

THE RAILROADER'S HANDBOOK[©]

What Every Railroader Needs to Know: Benefits, the FELA, Injury Dos and Don'ts, and Protecting Your Rights as an Employee.



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REDDY LAW, LLC

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Save our contact information



THE RAILROADER'S HANDBOOK[©]

This handbook is for railroad workers and their families. It is designed to provide essential information on railroader benefits and legal protections under the Federal Employers' Liability Act (FELA), as well as practical steps to take in the event of an injury. It also outlines what you can do now to protect your family should you become incapacitated.

Drawing on over 30 years of legal experience representing injured railroad workers and their families, this guide offers clear, actionable advice. I recommend keeping a printed copy at home for easy access by your next of kin.

If you have any suggestions or topics you'd like to see addressed in future editions, I welcome your feedback. Feel free to contact me anytime.

Regards,
Brian Reddy
Brian@REDDYLAW.com

“Knowing your rights ahead of time isn't just smart—it's how you stay ahead when things go wrong.”

—Brian Reddy

Call Brian



**For a free, no
obligation case
consultation.**

IMPORTANT NOTICE

This publication is for general informational purposes only and does not constitute legal advice. Please don't use it as a substitute for consulting a qualified attorney.

The information regarding union, RRB, and railroad carrier benefits was sourced from the respective organizations' websites as of the publication date. REDDY LAW is not responsible for any inaccuracies in that content.

Brian Reddy is licensed to practice law in New York, Ohio, and various U.S. District Courts, including those in Michigan, Ohio, and New York, as well as the Sixth Circuit Court of Appeals. In other states, he may associate with local counsel and seek court approval to appear at no additional cost to the client. Where required by law, this publication should be considered attorney advertising.

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01

RAILROAD RETIREMENT BENEFITS



Railroad Retirement Annuities

The Railroad Retirement Board provides a two-tiered system for retirement benefits. Read on for more information.

“Railroad retirement is more than a benefit—it’s a promise made and earned over a lifetime.”

Tier I Benefits

Tier I railroad retirement benefits are equivalent to Social Security benefits and are calculated in the same way. However, railroad employees with at least 30 years of service can receive full, unreduced Tier I and Tier II benefits starting at age 60 — earlier than the full retirement age under Social Security. To qualify for any Railroad Retirement benefits, a worker must have at least 10 years of service, or 5 years if the service was performed after 1995. If a worker does not meet these minimum requirements, their railroad service credits are transferred to the Social Security Administration, and benefits are paid under the Social Security system instead.

Tier II Benefits

Tier II annuities function like a private pension plan, offering additional benefits based on an employee's earnings and years of service — both the railroad employer and the employee fund these through payroll contributions, which are automatic. Unfortunately, as unfair as it seems, if the employee fails to meet the service requirements outlined above, they will forfeit their Tier II contributions.



COMPARISON OF TIER I AND TIER II RAILROAD RETIREMENT ANNUITIES

CATEGORY	TIER I ANNUITY	TIER II ANNUITY
PURPOSE	Mirrors Social Security benefits	Functions like a private pension
WHO PAYS	Funded by both railroad employers and employees, similar to Social Security taxes	Additional contributions by both employees and employers
ELIGIBILITY	At least 10 years of railroad service (or 5 years after 1995)	Same as Tier I — based on qualifying railroad service
CALCULATION	Based on combined railroad and Social Security earnings using Social Security formulas	Based on railroad-specific earnings and years of service
START AGE	Full benefits at age 60 (if 30 yrs of service), or reduced benefits at 62 (if less than 30 yrs of service)	Same timing as Tier I
PORTABILITY	Credits transfer to Social Security if not vested	Not portable; only applies to railroad employment
KEY DIFFERENCE	Equivalent to what you'd earn from Social Security	Provides additional income beyond Tier I
KEY BENEFIT	Provides a base retirement income similar to Social Security	Adds supplemental income based on length of service and pay

Supplemental Annuities

In addition to Tier I and Tier II benefits, certain railroad employees with at least 25 years of service that includes work performed before October 1981 may be eligible for a supplemental annuity, as provided under Section 2(b) of the Railroad Retirement Act. This supplemental annuity typically ranges from \$23 to \$43 per month, depending on the number of years of service and other factors.

