

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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UNION PACIFIC EMPLOYEE *

FATALITY IN EL PASO, TEXAS *

Accident No.: RRD22FR013

ON AUGUST 29, 2022 *

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Interview of: JIMMY JACKSON, Manager of Train Operations (MTO)
Union Pacific Railroad

via Microsoft Teams

Thursday,
October 13, 2022

APPEARANCES:

RICHARD HIPSKIND, Investigator in Charge
National Transportation Safety Board

MICHAEL BACHMEIER, Operations Group Chair
National Transportation Safety Board

CHRIS MARTINEZ, Railroad Safety
Federal Railroad Administration (FRA)

ERIC CAMPBELL, Operating Practices
Federal Railroad Administration

JOSE SANCHEZ, Investigator
Texas Department of Transportation (TxDOT)

JIM MAYNARD, Safety Task Force Member
Brotherhood of Locomotive Engineers and Trainmen (BLET)

DONALD GALLEGOS
SMART - Transportation Division

JASON JENKINS, General Director of Safety
(Southern Region)
Union Pacific Railroad

GREG THOMPSON, Superintendent of Operations
Union Pacific Railroad
(Posting)

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I N T E R V I E W

(2:07 p.m.)

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3 MR. BACHMEIER: Okay. Good afternoon. My name is Mike
4 Bachmeier, and I am the NTSB operations group chairman for this
5 accident. We're here today on October 13th, 2022, at 1407, on a
6 Teams meeting to conduct an interview with Jimmy Jackson, who
7 works for UP. This interview is conjunction with NTSB
8 investigation of the accident near El Paso, Texas. The NTSB
9 accident reference number is RRD22FR013. The purpose of the
10 investigation is to increase safety, not to assign fault, blame or
11 liability.

12 Before we begin our interview and questions, let's go around
13 the table and introduce ourselves. Please spell your last name,
14 who are you a representative, and your title. I'd like to remind
15 everyone to speak clearly so we can get an accurate recording.
16 I'll start off and then pass it, and I'll just say your name on
17 account of we're on this Teams.

18 Again, my name is Mike Bachmeier. The spelling of my last
19 name is B-a-c-h-m-e-i-e-r, and I am the NTSB operations group
20 chairman for this accident.

21 Jim?

22 MR. MAYNARD: Good morning. Jim Maynard, BLET Safety Task
23 Force; Maynard, M-a-y-n-a-r-d.

24 MR. BACHMEIER: And I'll skip -- Chris Martinez?

25 MR. MARTINEZ: Chris Martinez, M-a-r-t-i-n-e-z, FRA.

1 MR. BACHMEIER: Don?

2 MR. GALLEGOS: Donald Gallegos, G-a-l-l-e-g-o-s, SMART
3 Transportation Division.

4 MR. BACHMEIER: Eric?

5 MR. CAMPBELL: Eric Campbell, C-a-m-p-b-e-l-l, FRA, operating
6 practices.

7 MR. BACHMEIER: Jose?

8 MR. SANCHEZ: Good afternoon. Jose Sanchez, S-a-n-c-h-e-z,
9 new track rail investigator for TxDOT.

10 MR. BACHMEIER: Jason?

11 MR. JENKINS: Jason Jenkins, J-e-n-k-i-n-s, general director
12 of safety for the Southern Region, Union Pacific Railroad.

13 MR. BACHMEIER: Dick?

14 MR. HIPSKIND: Good afternoon, everybody. My name is Dick
15 Hipskind. You spell my last name H-i-p-s-k-i-n-d. I'm the
16 investigator in charge with NTSB for this accident.

17 MR. BACHMEIER: And Greg?

18 MR. THOMPSON: Greg Thompson, T-h-o-m-p-s-o-n, superintendent
19 of operations.

20 MR. BACHMEIER: Okay. And is he just posting, Dick?

21 MR. THOMPSON: Just posting.

22 MR. BACHMEIER: Okay. Just want to make sure.

23 Okay. Thanks, everyone.

24 Jimmy, do we have your permission to record our discussion
25 with you today?

1 MR. JACKSON: Yes.

2 MR. BACHMEIER: Do you understand that the transcription will
3 be part of the public docket; as such, we cannot guarantee any
4 confidentiality?

5 MR. JACKSON: Yes.

6 MR. BACHMEIER: As we discussed, you had a chance to have a
7 representative with you today; is that correct?

8 MR. JACKSON: Correct.

9 MR. BACHMEIER: I'd like to ask everyone to clearly announce
10 your name and title before questioning. Let's proceed.

11 INTERVIEW OF JIMMY JACKSON

12 BY MR. BACHMEIER:

13 Q. Jimmy, could you please give us a synopsis of your work
14 experience taking us up to your present just, and let us know how
15 long you've been in your current position?

16 A. Okay. I started with my railroad career in April of 1995.
17 I've worked as a locomotive engineer from November '95 up until
18 March of 2014, which I assumed the manager of operating practices
19 position in Memphis, Tennessee up until late 2019, and which I
20 then relocated to Omaha, Nebraska up until February of this year,
21 2022.

