

ESSB 5267: UNPAID Leave Job Protection for Washington Railroad Workers:

- Provides JOB PROTECTIONS for certain types of UNPAID time off duty.
- Protects employees' occupational HEALTH, as well as transportation industry safety!

**All other employees in Washington State enjoy employer-provided paid sick leave benefits!
Railroad workers are ONLY asking NOT to be fired or disciplined for unpaid absences for illness!**

ESSB 5267 WILL:

- Prohibit disciplining or taking adverse action against a rail worker for UNPAID time off work due to illnesses or injuries of themselves or of a family member as well as when fatigued. A rail carrier can request that an employee produce medical substantiation for their absence; if documentation is provided, they are protected from discipline or termination.

ESSB 5267 WILL NOT:

- Impose ANY paid leave requirements or provide ANY monetary benefits whatsoever!
- Change or alter railroad worker compensation in ANY way whatsoever.

Reality: The life of a railroad worker:

- WASHINGTON STATE RAIL WORKERS ARE SUBJECTED TO DISCIPLINE FOR UNPAID ABSENCES DUE TO SICKNESS! MANY HAVE BEEN DISCIPLINED FOR COVID-19 RELATED UNPAID ABSENCES! UNCOMPENSATED absences from duty even when illness or injuries strike them or their families result in discipline, *regardless of medical documentation*, pursuant to unilateral carrier attendance policies. We live and work in fear of losing our careers, so we frequently go to work even when we're sick, reluctantly spreading our illnesses and infecting our co-workers with our viruses! U.S. Railroad Retirement Board (RRB) basic subsistence sickness benefits provide NO job protections whatsoever!
- Railroad work is unlike any other: Operating rail employees are responsible for the safe movement of trains. We're required & expected to be completely devoted to the needs of the railroad carrier & accept calls for duty 24/7/365, all weekends & holidays. We must report for work within 1½ to 2 hours whenever called; missing a call or laying off for duty when called, even when fatigued or when we know we're not fit to safely work RESULTS IN DISCIPLINE!
- Railroad workers often live their entire working lives with no regular sleep and wake cycles or obtaining anchor sleep; obstructive sleep apnea is epidemic among train crew members making us much more susceptible to illness. Maintaining our commitments, whether to family, for personal, medical, or other reasons is an enormous, constant challenge, nearly always having lower priority & taking a backseat to the constant demands of our railroad employers.
- PTSD is extremely common among rail industry workers, as rail carriers aggressively recruit former military service members, whether from live combat action or due to traumatic life events.
- Because of occupational demands, including the lack of any regular work, sleep, and living schedule, rail workers are prone to depression, suicide, failed marriages, severed relationships, frequent illness, alcohol abuse, and obstructive sleep apnea, all at rates significantly higher than the general population, as well as a shortened life expectancy!
- Over the last 20 years, this situation has significantly worsened. With greater pressure for higher profits and corporate officer bonuses, carriers have drastically cut staff, imposing ever-worsening draconian attendance policies to cut operating costs. The remaining rail workers are required to work more frequently with much longer hours!
- Railroad workers were once able to take off work UNPAID for up to 15 days or longer at any time, there were no penalties for taking UNPAID time off work for sicknesses or injuries of ourselves and our families. We individually managed our health and our fatigue; we were better able to maintain our personal and family relationships.

CONTACT: Herb Krohn, Washington State Legislative Director, SMART Transportation Division/United Transportation Union
Phone: 206-713-5442 Email: hskrohn55@hotmail.com

Dylan D. Ekins, Washington State Legislative Board Chairperson, Brotherhood of Locomotive Engineers & Trainmen
Phone: 509-863-2348 Email: wslb.blet@gmail.com