To qualify, you must:

- **Be at least age 65 with 25 years of railroad service, or age 60 with 30 years.**
- **Have worked for a railroad at least once before October 1, 1981.**
- **Already receiving a railroad retirement annuity.**



Call Brian for a free, no-obligation case consultation.



COMPARISON OF RAILROAD RETIREMENT BENEFIT AND SOCIAL SECURITY BENEFITS

FEATURE	RAILROAD RETIREMENT	SOCIAL SECURITY
ADMINISTERED BY	Railroad Retirement Board (RRB)	Social Security Administration (SSA)
STRUCTURE	Two tiers: Tier I (SS equivalent) + Tier II (railroad pension)	Single benefit tier
ELIGIBILITY AGE	Full benefits at age 60 with 30 years of service	Full benefits at age 67 (or 62 with reduction)
BENEFIT AMOUNTS	Generally higher, especially with Tier II	Lower, based on lifetime earnings
SPOUSAL BENEFITS	Often more generous	Based on worker's or spouse's earnings
FINANCING	Higher payroll taxes from railroad workers and employers	Funded by standard payroll taxes

RAILROAD RETIREMENT vs. SOCIAL SECURITY RETIREMENT: MONTHLY BENEFIT COMPARISON AVERAGES FOR 2025

RECIPIENT	RAILROAD RETIREMENT (TIERS I AND II)	SOCIAL SECURITY
CAREER RAILROADER	\$3,538.00	\$2,008.31 (non-railroader)
SPOUSE	\$1,562.00	\$954.93 (non-railroader)
TOTAL COMBINED	\$5,100.00	\$2,963.24

Applying for Railroad Retirement Benefits

Required Documents

- **Proof of age** (birth certificate).
- **Social Security number.**
- **Bank account details** for direct deposit.
- **Military records** (if applicable).
- **Marriage/divorce documentation** for spouse benefits.



How to Apply

- Apply up to 3 months before the desired start date
- Online via **myRRB portal**. To access myRRB, you will need to create an account via **LOGIN.GOV** using the button below.
- In-person or phone appointment with the **RRB field office** using the RRB Field Office Locator button below.



Create
myRRB Login

[CLICK HERE](#)

RRB Field
Office Locator

[CLICK HERE](#)

Need Help?

- Call 1-877-772-5772 (9 a.m. – 3 p.m. local time).
- Visit your local **RRB office**.



For a comprehensive guide:

RRB PUBLICATION

Railroad Retirement
and Survivor Benefits

[CLICK HERE](#)

Disability Benefits Under the RRB

Under certain conditions, the Railroad Retirement Board provides disability pensions to injured or ill railroad workers. These annuities are typically higher than Social Security disability benefits, and the payment amount depends on your length of service and how the injury affects your ability to work.



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Disability benefits under the Railroad Retirement Board (RRB) fall into two main categories: **Total and Permanent Disability** and **Occupational Disability**.

TOTAL AND PERMANENT DISABILITY vs. OCCUPATIONAL DISABILITY		
	TOTAL & PERMANENT DISABILITY	OCCUPATIONAL DISABILITY
ELIGIBILITY	Can't work in any job (railroad or not).	Can't perform your regular railroad job, even if other work is possible.
BENEFIT TIER	Tier I only at first; Tier II may start at age 62.	May include Tier I and Tier II.
AGE/SERVICE MONTHS REQUIRED	Any age with 10+ years service, or 5-9 years if 5 are after 1995.	Age 60 with 10 years service or any age with 20 years.
CURRENT CONNECTION *	Not required.	Required.
MEDICAL PROOF	Must meet Social Security's strict definition of total disability.	Must show you can't perform your railroad job.
WAITING PERIOD	Must be out of work \geq 5 months; processing may take 16+ months; includes back pay if approved.	Same 5-month minimum; may waive wait if prior disability annuity ended \leq 5 years ago.