22 Q. Okay.

23 A. And which I have assumed the position that I am currently in
24 as Manager 1 of train operations.

25 Q. Okay. Manager 1, did you say?

1 A. Correct.

2 Q. And what does the 1 stand for?

3 A. That just -- that's just a part of the title there. It
4 differentiates between a Manager 1 and a Manager 2 as far as
5 responsibilities are concerned.

6 Q. Okay. I gotcha. Is there different responsibilities between
7 a 1 and a 2, I take it? Any -- can you elaborate on the
8 difference?

9 A. Well, the Manager 2 is essentially entry level, which is a
10 feeder into the Manager 1 position, and the Manager 1 position
11 comes along with some mentorship responsibility as far as bringing
12 a Manager 1 along -- or Manager 2 along. Excuse me.

13 Q. Okay. Thank you. Okay. Let's go back to the day of the
14 incident. Can you describe how the day got started for you? And
15 I know we had some -- just kind of how the day started and what
16 time you started your shift, and just go through that.

17 A. The day in question started, you know, as we normally do. We
18 begin our turnover at 0530 on the morning. We go through a lot of
19 different, a lot of different aspects of what's anticipated and
20 what we have going on at the time. It essentially goes through
21 the process of stating, number one, the state of the complex.
22 That would normally entail what we have just yarded, what's due,
23 and typically in the order that we expect them to arrive. From
24 there, we'll go along with what trains are going to be built off
25 of the trains that we're expecting in and, also, just, you know,

1 dealing with things that what's going to come in, what trains are
2 going to be built off of those, what our inventory is like. We'll
3 discuss our capacity and our ability to take in more.

4 We'll also go over some crew issues. The crews that are on
5 duty, we'll go over what their hours of service, what their hours
6 of service are left upon their tour. We'll talk about outbound
7 crews and the times that they're going to go on duty and the times
8 that we can expect our trains to depart, as well as, again, our
9 arrivals. We'll also discuss anything that may be referred to as
10 an off-plan move, if any, and that would entail anything that's
11 out of the ordinary. We'll also discuss conditions of the yard
12 pertaining to any track structure, any issues with switches; talk
13 about any issues, if any, with the crews; locomotive conditions,
14 if we're experiencing any setbacks as far as our locomotives are
15 concerned, things of that nature.

16 Q. Okay. Okay. Now was there anything different about this day
17 in question?

18 A. No. There was nothing different I can recall about this day
19 when I went on duty. No.

20 Q. Okay. Did the night -- when you -- who did you relieve?

21 A. As far as I can recall, I relieved Everardo Tellez.

22 Q. Okay. So you relieved him. And then did you guys talk about
23 anything like the maintenance of way working in the yard? Was
24 that part of the turnover in the early morning, getting ready for
25 that?

1 A. Yeah, I want to just be clear that we're talking about the
2 same day. I mean, and this is what -- because my shift would have
3 started at 05 and --

4 Q. Yep, 5:30. Yep.

5 A. -- and then I -- then he relieved me at 1730.

6 Q. Yep. That's what I wanted to make sure. So this would have
7 been the day of the incident. Who did you relieve the day of the
8 incident at 5:30?

9 A. I believe that was Ever on that day as well.

10 Q. Okay. Yeah. That's what I was --

11 A. Okay.

12 Q. Because I know they like to -- I know they were talking
13 about -- the track guy talked to us and he said that they had --
14 the night before they had to get everything ready for the Form B
15 and all that stuff going in there. That's why I was kind of
16 wondering if you guys had -- during your turnover, did this come
17 up before your shift even started, talking about getting ready for
18 the maintenance of way?

19 A. Yes. That's right.

20 Q. Okay. And then what time was the maintenance of way supposed
21 to start tearing out the switch?

22 A. I don't recall the exact time that they were supposed to
23 begin the work.

24 Q. Okay. Do you know why they were pushed back in the morning?

25 A. If I remember correctly, that was due to track, and we

1 weren't able to give them the time initially. It was a little
2 later in the morning, if I recall.

3 Q. Yeah. Okay. Is there anything that makes a shift more
4 challenging for you as a MTO?

5 A. Certainly. One of the things that makes a job more
6 challenging is if we arrive a train at our location and they don't
7 have a sufficient amount of time to perform the work event that is
8 required of them. That makes it a little bit more challenging.

9 Q. Okay, okay. And then we know this train was coming from the
10 west and it went to the east and then it was going to back in.
11 Now, is that typically there at El Paso?

12 A. Coming from the west and --

13 Q. Well, that train was -- yeah, it was heading -- came from --
14 it could have just pulled into the west yard, but it went down to
15 the east end and then shoved in, instead of just pulling into the
16 yard. Is that normal?

17 A. That's a typical move that we make, yes.

18 MR. BACHMEIER: Okay. I am going to pass off to Jim.

19 BY MR. MAYNARD:

20 Q. Good morning. Jim Maynard, BLET Safety Task Force.

21 Jimmy, I just have one question for you. Did you go through
22 any special training, you know, anything else to qualify as -- to
23 take over the yardmaster position there in Alfalfa?

