

Engineer in train crash alleges Union Pacific coverup
Standard-Examiner

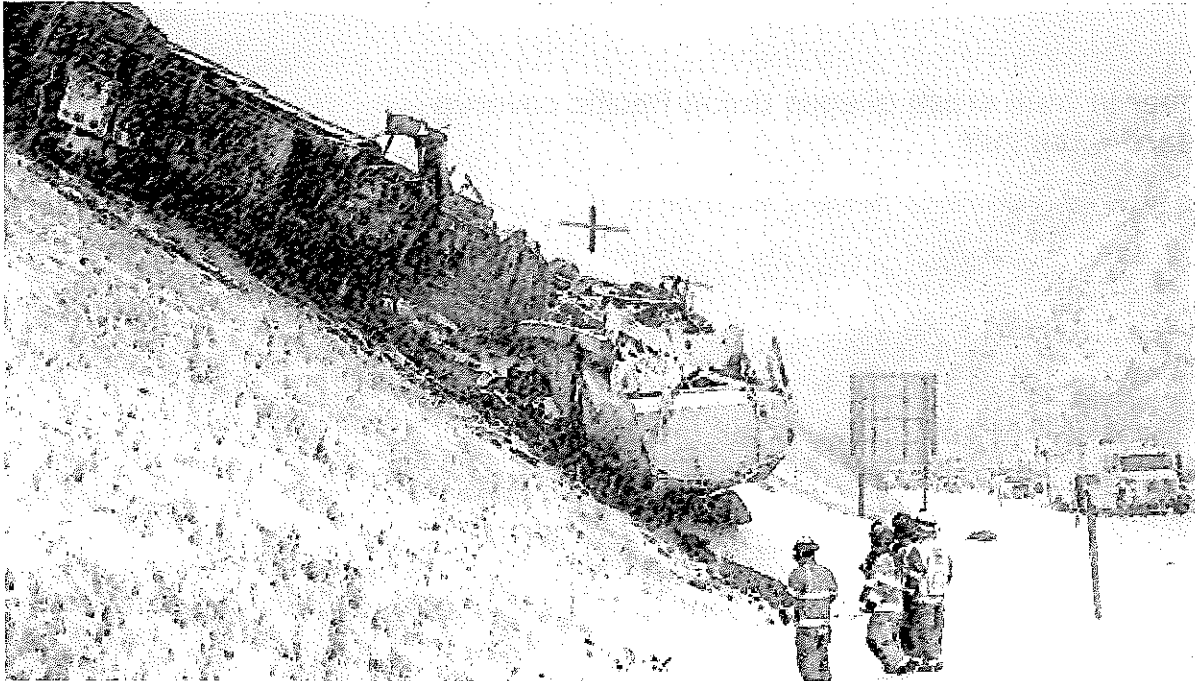


UINTAH [Uintah city in Weber County, Utah] — The federal report detailing a January train wreck is being disputed by the former Union Pacific locomotive engineer found responsible for the catastrophic crash. Union Pacific officials, however, say the FRA report is honest if incomplete.

Jeff Miller told the Standard-Examiner he was ordered to resign or be fired one month after two locomotives collided in Weber Canyon on Jan. 8, contrary to the findings of a Federal Railroad Administration report released this week stating nobody was terminated as a result.

Union Pacific spokesman Jeff DeGraff told the Standard-Examiner the FRA report is independent of the company's internal investigation. The FRA used input from Union Pacific, DeGraff said, but relied mostly on its own fact finding.

"We pride ourselves on working responsibly with these agencies. We provide information as accurately and timely as possible," DeGraff said. "But we are focused on improving safety in the future. ... They (the FRA) are mostly concerned with cause."



DeGraff confirmed Miller resigned under the threat of discipline, adding the conductor and student engineer were each suspended for four months.

"We do maintain service records for these types of incidents," DeGraff said. "These incidents will be on their record."

Miller quit in February, shortly after filing his account of the crash with Union Pacific, his former employer of 25 years. He said the railroad giant purposely misplaced his report because it was damning to the railroad's safety protocol.

"We (Miller, the conductor and the student engineer) went in there and told them the truth: We screwed up," Miller said. "We believe they listened to it and didn't like it. ... Somebody had to take the fall. We think they're covering up."

Miller said he was told his description of what led to the crash had been physically lost and he would need to file a new one. He refused, saying he was within his rights to submit an account only once. Shortly thereafter, he claims, he was given an ultimatum to resign. DeGraff said he could find no indication Miller's report was misplaced. He was baffled, in any case, as to why Miller would refuse to file another report.

"I can't seem to follow that line of thinking," DeGraff said. "If it was lost, whatever information he had put in the first report could be (re-filed)."

This week, the FRA reported Miller's train was traveling at 17 mph in a restricted speed area in the canyon. This specially designated stretch of track "require(s) that train crews be prepared to stop within ½ their range of vision," according to the Federal Register, a government daily legal newspaper. This high rate of speed led to the crash, the FRA found, leading to several derailed train cars and locomotives and about \$1.2 million in damage.

Miller acknowledges his train was at least partially at fault, mostly because it was struggling to stay in radio communication with the train ahead of it. However, he said, the snowy conditions that morning made the typical visibility/stopping distance requirement untenable unless the train was at a complete stop.

"There's no way to follow that rule in those circumstances," Miller said, adding he would have obviously gone for a complete stop had he known the location of the other train. Railroad dispatchers and the train ahead were each going through a shift change, creating a lack of communication, according to Miller. He also said Union Pacific is liable for not putting a transmitter in Weber Canyon, where radio communication is spotty.

"It was the steepest grade in my territory," Miller said, that runs from Green River, Wyo. to Salt Lake City.

DeGraff said Friday he had not closely reviewed the internal report of factors that led to the crash, but that Union Pacific officials were forthcoming with the FRA and were not penalized for their safety protocol.

Miller also claims he is still receiving worker's compensation for persistent concussion symptoms he suffered during the wreck. Union Pacific and the FRA each reported only minor injuries occurred.

"I still can't climb ladders. I have headaches and dizziness for most of the day," Miller said.

Union Pacific concluded only minor injuries resulted from the crash, DeGraff confirmed to the Standard-Examiner.

"A concussion may or may not show up at the time of the accident," DeGraff said. "That may help to explain the discrepancy."

Miller never had workers' compensation benefits, according to DeGraff. He is unsure where the payments are coming from.

"I'm not sure if it's health insurance or what else," DeGraff said.

A call to Miller to clarify his medical compensation was not immediately returned Friday. Miller considered filing a wrongful termination lawsuit against Union Pacific but was told by his attorney he had made a mistake by resigning.

"He sent everything back and said he couldn't take the case," Miller said. "He said I'd have been better off if I'd been fired."

Miller is moving to the Oregon coast with his wife this week, and says he can no longer afford his home in Clearfield. He feels he was an easy target whose complaints of being treated disingenuously fell on deaf ears at the railroad.

"They didn't care. That's Union Pacific's attitude about a lot of things," Miller said. "They're the big guy, you're the little guy."

Prevention, not malice, was the purpose of Union Pacific's investigation into Miller and the other employees, according to DeGraff.

"Safety is of the most importance for Union Pacific. The investigation is not necessarily a punitive one but one to help avoid these types of things in the future," DeGraff said. "We value our employees, all of them, and want to put them in a position to be successful."

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