* To learn more about **current connection** requirements:

[CLICK HERE](#)

Applying for RRB Disability Benefits



Step 1: Compile Medical Evidence

Submit documentation from **qualified sources**, such as:

- Licensed physicians or osteopaths
- Psychologists or optometrists
- Hospitals or clinics

⚠ NOTE: The RRB may require you to undergo additional medical exams.

Step 2: Schedule an Appointment

To apply, contact your local RRB office:

- 📞 Call: 1-877-772-5772
- 🕒 Hours: 9:00 AM – 3:00 PM (Weekdays)

Step 3: Await Processing

🕒 Average processing time: 471 days. You will receive notification by mail when a decision has been made.

Step 4: Understand Medicare Coverage

If your disability application is approved, you may be eligible for early **Medicare coverage** based on your condition. **See below for more information about Medicare.**

Step 5: Report Any Changes

Notify the RRB if:

- You return to work
- Your medical condition improves
- You begin receiving other disability benefits
- You are convicted of a felony

[CLICK HERE](#)

**RRB
PUBLICATION**
Employee
Disability
Benefits
(RB-1d)

**RRB
PUBLICATION**
Medicare for
Railroad
Workers and
Their Families

[CLICK HERE](#)



RRB Survivor Benefits

The Railroad Retirement Board (RRB) provides **monthly survivor annuities** to eligible family members, including spouses, children, and certain other dependents.

Survivor benefits are based on the worker's earnings and years of railroad service.

To qualify, the deceased railroader generally must have at least 10 years of creditable railroad service (or 5 years if all were after 1995).

For additional information:

[CLICK HERE](#)

**RRB
PUBLICATION**

Railroad
Retirement
and Survivor
Benefits

RRB Lump Sum Death Benefits

A one-time **lump-sum death benefit** may be payable to a surviving spouse or certain family members.

This is **separate from any annuity** and is designed to help with immediate expenses.

Eligibility and amounts depend on factors including work history and marital status.

Sickness and Unemployment Benefits



The **Railroad Unemployment Insurance Act** provides qualified railroad employees with benefits to restore part of their lost wages from periods of unemployment or sickness, including pregnancy, miscarriage, or childbirth-related health conditions.

Benefit Year & Base Year



- **Benefit Year:** July 1, 2025 – June 30, 2026
- **Base Year:** Calendar year 2024
- To qualify for benefits in the July 1, 2025–June 30, 2026 year, your 2024 base-year earnings must be at least \$4,962.50 capped at \$1,985/month
- New workers: Must work at least 5 months in 2024
- If you don't meet these requirements but have at least 10 years of railroad service, you may still qualify under extended or accelerated benefits.

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Benefit Amounts (2025) 💰

- Beginning July 1, 2025, the **maximum daily rate** is \$99, and the biweekly maximum is \$940.
- **Max Duration:** 130 days (26 weeks) or until benefits equal base-year earnings.
- If you have over ten years of railroad service and don't qualify for regular unemployment or sickness benefits — or if you've used up your benefits — you may still be eligible for extended or accelerated benefits.

Eligibility Requirements 📄

Unemployment

- Be ready, willing, and able to work.
- Meet prior-year earnings requirements.
- Not be receiving wages during the 14-day registration period.
- Earn less than \$1,985 per month (2025 rate).

Sickness

- Meet the previous year's earnings requirement
- Be unable to work due to injury, illness, or pregnancy
- Receive no wages for your time off
- Submit a completed application with medical proof



How to Apply

Unemployment

- Apply via **Form UI-1** (Apply online or by mail).
- File within 30 days of the first unemployment day.