24 A. Well, I did a lot of -- upon arrival here, there was a lot of
25 on-the-job training that was done, yes.

1 Q. Okay. But no per se qualification to do that job or anything
2 like that? Just familiarization?

3 A. Essentially, yes.

4 MR. MAYNARD: Okay. I think that's all I've got. Thank you,
5 Jimmy. I appreciate it.

6 MR. BACHMEIER: Thanks, Jim.

7 Don?

8 MR. GALLEGOS: Yeah, Donald Gallegos. Good morning -- good
9 afternoon there, Jimmy. I don't have any questions at this time,
10 just sort of listening for now. I might have something later.
11 Thank you.

12 MR. JACKSON: Yes, sir.

13 MR. BACHMEIER: Chris Martinez?

14 BY MR. MARTINEZ:

15 Q. Chris Martinez, FRA. Can you walk us through the afternoon
16 turnover, what you guys talked about, what happened?

17 A. Sure. Again, the items that I stated that we go over on a
18 typical day, those items were discussed: the overall state of the
19 complex, you know, what we've already yarded, what we anticipate.

20 MR. MARTINEZ: I think he froze.

21 MR. BACHMEIER: I think you froze there, yep. Just --

22 MR. JACKSON: (Indiscernible).

23 MR. BACHMEIER: Jimmy?

24 MR. JACKSON: And anything, again, that's out of the
25 ordinary. Yes?

1 MR. BACHMEIER: Hey, I think you froze there so we didn't get
2 the first part of your answer. You were froze there for a second.

3 MR. JACKSON: Oh, okay. I'll --

4 MR. BACHMEIER: Yup.

5 MR. JACKSON: Okay. I'll be more than happy to start again.

6 Again, we discussed on that day the things that, you know, we
7 typically discuss: The overall state of the complex, you know,
8 what trains we've yarded, our cross-hauls, what's due and the
9 order in which they are due, what trains are going to be built off
10 of the traffic that we have received, you know, just the normal
11 stuff; the statuses of the crews as far as how much time they have
12 left to work, what time the compound crews will be going on duty,
13 anything out of the ordinary concerning any sort of track
14 conditions, switches, locomotive or crew issues, or if there were
15 any sort of off-plan moves, something that does not happen on a
16 normal day.

17 And I believe the second part of your question was did we
18 discuss anything about maintenance of way working on that day?
19 Was that the second part of your question?

20 BY MR. MARTINEZ:

21 Q. Yes.

22 A. Yes. And the answer to that question is yes. I had been in
23 contact with the maintenance of way throughout the day as well,
24 and they had given, you know, kind of the time of which they
25 thought they were clear, and I relayed that to Mr. Tellez prior to

1 leaving because I knew it would be long after I had already gone
2 home.

3 Q. You can't recall the tentative times?

4 A. Off the top of my head -- and I believe it was somewhere
5 between 2000 and 2100. I don't recall the exact time.

6 MR. MARTINEZ: That's all I got for now.

7 MR. BACHMEIER: Okay. Thanks, Chris.

8 Eric?

9 BY MR. CAMPBELL:

10 Q. Yeah, Eric Campbell, FRA operating practices. Jimmy, when
11 you were talking to maintenance of way about the work being done,
12 had they informed you at any point that the east yard lead was
13 blocked with derail, they had taken it out of service and blocked
14 it, protected it with derail?

15 A. Yes, that was the understanding. Correct.

16 Q. Was that information relayed in the turnover?

17 A. That's correct.

18 MR. CAMPBELL: Okay. That's all I have. Thank you.

19 MR. BACHMEIER: Thanks, Eric.

20 Jose?

21 MR. SANCHEZ: Yes, sir.

22 BY MR. SANCHEZ:

23 Q. Jimmy, Jose Sanchez, S-a-n-c-h-e-z. A question about the
24 derails. When you discussed the derails, did you all discuss the
25 location of the derails?

1 A. Right. We discussed the location of the derails. I relayed
2 what was given to me by the maintenance guys, that they were going
3 to be in the vicinity of Carolina, somewhere down there. As far
4 as a pinpointed, you know, milepost location, now we're talking
5 other than main track so, you know, that was not discussed.

6 MR. SANCHEZ: Okay. Thank you, Jimmy. That's all I've got
7 for now.

8 MR. BACHMEIER: Thanks, Jose.

9 Jason?

10 BY MR. JENKINS:

11 Q. Jimmy, Jason Jenkins, J-e-n-k-i-n-s, Union Pacific Railroad,
12 general director here on the Southern Region. I'm in Spring.
13 Thank you for being with us today and spending some time with us
14 and answering questions.

15 Eric asked you a question about a derail and was there some
16 communication around it. You responded yes, there was. Was there
17 communication specifically to what type of derail was put down?

18 A. No, sir.

19 Q. And if there wasn't any specific communication, what would
20 you think would be the derail maintenance of way would use?

