Pacific policy on the steps after a critical incident and clean up of human blood on the Union Pacific Railroad.

Sincerely,



Jerry L. Kalbfell  
General Chairman, G.C.A.

JLK:jg

cc: Jeremy Ferguson, President, SMART-TD  
Greg Hynes, Director National Legislative Board  
Chris Smith, Director Iowa Legislative Board  
Robert Guy III, Director Illinois Legislative Board  
All Local Chairpersons, UP/CNW

Incident

----- Forwarded message -----

From: **Rusty A. Krumrey** <[rakrumre@up.com](mailto:rakrumre@up.com)>

Date: Fri, Jul 10, 2020, 6:48 PM

Subject: Re: MCBPR 29 Critical Incident

To: Richard Lee Wells Jr <[RLWELLSJ@up.com](mailto:RLWELLSJ@up.com)>

Cc: Ben Hassman <[benhassman@gmail.com](mailto:benhassman@gmail.com)>, Ryan M. Long <[RMLONG@up.com](mailto:RMLONG@up.com)>, <[bletdiv6lc@gmail.com](mailto:bletdiv6lc@gmail.com)>, [djsmith329@hotmail.com](mailto:djsmith329@hotmail.com) <[djsmith329@hotmail.com](mailto:djsmith329@hotmail.com)>, <[jowoo1975@aol.com](mailto:jowoo1975@aol.com)>, [mzengr2020@msn.com](mailto:mzengr2020@msn.com) <[mzengr2020@msn.com](mailto:mzengr2020@msn.com)>, Matt Delay <[railroadcard@gmail.com](mailto:railroadcard@gmail.com)>, [rehardy1965@gmail.com](mailto:rehardy1965@gmail.com) <[rehardy1965@gmail.com](mailto:rehardy1965@gmail.com)>

I will be reaching out to all involved employees. Thanks for bringing it to our attention.

Sent from my iPhone

On Jul 10, 2020, at 5:22 PM, Richard Lee Wells Jr <[RLWELLSJ@up.com](mailto:RLWELLSJ@up.com)> wrote:

Ben,

Thanks for contacting me. That is not ok and not the way the issue should have been handled. The superintendents will be reaching out to each employees that entered the hotline complaints, to discuss the issue with them personally. It may appear I don't care based on what you see below - that is not the case. We will learn and communicate with the team members that were involved and address the issue internally. We will make the appropriate adjustments.

I apologize that we did not perform and communicate much better than we did here.

Ricky Wells

General Manager - Great Lakes Service Unit

Office: 7123295000

[rlwellsj@up.com](mailto:rlwellsj@up.com)

"Ben Hassman" ---07/10/2020 12:34:32 PM--- \* PROCEED WITH CAUTION - This email was sent from outside the Company \*

From: "Ben Hassman" <[benhassman@gmail.com](mailto:benhassman@gmail.com)>

To: [rlwellsj@up.com](mailto:rlwellsj@up.com)

Cc: "mzengr2020@msn.com" <[mzengr2020@msn.com](mailto:mzengr2020@msn.com)>, "Matt Delay" <[railroadcard@gmail.com](mailto:railroadcard@gmail.com)>, "[rehardy1965@gmail.com](mailto:rehardy1965@gmail.com)" <[rehardy1965@gmail.com](mailto:rehardy1965@gmail.com)>, <[bletdiv6lc@gmail.com](mailto:bletdiv6lc@gmail.com)>, "[djsmith329@hotmail.com](mailto:djsmith329@hotmail.com)" <[djsmith329@hotmail.com](mailto:djsmith329@hotmail.com)>, <[jowoo1975@aol.com](mailto:jowoo1975@aol.com)>

\* PROCEED WITH CAUTION - This email was sent from outside the Company \*

Mr. Wells:

On June 30th the MCBPR-29 struck a pedestrian. The pedestrian, now missing an arm, crossed through the train using the second unit (UP 5489) grab irons and stairs. As you can imagine, a significant amount of blood was lost and that blood ended up all over the unit..

This email to you, sir, is to explain and document the utter failure by Union Pacific management to address a very dangerous situation. This train crossed the entire state of Iowa, with 10+ crew members in contact with potentially dangerous bloodborne pathogens and disease, during a pandemic. There were multiple complaints by TE&Y to get the unit cleaned, multiple opportunities to get the problem rectified, and the train crews concerns were either addressed with negligence, or outright ignored. The safety hotline "resolution" is just another shining example of our concerns getting the bare minimum response, and no real answer is given. The hotline reports attached have mysteriously disappeared from the hotline site since they have been "resolved".