Sickness

- Apply using the **RRB Application for Sickness Benefits (SI-1a)**, with a doctor's **Statement of Sickness (SI-1b)**.
- File within 10 days of illness onset.
- **Biweekly claims** are required after the initial application.
- If you're too ill to apply yourself, someone else may file for you by submitting a **Statement of Authority to Act for Employee (SI-10)**.

[CLICK HERE](#)

RRB APPLICATION

Application for Unemployment Benefits and Employment Service (UI-1)

[CLICK HERE](#)

RRB APPLICATION

- Application for Sickness Benefits (SI-1a)
- Statement of Sickness (SI-1b)
- Statement of Authority to Act for Employee (SI-10)



Disqualifications for Unemployment Benefits

- Voluntary quit or retirement without good cause.
- Refusing work or missing interviews.
- Participating in illegal strikes.
- Fraudulent claims: 75-day disqualification + penalties.



IMPORTANT TO NOTE

You may stop receiving benefits when you start a new benefit year or reach the amount you earned in your base year.

For additional information

[CLICK HERE](#)

RRB PUBLICATION

Railroad Unemployment
and Sickness Benefits

Call Brian for a free, no-obligation case consultation.



RRB Benefits: Myths and Facts



✗ MYTH: WORKING AFTER LEAVING EMPLOYMENT IN THE RAILROAD INDUSTRY WILL NOT AFFECT YOUR FUTURE ENTITLEMENT TO RAILROAD RETIREMENT BENEFITS

✓ Fact: Because a current connection with the railroad industry is one of the eligibility requirements for occupational disability annuities and supplemental annuities, a current connection can determine whether the RRB or the Social Security Administration (SSA) has jurisdiction over monthly benefits payments to survivors. Generally, you have a current connection with the railroad industry if you worked for a railroad in at least 12 of the 30 consecutive months before the month in which your annuity begins. However, full or part-time work for a non-railroad employer before the month an employee's annuity begins can sometimes break a current connection. Please get in touch with your local RRB field office if you plan to leave the industry before retirement. A current connection status does not affect eligibility for age and service or total disability annuities. It also does not affect a spouse's eligibility for an annuity while the spouse is living, but it will determine whether the RRB or SSA has control over survivor benefits.

✗ MYTH: THE RAILROAD RETIREMENT BOARD CALCULATES THE TIER II PORTION OF YOUR ANNUITY USING ONLY YOUR EARNINGS FROM THE LAST 5 YEARS.

✓ FACT: The Railroad Retirement Board calculates the Tier II portion of your annuity using your 60 highest-earning months (up to the annual Tier II maximum), along with your total years of railroad service. These months aren't necessarily the last five years of earnings.

✗ MYTH: RAILROAD EMPLOYEES ARE ONLY ELIGIBLE FOR RAILROAD RETIREMENT BENEFITS AND MAY NOT FILE FOR SOCIAL SECURITY BENEFITS



✓ FACT: Railroad employees with sufficient coverage under the Social Security Act may file for and receive those benefits. However, since social security earnings are already considered when calculating the Tier I portion of the employee's railroad retirement annuity, this tier must be reduced by the exact amount of the social security benefit to prevent duplication. Tier I is also reduced if a social security benefit is payable to the employee based on another person's earnings. Whether or not receipt of a social security benefit is financially advantageous for an employee depends on the amount of that benefit and the amount of the railroad retirement annuity Tier I. If the social security benefit exceeds the railroad retirement Tier I amount, receiving the social security benefit would be beneficial. However, if it is equal to or less than the railroad retirement Tier I amount, receipt of the social security benefit will not increase the total monthly benefits.

✗ MYTH: WORK PERFORMED UNDER THE SOCIAL SECURITY ACT BEFORE WORKING FOR A RAILROAD IS NOT CONSIDERED WHEN CALCULATING AN EMPLOYEE'S RAILROAD RETIREMENT ANNUITY.

