

**BERNARD SANDERS**  
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# United States Senate

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February 8, 2023

Keith Creel  
President and CEO  
Canadian Pacific Railway  
7550 Ogden Dale Road S.E.  
Calgary, Alberta  
T2C 4X9

Tracy Robinson  
President and CEO  
Canadian National Railway  
935 de La Gauchetjere Street  
West Montreal, Quebec  
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Patrick Ottensmeyer  
President and CEO  
Kansas City Southern  
427 W 12<sup>th</sup> Street  
Kansas City, MO 64105

Kathryn Farmer  
President and CEO  
BNSF Railway  
2650 Lou Menk Drive  
Fort Worth, TX 76131

Lance M. Fritz  
President and CEO  
Union Pacific Railroad  
1400 Douglas Street  
Omaha, NE 68179

Alan H. Shaw  
President and CEO  
Norfolk Southern Corporation  
1200 Peachtree Street NE  
Atlanta, GA 30308

Dear Mr. Creel, Ms. Robinson, Mr. Ottensmeyer, Ms. Farmer, Mr. Fritz, and Mr. Shaw:

Yesterday, the Brotherhood of Maintenance of Way Employees (BMWED) and the Brotherhood of the Railway Carmen (BRC) secured an agreement with CSX to guarantee paid sick days for some 5,000 rail workers. I am writing today to urge all of you to follow their lead and guarantee at least seven paid sick days for all of your employees.

As you know, a few months ago, a majority in the United States Senate and the House of Representatives voted for legislation to guarantee seven paid sick days to every rail worker in America. While this legislation was filibustered in the Senate by a minority of Senators, this issue has not been forgotten by Members of Congress or the committee of jurisdiction over this matter – the Health, Education, Labor, and Pensions (HELP) Committee.

Last year, the companies you lead made over \$22 billion in profits. While you claim it is too expensive to provide paid sick days to your workers, the companies you run spent over \$20 billion, not to make the rail industry safer or to improve working conditions, but on stock buybacks and dividends to make your wealthy shareholders even richer – some \$5 billion more than you spent on your workers. Meanwhile, after eliminating 30 percent of your workforce over the last six years, the six of you made over \$175 million in total compensation over a three-year period.

Frankly, it is hard for the American people to understand how, in the year 2023, rail workers in America who put their lives on the line to keep the economy going during the pandemic and who continue to work very dangerous jobs have no guaranteed paid sick days.

Guaranteeing seven paid sick days to rail workers would cost your industry just \$321 million dollars—less than 1.2 percent of industry-wide profits in a single year. If your companies can afford to spend over \$20 billion on stock buybacks and hand out huge dividends to your wealthy

shareholders, I am having a very difficult time understanding how you cannot afford to provide rail workers with these essential benefits.

The nearly 120,000 railroad workers employed by your companies are vital to the well-being of our country. They make sure that our seniors get life-saving medications, our families get fuel to heat their homes in the winter, and our children have food on the table at dinnertime. Your workers made it possible for the railroad industry to make record-breaking profits and enabled you to receive exorbitant compensation packages. And rail workers have done all of this without a single day of guaranteed paid sick leave. Adding insult to injury, precision scheduled railroading—pushed by many of your hedge fund investors on Wall Street—has led to a workforce stretched too thin, putting railroad workers at undue risk for serious injury and sickness.

Without guaranteed paid sick leave, these workers are forced to make tragic and even life-threatening choices. These choices put not only themselves and their families at risk, but also endanger millions of American consumers and drivers who interact with our vital freight rail system every day. In other words, your policies are endangering the safety of the American people.

I have heard terrible and heartbreaking stories from rail workers who have been penalized for spending the day in the hospital with their sick children. A locomotive engineer, who, out of fear of being fired, was forced to skip his doctor's appointment after experiencing unusual symptoms, suffered a heart attack and died in an engine room just weeks later. No worker should have to choose between their life, the health of their families or their paycheck.

In December, I wrote a letter with over 70 of my colleagues in the Senate and the House urging the Biden Administration to take executive action to guarantee at least seven paid sick days to every rail worker in America. As the Chairman of the Senate HELP Committee, I hope very much that you will do this voluntarily soon as possible. I look forward to discussing this issue with you at a hearing I will be holding in the near future.

I look forward to receiving your prompt response.

Sincerely,



Bernard Sanders  
UNITED STATES SENATOR