21 A. A portable on-rail derail.

22 MR. JENKINS: Okay. Thank you.

23 That's all I have now, Mike.

24 MR. BACHMEIER: Okay. Thanks, Jason.

25 Dick?

1 BY MR. HIPSKIND:

2 Q. Jimmy, how you doing?

3 A. Fine. Thank you, sir. How are you?

4 Q. Well, you are doing a fine job, so -- here's what I want to
5 know, basically three things. I want to know a little bit more
6 about some of the conversation, maybe some texts, stuff like that.
7 But the first thing I want to start off with is help us to
8 understand when you're taking a look at what you're going to do in
9 the yard, arrival of trains, departure of trains, stuff like that,
10 help us to understand from your perspective how do you decide when
11 a train is going to arrive whether you're going to pull it in or
12 you're going to have it shove in? What tips that decision point
13 for you as you're organizing all that?

14 A. Okay. For me what would factor into my decision in regard to
15 that will be the condition of my yard at the time. Of course, if
16 I have a clear track on the receiving side, I will likely bring
17 them in from the west and just have them pull through. But again,
18 you know, that is -- shoving from the east is not, you know, a
19 move out of the ordinary because, you know, depending upon the
20 capacity in the yard that's not always feasible.

21 Q. Okay. And you also -- I want to be sure I understand what
22 you meant. It seemed to me like you were laying out that -- when
23 you talk about challenges, it concerns you if somebody is sending
24 you a train. So we're talking about a train off the main line and
25 they're destined to stop at Alfalfa Yard, maybe to set up, pick

1 up, maybe to terminate there. And you indicated something about
2 being on short time. Elaborate on that, if you will, a little
3 bit.

4 A. Well, in essence, that's something that we manage through.
5 It is not the ideal situation, but, I mean, we manage through that
6 piece. And then what that means is, if we perceive that a train
7 cannot complete its work within its allotted timeframe, we may
8 have them only do half of it, maybe yard what they have in one of
9 our tracks in the clear and we'll pick that up with perhaps a
10 relief job or another job that we may have at our disposal. So
11 it's not a big deal. It's just a little bit of a delay as far as
12 what we can get done with that one crew.

13 Q. Okay. And what we're really talking about here, Jimmy, is
14 the road crew's hours of service, and it -- certainly if they
15 arrive at your yard and they've got another hour or 2 left, they
16 can complete delivering their train in the appropriate tracks as
17 you direct them?

18 A. Correct. And sometimes it works out that way, sometimes it's
19 merely secure your train. Sometimes that's just the end result.
20 If we determine that they do not have enough time to accomplish
21 the task, we'll just have them to secure your train right there,
22 we'll get you off.

23 Q. Okay. And I've been around railroading for way too long, so
24 let me also say one of the problems a yardmaster also runs into or
25 an MTO, maybe that road crew doesn't get to the yard and they go

1 dead, say, just a few miles from the yard, you got to get a yard
2 job to go out, relieve that crew and bring that train on in.

3 A. No, sir. That would be one of those off-plan type moves I
4 spoke of. We typically do not send our yard jobs out to relieve
5 trains.

6 Q. Okay. But eventually somebody relieves the crew that expired
7 on their hours of service, but they -- eventually you get the
8 train, correct?

9 A. Absolutely. Yes, sir.

10 Q. Okay. And I want to revisit the morning of the accident. I
11 get it. You came in at 5:30. And take us a little bit through
12 how long does a transfer -- I -- and you correct me if I'm wrong.
13 You basically work a 12-hour shift and Evers, he works a 12-hour
14 shift, correct?

15 A. Correct.

16 Q. Okay. So I think what Mike was trying to get at is when you
17 come on duty, you're relieving Evers and when Evers comes on duty,
18 he's relieving you? You work 12 hours, he works 12 hours; you see
19 him at the start of his shift, he sees you at the start of your
20 shift. Have I got that part right?

21 A. That's right.

22 Q. Okay. When you guys -- when you and Evers talk, take us
23 through -- and I know you went down the list of all the things you
24 do. But how long does that generally take for you guys to have
25 your transfer?

1 A. It can vary. In all honesty, it can vary, and that depends
2 on what we have to convey to each other. We don't rush through
3 it. And when he -- and both he and I, really, when we have these
4 conversations with each other sometimes we take little shorthand
5 notes just for our sake. And also we'll likely send something out
6 in our Alfalfa Teams on that as well, so -- but again, we don't
7 rush through the process. We want to make sure that everything
8 has been covered that's going on within the complex.

9 Q. Okay. You mentioned about your Teams thing. Take us through
10 a little bit more detail about that. I get it that the trains are
11 coming at you, trains are departing the yard. Talk to us a little
12 bit about your world with the dispatcher. What is that like? Is
13 it -- do you talk on the phone? Do you Teams message each other?
14 How do you know what's coming at you and how do you let somebody
15 know that you're going to have a train ready for them? Take us
16 through that communication a little bit if you can.

17 A. Exactly. It's a constant communication with the Harriman
18 Dispatching Center from start to finish. And of course we utilize
19 the CAD system and we track these trains hundreds of miles out so
20 we're not scrambling once they arrive. So we track them hundreds
21 of miles out. So if they have a work event that's going to be
22 taking place within our location, we want to plan for that well
23 ahead of their arrival. And again, we're talking with the
24 Harriman dispatcher as well as the corridor managers about the
25 spacing between those trains so we'll have adequate time for them

1 to complete a work event, get that train out before the next one
2 is brought over to us. So it's a constant back and forth in that
3 regard. And that's done through a combination of medias, whether
4 it is Teams, phone calls, and so on.