FACT: The Tier I portion of an employee annuity is based on the employee's combined railroad retirement and social security earnings using a social security benefit formula. No differentiation is made between the employee's earnings from railroad employment and those covered by the Social Security Act. As a result, Tier I represents the social security benefit that would be payable if the employee's earnings were covered under the social security system.

**The information above is taken from RRB.gov and is used with permission.*

RRB Benefits: FAQs



? UNDER WHAT CONDITIONS CAN DISABLED EMPLOYEES WITH 5 TO 9 YEARS OF SERVICE QUALIFY FOR RAILROAD RETIREMENT DISABILITY ANNUITIES?

Employees with 5 to 9 years of service — if at least 5 years were after 1995 — may be eligible for a total disability annuity if they meet Social Security's disability insured status rules. This typically means having earnings credits in 20 calendar quarters within 40 quarters ending in or after the quarter the disability began. These employees receive Tier I (Social Security-equivalent) benefits until age 62. Tier II may be added later but is reduced for early retirement.

? WHAT IS MEDICARE FOR END-STAGE RENAL DISEASE?

Individuals with **end-stage renal disease (ESRD)** — permanent kidney failure requiring dialysis or a kidney transplant — may qualify for Medicare without a 24-month waiting period, depending on the situation. Coverage typically begins in the fourth month of regular dialysis treatments, but may start earlier:

- In the first month, if the individual begins a home dialysis training program.
- Immediately, if the individual receives a kidney transplant or is admitted for a transplant scheduled within two months.

Eligible individuals include employee annuitants, active employees who meet service requirements, and their spouses and dependent children.

Note: The Social Security Administration (SSA) generally oversees Medicare eligibility for ESRD cases.

? WHEN IS EARLY MEDICARE COVERAGE AVAILABLE FOR PEOPLE WITH DISABILITIES?

Generally, Medicare coverage before age 65 may begin after a disabled employee annuitant is entitled to monthly benefits based on total disability for at least 24 months and has maintained a disability-insured status under Social Security law. There is no 24-month waiting period for individuals diagnosed with ALS. Receiving an occupational disability annuity does not disqualify employees from early Medicare coverage if they are considered totally disabled. Coverage for chronic kidney disease generally begins in the third month of dialysis but may start earlier under certain conditions.

See below for additional resources:

[CLICK HERE](#)

RRB PUBLICATION

Informational Handbook: A Guide to Benefits Administered by The U.S. Railroad Retirement Board

[CLICK HERE](#)

RRB PUBLICATION

Medicare for Railroad Workers and Their Families

[CLICK HERE](#)

RRB RESOURCE

RRB Frequently Asked Questions



02

THE FEDERAL EMPLOYERS' LIABILITY ACT (FELA)



Following a period of high injury rates in the railroad industry, the **Federal Employers' Liability Act (FELA)** was enacted to promote railroad worker safety. Codified at 45 U.S.C. §§ 51–60, FELA enables railroad employees to seek legal compensation for injuries, illnesses, or fatalities caused by employer negligence.

While railroad workers are not protected under traditional workers' compensation laws, they can seek relief in case of an injury, as long as there is employer negligence. This law provides larger damage awards than traditional workers' compensation.

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Workers' Compensation vs. the FELA

The **Federal Employers' Liability Act (FELA)** is **NOT** a workers' compensation law. Unlike workers' comp, which provides automatic benefits for injured employees, the FELA requires railroad workers to prove employer negligence to receive compensation.

Workers' compensation laws cover most non-railroad employees, offering medical benefits and wage replacement in exchange for waiving the right to sue. The **FELA, however, applies only to railroad workers.** It allows claims for full damages — including pain and suffering — but you must prove that the railroad was at fault.

*“ As a railroader, you're **ONLY** covered under the FELA when your injury results from the railroad's (or its agent's) negligence.”*

Brian Reddy

FELA claims must typically be filed within three years of the injury. In some cases, you may also have a separate claim against a third party, such as a negligent truck driver or property owner. Be aware that state time limits may apply to such claims and may be less than 3 years.