If no procedures are in place to correctly handle situations like this, one certainly needs to be implemented. If there is such a policy and UP management has chosen to blatantly ignore it, I'll leave the aftermath in your capable hands. Please review the attached documents - especially the timeline prepared by Janet Shultz for a more in-depth look at what transpired.

TE&Y depend on management's decisions to keep us safe. Please see to it that steps are taken to ensure company responses to incidents such as this are taken seriously and handled promptly.

Respectfully,  
Ben Hassman  
Alternate Legislative Rep  
BLET Division 6

641-330-4337(See attached file: MCBPR 29 Timeline.docx)(See attached file: Grab Irons 1.jpg)(See attached file: Grab Irons 2.jpg)(See attached file: Grab Irons 3.jpg)(See attached file: Grab Irons 4.jpg)(See attached file: MCBPR 29 BU.jpg)(See attached file: Smith Safety Hotline.jpg)(See attached file: Vargas Safety Hotline.jpg)

<MCBPR 29 Timeline.docx>  
<Grab Irons 1.jpg>  
<Grab Irons 2.jpg>  
<Grab Irons 3.jpg>  
<Grab Irons 4.jpg>  
<MCBPR 29 BU.jpg>  
<Smith Safety Hotline.jpg>  
<Vargas Safety Hotline.jpg>

### Safety Hotline Report

Issues

Region	Service Unit	Subdivision	Initiated on Date	Defect ID	Location	Category	Status
Northern	Great Lakes (1)	Albert Lea Sub	07/02/2020	135603	DM136, MASON CITY, IA	Facility / Fence Related	New
<p><b>Summary :</b> Facility / Fence Related</p> <p><b>Description :</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>please change the burned out lights in men's locker room</p> </div>							
<p><b>Resolution :</b></p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>							
Northern	Great Lakes (1)	Boone Sub	07/01/2020	135575	NZ335, BOONE, IA	Other	Closed
<p><b>Initiated By :</b> Darin James Smith</p> <p><b>Summary :</b> Other</p> <p><b>Description :</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>I was on MCBPR 29 at Boone Ia, on 6-30-2020 on duty at 0900. When we changed crews at mp201 the inbound crew informed us that the 2nd unit in the consist the UP 5489 had been involved in a fatality at council bluffs earlier that evening and that human blood covered the hand rails on the front of the locomotive. While we did not have to go back to the unit, this unit should have been cleaned at council bluffs before being placed back into service. Who knows how many blood borne pathogens now cover the hand rails and are also present in the cab. We informed the dispatcher SLE prior to departing boone at 1000. He said he was having a hard time getting ahold of the MIC and that we needed to take the train to Jackson and wait for further instructions. He came back and told us to take the train to Beverly where it would be taken care of. Upon arrival at Beverly, the MIC was told it was animal blood. Evidently the MIC cannot clean up human blood so the dispatcher informed me the corridor manager to take unit as is to Clinton. Upon arrival at Clinton there was no one to clean the unit either. I job briefed with the outbound crew about the blood. This locomotive went from Council bluffs - Chicago with blood on the grab irons, across countless public crossings. Why wasn't this locomotive cleaned properly? this put me and my co-workers in a risky situation if they had to go back to the second unit. Im sure if there was blood in your workstation that It would have been cleaned up immediately, so why is it any different for transportation employees?</p> </div>							
<p><b>Resolution :</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>Attempted to Reach out to employee on the situation I have addressed with the Council Bluffs team and was informed the response team attempted to clean off however it sounds like it was anything but. This will not happen again!! *** Ryan M Long *** : *** Comment Added at 07/02/20 11:02 AM *** ** Comment Added at 07/02/20 11:02 AM ***</p> </div>							
Northern	Great Lakes (1)	Albert Lea Sub	07/01/2020	135563	DM004, SOUTH ST PAUL, MN	Safety Equipment/Supplies	Closed
<p><b>Summary :</b> Safety Equipment/Supplies</p> <p><b>Description :</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The condensed version of the June 24, 2020 BNSF Timetable that was passed out to crews in South St Paul is missing the Lakes Subdivision which Itasca crews operate on everyday. Is there a full version of the BNSF timetable available?</p> </div>							