5 Q. And the other big -- when we interviewed Evers, he talked
6 about there's a screen, and I took it to be -- and I think you
7 just alluded to it, that you have -- I'm reluctant to say you have
8 the dispatcher screen in your yard office, but if you could
9 describe that? It sounds like that's giving you an awful lot of
10 information about incoming and stuff like that. So could you
11 describe that just a little bit more?

12 A. Right. And if I understood you correctly, likely what -- if
13 we're talking about what the dispatcher sees, that would be the
14 CAD screen that I mentioned. And that allows us, again, to see
15 what trains are where and we can, you know, see exactly how much
16 time we have before the arrival. And we have other tools that's
17 at our disposals also. There's an El Paso Complex lineup that is
18 displayed as well. We also run an inbound terminal sheet that
19 lets us know what we're likely to see on our shifts as well. So
20 we have several tools that we use.

21 Q. Okay. And I want to spend just a little bit of time talking
22 about the maintenance of way work that occurred that morning. It
23 was our understanding in talking with Leonard Corliss -- he was
24 the EIC of that project -- he thought he was going to start at 7
25 o'clock. And I get it, Jimmy. It sounds to me like you had a hot

1 train that had to be put together and that meant that you needed
2 that east end of the yard and you couldn't give it to Leonard
3 right at 7 o'clock. Have I got that part right?

4 A. If I recall, that's about right. Yes, sir.

5 Q. Okay. But eventually, about noonish time -- about noontime,
6 your train had been made up, it was ready to depart or whatever.
7 But about noon, you were able to give the track back where he
8 needed to work; is that -- does that fit your recollection?

9 A. I'm not 100 percent solid on the time, whether it was noonish
10 or whether it was late morning, but it has to be somewhere pretty
11 close. Yes.

12 Q. Okay. And I want to be just a little bit more specific.
13 It's our understanding, and just see if this jogs your memory,
14 that Leonard indicated to us that on the east end of his work
15 there were several more tracks that he needed to protect against
16 equipment moving into his work zone. And he indicated to us he
17 thinks he put up at least three on the east end of his job. Does
18 that sound about right to you?

19 This is not a trick question, Jimmy. It's just -- all I'm
20 trying to -- the picture I'm trying to paint is there's more
21 access points coming into the east end of this work.

22 A. Right. And I'm not trying to be elusive in any way. It's
23 just that Leonard has worked down there and I've interacted with
24 Leonard on more than one day. I'm just trying to make sure I'm
25 not mixing days.

1 Q. Oh. Okay. Okay.

2 A. Because I do recall there was one day where he mentioned
3 putting a derail on the DAJ track and then the lead, so I just
4 want to make sure I get it right. But as far as where he had
5 those derails, he indicated that he was protecting that east end
6 and he was in communication with the dispatcher, I believe, as far
7 as blocking out the switch and so on and so forth. And that's all
8 I can recall at this point in regard to that.

9 Q. Fair to say you and Leonard have a good working relationship?

10 A. Yes. Yes. But I believe I met -- I first met Leonard at --
11 you know, during this period when he stopped by the office to
12 speak with me beforehand.

13 Q. Okay. All right. As far as the text messaging, do you ever
14 reach out to the corridor manager at the Harriman Center or is it
15 mostly with the dispatcher?

16 A. I do reach out to the corridor manager and we have
17 conversations, as well as with the dispatcher. Correct.

18 Q. And again, that is the broader spectrum, the succession of
19 trains that may be coming at you and that need to stop at Alfalfa;
20 is that conversations you have with him?

21 A. Yes. That's usually done by a Teams message as well that the
22 corridor is included in.

23 Q. Okay. Now again, not a trick question. We've been dialed
24 into this Teams messaging. Give us -- why do you use that? Why
25 do you rely on Teams messaging? Is it just a matter of you're not

1 bugging somebody on a -- to try and bring them up on a telephone
2 call? What's going on there? It seems like everybody uses it and
3 it seems like it's useful, but I just wanted to get your
4 perspective.

5 A. Okay. As far as Teams is concerned, that has been our
6 mandate, to utilize Teams, and we comply with that. And again, it
7 keeps everyone in the loop, versus side conversations with a
8 particular individual who may not disseminate that information
9 along with everyone that has a need to know. So it's -- send it
10 out, everyone that has a need, they'll get it at the same time and
11 they can act accordingly.

12 Q. If you have a Teams messaging back and forth between you and
13 the dispatcher or you and the corridor manager -- here's something
14 that we haven't talked to anybody about yet and so hopefully you
15 can kind of shine a light on it. If I'm you and I'm reaching out
16 to the dispatcher for my area and I want to know about Train 123
17 and maybe when it's going to arrive or something like, I can
18 text -- I can use this text and text the dispatcher, and maybe a
19 minute or -- maybe he's busy and maybe a minute or later he
20 answers me back. And you see that and you answer him back and you
21 say something like, okay, yeah, that'll be fine; have him pull in
22 the west end, okay, I'll have it clear. And he answers back,
23 okay, sounds like a good plan.

24 Now I just laid out an example between you and the dispatcher
25 coordinating the arrival of a train and how you want it done.