Call Brian for a free, no-obligation case consultation.



To succeed under the FELA without a **Locomotive Inspection Act** or **Safety Appliance Act**, you must show the railroad's negligence. This can be legally complex. Negligence isn't always apparent and can hinge on facts you may not be aware of. Consulting an experienced FELA attorney is essential — they can identify legal grounds and guide your case.

COMPARISON: THE FELA vs. WORKERS' COMPENSATION

	THE FELA	WORKERS' COMPENSATION
COVERAGE	Applies only to railroad employees	Covers most non-railroad employees
FAULT REQUIREMENT	Employee must prove railroad negligence	No fault required
COMPENSATION	Full damages, including pain and suffering	Limited benefits (medical & partial wages)
TIME LIMIT TO FILE	3 years from the date of injury	Varies by state
ABILITY TO SUE	Can sue employer directly	Cannot sue employer

TIP: Don't go it alone--consult an experienced FELA attorney.

The FELA: FAQs



? WHAT IF I CANNOT PROVE THAT THE RAILROAD WAS NEGLIGENT?

Proving negligence is necessary to secure monetary compensation under the FELA. If settlement negotiations are unsuccessful and a jury does not find that there was railroad negligence, you may not recover any compensation.



? HOW DO I RECOVER MY LOST EARNINGS FROM THE RAILROAD?

The only way to recover lost wages under FELA is through a settlement with the railroad or a jury verdict in your favor.



? WHAT SHORT-TERM FINANCIAL HELP IS AVAILABLE IF I'M INJURED?

You may qualify for sickness benefits through the **Railroad Retirement Board (RRB)**. Private disability insurance, or disability insurance provided through your union if you have it, may also offer additional relief. Please refer to the RRB Benefits section earlier in this handbook for more information.

? CAN I FILE A CLAIM AGAINST A THIRD-PARTY INVOLVED IN MY INJURY?

Yes. If a third party's negligence contributed to your injury, you may pursue a separate personal injury claim in addition to your FELA case. Such a claim may be governed by state law. Your FELA attorney can likely handle both claims.

? CAN ANY LAWYER HANDLE A FELA CLAIM?

While any licensed attorney may technically handle your case, only a **lawyer with FELA experience** understands how to navigate the railroad's legal environment. The FELA is a unique area of law. Having an experienced FELA attorney on your side is invaluable when dealing with seasoned railroad defense attorneys.

Brian Reddy, a FELA attorney with 30+ years of experience representing injured railroad workers.

[CLICK HERE](#)
to save to
contacts.



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03

IN CASE OF INJURY



Following a railroad-related injury, it is vital to **protect your health, rights, and future** adequately. This section outlines **essential dos and don'ts** after an injury. For a deeper understanding of how to handle your situation, consult an attorney experienced in **FELA claims**.

Call Brian for a free, no-obligation case consultation.



The Dos and Don'ts: What To Do and What Not To Do If You're Injured



✓ **DO: Seek immediate medical attention.** Call 911 if needed. If you're uncomfortable being driven, request an ambulance.



✓ **DO: Notify important contacts.** Notify your supervisor, and emergency contacts immediately. If you can't, ask a coworker to.



✓ **DO: Tell ER staff they do not have your consent to speak with railroad officials.** You have a right to medical privacy.



✓ **DO: Identify witnesses** — record the names of anyone who saw or heard events before, after, or during your injury. Also, record the names of anyone who showed up at the scene or who you spoke to about your injury.



✓ **DO: Preserve evidence.** If possible, take photos of your injuries and the scene of the injury. Keep any clothing, footwear, and safety equipment in use when the injury occurred.



✓ **DO: Contact an experienced FELA attorney.** Be sure to consult a knowledgeable attorney to protect you and your family. **REDDY LAW** will be happy to discuss your situation free of charge.



