

ROSSL, COX & VUCINOVICH, P.C.  
FELA 101: WHAT TO DO IF YOU ARE INJURED ON THE JOB

Q: What is the FELA?

A: The FELA, or Federal Employers' Liability Act, is a Federal Law that protects the rights of Railroaders if they are injured on the job. It provides that an injured employee may seek compensation for all of his or her damages within three years from the time of the injury. It is regarded as one of the best laws for injured workers because it provides a system of full and adequate compensation for injured railroad employees, while at the same time promoting rail safety and safe working conditions for the benefit of all railroad employees. It is a fault-based system and state worker compensation laws do not apply. More information may be obtained from your Designated Legal Counsel.

Q: Where and to whom do I report my on-duty injury?

A: Report your injury to your fellow workers as soon as possible. Make sure they observe any unsafe equipment, tools or ground conditions involved in the injury.

Please Note: Railroad injuries are not covered under any state worker compensation or state statutes (see below).

Q: Do I complete an injury report?

A: Yes! Complete the injury report identifying any and all unsafe cars, equipment or unsafe work procedures contributing to the injury. Make sure you list all body parts known to be affected at the time of the injury. You must also inform your immediate supervisor of any on-duty injuries.

Q: Who else should I contact?

A: If you are injured it is always a good idea to contact your local union official as well as your UTU approved Designated Legal Counsel, like Rossi, Cox & Vucinovich, P.C.

Q: Where should I seek medical care?

A: In many cases, the Railroad will try to insist that you be seen by a company-referred physician or medical facility. If possible, make effort to see your own treating doctor or contact Designated Legal Council for names of doctors in your area.

Q: Do I have to give a statement?

A: No. The injured party does not have to provide any type of written or oral statement beyond completing the personal injury or accident report. If asked to participate in a "re-enactment" you should only do so if a union official is present and you are physically able to participate without risk of injury or pain.

Q: What records and information should I keep?

A: You should attempt to obtain copies of all injury reports, inspection records, photographs, delay reports,

Inspection reports, etc. These items may be important in establishing date, time, location, unsafe conditions, potential witnesses, the nature and extent of your injuries, etc.

Q: When should I contact Union Designated Legal Counsel?

A: Your UTU Designated Legal Counsel, like Rossi, Cox & Vucinovich, P.C., have toll-free numbers answered 24/7: 866-357-7245. As designated experts in FELA

law, the attorneys at RCV can provide appropriate counsel and information that is confidential and free.