1 Okay? Is the fact that we -- that you communicated with the
2 dispatcher, is that something that you can review? Is it there on
3 a screen that you can access that 10, 15 minutes later and you
4 say, well, did I tell him to pull that train in the west -- you
5 can access that conversation and you can review it. Have I got
6 that part right? And --

7 A. That's right.

8 Q. -- please comment on that.

9 A. That's correct. We can go back and look at the conversation
10 that we had quite some time ago. That's correct.

11 Q. Okay. And then that takes all the stuff off the telephone
12 and off the radio?

13 A. Correct.

14 Q. Okay. All right.

15 MR. HIPSKIND: Jimmy, you've done a great job.

16 Mike, let me throw it back to you then.

17 MR. BACHMEIER: Okay. Jimmy, we're going to go around the
18 table one more time, but I'm going to -- I got about four quick
19 questions for you.

20 MR. JACKSON: Okay.

21 BY MR. BACHMEIER:

22 Q. Mike Bachmeier, NTSB. If you have maintenance of way working
23 in and around your yard and if you wanted to get an update on how
24 they're doing or when they're going to clear up, do you normally
25 reach out to the employee in charge, or how do you guys

1 communicate?

2 A. Yes, that's correct. When they come in and they're looking
3 to, you know, have access to a certain segment of our yard, they
4 come in and they talk to us and we ensure that, number one,
5 they're on the right channel so we can get ahold of them. We
6 ascertain where they're going to be so we can relay that to the
7 crews, and so forth. But yes, in answering your question, we are
8 in contact with that EIC.

9 Q. Okay. And just when -- and if there's a maintenance of way
10 out there working, and we know how maintenance of way is -- right,
11 Dick?

12 I'm an operating guy, too, so -- you know, they always say
13 it's going to be an hour, right? And we know 1 hour means at
14 least 2 to 3 hours for maintenance of way. So do you usually
15 contact -- would you -- if you haven't heard nothing, do you
16 usually contact maintenance of way and say, hey, how long is it
17 going to be; can I get an update? Or do you just kind of let it
18 go and wait for them guys to get ahold of you?

19 A. No, I absolutely -- we talk to them, find out how they're
20 coming along and that sort of thing, and then usually they'll give
21 us an update.

22 Q. Okay. Thank you. And then I got to switch directions here
23 for a couple questions. I got to -- a system safety investigator
24 wanted me to ask a couple questions: Have you ever been drug
25 tested on the job in your railroad career?

1 A. Yes.

2 Q. Okay. And then, who would be your supervisor? You're the
3 manager of train operations. Who is your supervisor?

4 A. The senior manager of train operations. That would be Ryan
5 Downs.

6 Q. Okay. Senior -- what was his title?

7 A. He's the senior MTO.

8 Q. Senior MTO. Okay. And then does he come and sit with you
9 and give you a -- let's just say supervise you, kind of just come
10 and sit with you and see how you're doing on your job?

11 A. Several times a day. Yes, sir, that's correct.

12 MR. BACHMEIER: Okay. I think that's all I got. And I'm
13 going to pass it off to Mr. Jim.

14 Are you --

15 MR. MAYNARD: Yeah. I'm here, Mike.

16 BY MR. MAYNARD:

17 Q. Again, Jim Maynard, BLET Safety Task Force. Just out of --
18 Jimmy, if you don't mind, how often throughout the day do you
19 generally talk to maintenance of way when they're working
20 somewhere in the yard or have something, a derail or whatever, in
21 your yard? Is it quite often or does it go long spells in between
22 or --

23 A. I apologize. I missed the first part of your question.

24 Q. I was just wondering how often, when you've got maintenance
25 of way working in the yard or around the yard, how often do you

1 speak with them?

2 A. Oh, it'll likely depend. If we've agreed upon a certain
3 time, then I'll reach out to them sometimes halfway or sometimes
4 three-quarters of the way to kind of see how they're coming along
5 and when they can give the track back.

6 Q. Okay. And there again, you know, if you've got a --
7 something with the tracks or a track out of service, who would you
8 contact? I'm assuming the EIC?

9 A. Yes. That's absolutely right. Yes.

10 Q. And on that day when Ever relieved you, did you happen to
11 pass on who the EIC was or did you guys discuss that, do you
12 remember?

13 A. If I recall, we did discuss by name because I think I gave
14 him Leonard's name and number, if I'm not mistaken.

15 MR. MAYNARD: Okay. All right. And I think that's all I've
16 got for right now. I appreciate your time and thanks for doing
17 this.

18 MR. BACHMEIER: Thanks, Jim.

19 Don?

20 MR. GALLEGOS: Yes, sir. I think all the members have pretty
21 much covered all the questions. So I do appreciate your time and
22 your straightforwardness and your thoroughness on your answers.
23 Thank you very much. This is Donald Gallegos, SMART -
24 Transportation Division.

25 MR. BACHMEIER: Thanks, Don.

1 Chris Martinez?

2 MR. MARTINEZ: Chris Martinez, FRA. Jimmy, thank you. I
3 have no questions at this time, but thank you for participating in
4 this.