X DON'T complete any forms or injury reports unless you are in a clear state of mind. You may be required to complete an injury report. If so, do not let others complete an injury report for you. But remember, your employer's rules may require your supervisor to fill out your report if you are unable to do so.



X DON'T give a statement to the railroad's claims department. Their job is to protect the railroad – not you. Claims agents are trained to protect the railroad's interests and may pressure you to talk. **DON'T GIVE IN.** That same agent could be the one testifying against you in court.



X DON'T admit fault for the injury. Supervisors may try to blame you.



X DON'T post anything about the injury on social media – even posts you think are private may be used as evidence against you by the railroad.



X DON'T talk about your injury with anyone except your lawyer or medical providers. While you will want to cooperate with a government investigation of the incident, you should consult with a knowledgeable attorney first.



X DON'T text or email details of your injury unless your lawyer advises it. Railroad lawyers may seek access to your electronic devices in the future.



BE AWARE: Railroad officials may try to intimidate you and shift the blame to you. Stay calm and don't let their pressure tactics influence your decisions. You have rights - use them.



X DON'T sign any release authorizing your medical providers to speak with your employer.



X DON'T allow railroad officials into your treatment room.



X DON'T let railroad officials choose your doctor(s) or influence your treatment in ANY way.

REMINDER: Report your injury to your supervisor and seek medical treatment. I would recommend contacting a FELA attorney as soon as possible. Please ensure that you document everything you can, including the names of witnesses and photographs of your injuries.

Call Brian for a free, no-obligation case consultation.



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Post-Injury FAQs



? AM I REQUIRED TO SPEAK TO THE RAILROAD'S CLAIMS DEPARTMENT?

No. **You should not give statements** to the claims department without first speaking to a FELA attorney. The claims department's job is to protect the railroad – not you.

? DO I HAVE TO TREAT WITH A DOCTOR CHOSEN BY THE RAILROAD?

No. **You have the legal right to choose your doctor.** Avoid treatment from any medical provider affiliated with the railroad.

? WILL POSTING ON SOCIAL MEDIA IMPACT MY CASE?

Yes. **Don't post anything online** about your injury, health status, or activities. Even private posts may be accessed and used against you.

? WHAT BENEFITS ARE AVAILABLE WHILE I'M UNABLE TO WORK?

You **may be eligible for sickness benefits** through the Railroad Retirement Board (RRB), OTV benefits, and possibly union / private disability coverage if you have it.

* To access all of the resources referenced in this document, visit our [RESOURCES](#) page on our website by clicking here:

[RESOURCES](#)



? CAN I SUE A THIRD-PARTY WHO CONTRIBUTED TO MY INJURY?

Yes. If another party besides the railroad played a role in your injury, you may have a claim against the third-party.

? WHAT IS THE DEADLINE FOR FILING A FELA CLAIM?

In general, FELA claims must be filed within three years of the date of injury. However, taking early action may be crucial to preserving evidence and protecting your rights. Don't wait to consult a FELA attorney.

? AM I ENTITLED TO LOST WAGES WHILE I'M OFF WORK DUE TO INJURY?

The simple answer is no. You will not be entitled to recover any amounts for lost time until you reach a settlement or obtain a jury verdict in your favor. However, you may be entitled to RRB sickness benefits, disability benefits, or off-track vehicle benefits. In some states, if you were injured in an auto accident, you may be entitled to No-Fault insurance benefits. It is highly recommended that you have private disability insurance in place before you are injured.



? WHO PAYS THE MEDICAL BILLS FOR MY INJURY?

Most railroads use **third-party administrators** (like CorVel) to process medical bills for on-duty injuries. Here's how it is supposed to work:

- Your medical provider submits medical bills and treatment notes.
- The railroad pays your deductible.
- The balance is paid through your employee health insurance.

Sounds smooth — but in reality:

- Bills often go unpaid.
- You may get chased by bill collectors.
- Providers may refuse future care.

To protect yourself:

- **Don't hesitate to get in touch with a FELA attorney right away.**
- Inform providers that this is **NOT** a workers' compensation case.