5 MR. JACKSON: Thank you. You're welcome.

6 MR. BACHMEIER: Thanks, Chris.

7 Eric?

8 BY MR. CAMPBELL:

9 Q. Eric Campbell, FRA, operating practices. Jimmy, at any time
10 during your shift on the day of the incident, did anyone release
11 the track to you or give you any information that would imply that
12 that track was clear and it was okay for anyone to come in?

13 A. No.

14 Q. At any point in your shift did you relay that type of
15 information to anyone else?

16 A. No.

17 MR. CAMPBELL: Appreciate your time, Jimmy. Good job. Thank
18 you.

19 MR. BACHMEIER: Thanks, Eric.

20 Jose?

21 BY MR. SANCHEZ:

22 Q. Yeah, Jimmy, Jose Sanchez, S-a-n-c-h-e-z. Just a question on
23 the job briefing you had with Leonard that morning. Was it via a
24 phone or how did you all job brief that morning?

25 A. That was a face-to-face conversation in my office.

1 MR. SANCHEZ: Okay. Thank you. That's all I've got.

2 MR. BACHMEIER: Thanks, Jose.

3 Jason?

4 BY MR. JENKINS:

5 Q. Jason Jenkins, J-e-n-k-i-n-s, Union Pacific Railroad. Jimmy,
6 other folks on here did a really good job because they asked you
7 the same questions that I wanted to, but I do want to clarify one
8 thing. You said earlier in response to about Mr. Corliss's phone
9 number, so you did have Leonard's phone number with you so you
10 could contact him via cell phone?

11 A. Leonard's number populates on the caller ID on the office
12 phone.

13 MR. JENKINS: (Indiscernible). Thank you, Jimmy. Appreciate
14 your time.

15 MR. BACHMEIER: Thanks, Jason.

16 Dick, back to you.

17 BY MR. HIPSKIND:

18 Q. Jimmy, we got -- we wanted to know so much about the day of
19 the incident. I want to back up and just you and I have a
20 conversation about -- if you'll paint the picture for us about the
21 layout of Alfalfa Yard. And what I'd like for you to do is just a
22 ballpark what is the length of the yard, how many tracks are we
23 talking about just in general, and how many yard jobs are
24 typically there of a day, and so I can kind of get a picture in my
25 mind about the layout of the yard.

1 A. Okay. Well, we have what we refer to as a receiving side and
2 a departure side, and that is split pretty much from east to west
3 by our lead. Now on the east end it's going to be from the west
4 end of 4 track eastward going out towards the main line on the
5 east end, which we refer to as our east -- as our 4 lead or east
6 lead.

7 Okay. And to the south of that is where we have, of course,
8 track 1 through 3. One, 2 and 3 are our receiving tracks.
9 They're 7300 feet long, each of those tracks are, and that's where
10 we yard our trains into. Of course the other tracks, you know,
11 feed off of those tracks and they get, you know, significantly
12 shorter. Out of -- coming off of 1 track is there an adjacent
13 extension there, if you would, that would feed onto that 4 lead
14 heading out towards the single east lead going out to the main.

15 On the south side -- correction -- on the north side is where
16 we will have towards the middle of that yard what we refer to as a
17 tank yard. It comes off of the 4 lead then goes through our RIP
18 tracks, 590 through 593 -- 592, rather, I'm sorry, and then our 18
19 through 29. Then north of that we'll have, coming off of, off
20 of -- which is our 29 lead -- and I'm trying to, you know, not to
21 confuse you so much with this, but off of 29 lead, then we'll go
22 into 30 track and so on. And then of course north of that through
23 35, and our 36 track is a spur, there's no access from the east
24 end of the yard.

25 And as far as the length of the yard is concerned, it's a

1 couple miles. You're talking from Control Point 823 at the west
2 and Control Point 820 on the east, so give or take 3 miles, 3
3 miles or so from control point to control point.

4 Q. Okay. And kind of, if you'll detail for us, how -- when we
5 use the term yard jobs, how many crews or yard jobs typically work
6 there each day and what does a yard crew consist of?

7 A. Okay. We have two yard jobs, two designated yard jobs per
8 shift, per the three shifts. The yard jobs that work on the east
9 end of the yard are conventional jobs that consist of two trainmen
10 and an engineer. On the west end, those jobs are RCO jobs, RCO
11 jobs with two employees working the boxes. And throughout the day
12 there are a couple of a locals that come on duty that will do a
13 little minor switching there prior to departing to go and spot
14 their respective industries.

15 Q. Okay. And I want to get back and have you comment on the
16 accident train for just a second. The bottom line is, for that
17 ISIEP, that crew typically reports to Alfalfa Yard and they get
18 transported over to Santa Teresa. They build the train, pick up a
19 train, and then they bring those cars, that train, back to
20 Alfalfa. That is the general routine for that ISIEP; have I got
21 that right?

22 A. Ordinarily that job will go on duty at Santa Teresa.

23 Q. Okay.

24 A. And they will begin at the ramps and come on over to Alfalfa
25 with their crossover. The relief job starts at Alfalfa then goes

1 on over there to Santa Teresa.

2 Q. But the idea is to bring the loads and empties from Santa
3 Teresa, bring them over to Alfalfa?

4 A. Correct.

5 Q. And put them in the yard?

6 A. Correct.

7 Q. And the long and short of it is, if you can head them in the
8 west end and have them pull in the yard, you would do that?

9 A. And again, that is -- it's an option that is determined by
10 the manager at the desk, because, again, our biggest -- that's
11 where all of our switching is being done and sometimes that is
12 just -- even if there -- one of our three lead tracks are -- our
13 three receiving tracks are clear, a lot of times those guys have
14 ahold of a big cut and they're strung way out, out to the -- what
15 we call Texaco, to 823 down there, and so that ISIEP can't get in
16 from the west. So again, ideally, in a perfect world, we'd like
17 to bring them in all the time through the west ideally, but
18 sometimes that's just not feasible.

19 Q. Okay. My way of saying that, and I know you and I are saying
20 the same thing, busy is busy and blocked is blocked. And I've --

21 A. Absolutely.

22 Q. Yeah, and I've only got two entrances to the yard. West end,
23 if it's busy and blocked, the only other way to come in is the
24 east end.

25 A. Correct.

1 Q. Okay. So let's talk a little bit about the work that Leonard
2 did that day. I'm assuming that eventually the panel switch got
3 put in, and it's my understanding that the panel switch that he
4 installed -- I want to be clear about this -- on main track 1 to
5 access the east end of the yard -- give us an update. Is -- are
6 you using that? Is that working now? Or how should I understand
7 that?

8 A. Okay. That -- I have not seen it used yet. I personally
9 have not experienced that new crossover being used.

10 Q. Okay. But what is the -- what's the idea behind it? If
11 there's a justification for putting it in there, is it to shorten
12 up the shove move that trains might make if they have to shove in
13 the east end of the yard?

14 A. Absolutely. Absolutely. That prevents them from having to
15 go all the way east of Control Point 820.

16 Q. Okay. And I can put a guy on the ground there at that
17 crossover. Do I still have to ride and protect the shove move?

18 A. I mean, well, you know, by virtue of the rules, you always
19 have to protect your shove move. As far as putting a guy on the
20 ground, I'm not sure I'm following your question there.

21 Q. Well, forget that question. I probably got that wrong, so --
22 the main thing, my takeaway about the switch installation, it's
23 your understanding it's not being used right now or you haven't
24 seen it being used?

25 A. I personally have not seen it being used.

1 Q. Okay. All right.

2 MR. HIPSKIND: Jimmy, you've done a wonderful job. I
3 appreciate you taking the time to walk and talk me through
4 painting of the Alfalfa Yard. I think I can know and understand -
5 - I can see it now in my own mind's eye, so I appreciate the
6 detail.

7 That's all I've got, Mike.

8 Thanks, Jimmy.

9 MR. JACKSON: Sure.

10 MR. BACHMEIER: Okay. Thanks, Dick.

11 Let me -- I got a couple more.

12 BY MR. BACHMEIER:

13 Q. Jimmy, do you have anything you'd like to add to this
14 interview?

15 A. Well, the only thing that, you know, I'd like to add -- there
16 was a question asked of me earlier, is what sort of training, if
17 any, that I had prior to taking this position. I just want to
18 just kind of insert that, you know, there's been countless
19 training over the last almost 10 years that I've been a manager
20 that has taken place through, you know, various aspects of
21 managerial roles, etc. So as far as management is concerned, and
22 in this role, you know, I'm not new to management. I'm only new
23 to this desk and this operation in El Paso.

24 Q. Okay. Yeah, and I think what the question was referring to
25 is as yardmaster they have to be qualified. Yardmasters have

1 yardmaster training, and that's what I think he was getting at is,
2 do you go through a yardmaster training when you are an MTO? When
3 you're running the yard, you're doing the same duties as a
4 yardmaster, and I think that's what the question was. But yes, I
5 appreciate your answer there. Because I don't think you -- you,
6 as a manager, do not go through the same training as the
7 yardmasters, right?

8 A. I really don't know what training they go through, so I can't
9 answer that.

10 Q. Yeah. I gotcha. No problem. No, that's good.

11 So, Jimmy, if we have any follow-up questions, would you mind
12 if we could contact you?

13 A. Not at all.

14 Q. Okay.

15 A. I don't mind.

16 Q. I appreciate it.

17 MR. BACHMEIER: And on behalf of the NTSB and all of us here
18 today, thank you for your time and cooperation, and this ends our
19 interview. Thank you.

20 MR. JACKSON: Okay. Thanks.

21 MR. HIPSKIND: See you, Jimmy.

22 MR. JACKSON: Okay.

23 (Whereupon, the interview was concluded.)
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

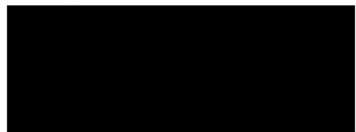
IN THE MATTER OF: UNION PACIFIC EMPLOYEE FATALITY
 IN EL PASO, TEXAS ON
 AUGUST 29, 2022
 Interview of Jimmy Jackson

ACCIDENT NO.: RRD22FR013

PLACE: via Microsoft Teams

DATE: October 13, 2022

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Kay Maurer
Transcriber