? IS HEALTH INSURANCE STILL AVAILABLE AFTER I'M INJURED?

Yes — but it depends on your union contract and when you were last paid for work.

YOUR coverage:

You're usually covered by your employer group health insurance for:

- **2 full calendar years** from the date you were last compensated for service rendered. **(Personal days don't count.)**

Your DEPENDENTS coverage:

- 1 full calendar year from the date you were last compensated for service rendered.

Example 1:

Injured on Feb. 1, 2025, the last paycheck was dated February 15, 2025.

Insurance ends:

Worker: Dec 31, 2027

Dependents: Dec 31, 2026

Example 2:

Injured on Feb. 1, 2025

Receives vacation pay in 2026 → counts as pay for service rendered.

Insurance ends:

Worker: Dec 31, 2028

Dependents: Dec 31, 2027

Important Notice About Pre-Settlement Financing

Some companies offer “advances” against your future settlement. These sound helpful — **but beware:**

- These advances often carry sky-high fees.
- The finance company gets its share from any settlement or verdict before you do.
- You may receive little or nothing after all liens are paid.
- You could be pressured into a risky trial instead of a fair settlement.

Consider these loans as a **last resort only**. If you have an attorney, always consult with them before contracting with a finance company.

Legal Advice: Why it Matters

Railroad injury cases are complex. You must navigate the FELA and deal with claims agents. You may have to protect your rights in court. An experienced attorney protects your rights and helps secure the compensation you deserve.

Why You Should Not Go It Alone:

- Claims agents work for the railroad, not for you
- The railroad may downplay your injuries or push for an early return to work
- FELA claims require proof of negligence
- Your statements can be used against you later in court

Railroad lawyers are seasoned professionals. Facing them without your own attorney can be a costly mistake.

Choosing the Right Lawyer:

- Should understand railroad operations
- Be familiar with FELA-specific deadlines and rules
- Have a proven track record with FELA cases
- Know how to value your injuries and negotiate effectively

Ways Legal Guidance Can Benefit You:

- Filing any necessary RRB paperwork
- Protecting your medical privacy and preserving evidence
- Avoiding mistakes when making statements
- Identifying third-party claims
- Representing you in settlement talks or at trial
- Ensuring legal deadlines are met

You only get one chance at fair compensation. Don't go it alone. Contact an experienced FELA attorney right away.

Fatal Railroad Injuries and the FELA

Under the FELA, the type of compensation your representative can seek depends on the circumstances of your death.

- If you survive the initial injury and experience conscious pain and suffering, your representative may pursue damages for that suffering. These damages become part of your estate and will be distributed according to your will — or, if you have none, under your state's intestacy laws.
- If you die instantly, there may be no claim for conscious pain and suffering.
- If you had financial dependents at the time of your death, they may be eligible to recover only the value of the financial support you provided.

Before any wrongful death claim can be filed under the FELA, a legal representative must be appointed. If you don't have a will naming your desired representative, the court may appoint someone on your behalf (most likely a family member). In cases where a non-railroad party's negligence contributed to your death (such as a vehicle accident), your estate may also be entitled to compensation under your state's wrongful death laws.

NOTE:

If you don't name an executor in your will, the court will appoint one — and your family could end up fighting over who should handle your estate, including who chooses your FELA lawyer. By naming an executor, you make sure there's no confusion. The executor acts as your personal representative, with authority to hire the attorney you want. To keep things smooth, tell your executor in advance which lawyer or firm you prefer, and note it in your personal records.



04

Off-Track Vehicle Benefits



If you are injured while being transported for work in a motor vehicle provided by the railroad or its contractor, you may qualify for **Off-Track Vehicle (OTV) Benefits** under your union's collective bargaining agreement, regardless of who was at fault. These benefits provide short-term financial support in the event of an auto-related injury or death.

Call Brian for a free, no-obligation case consultation.



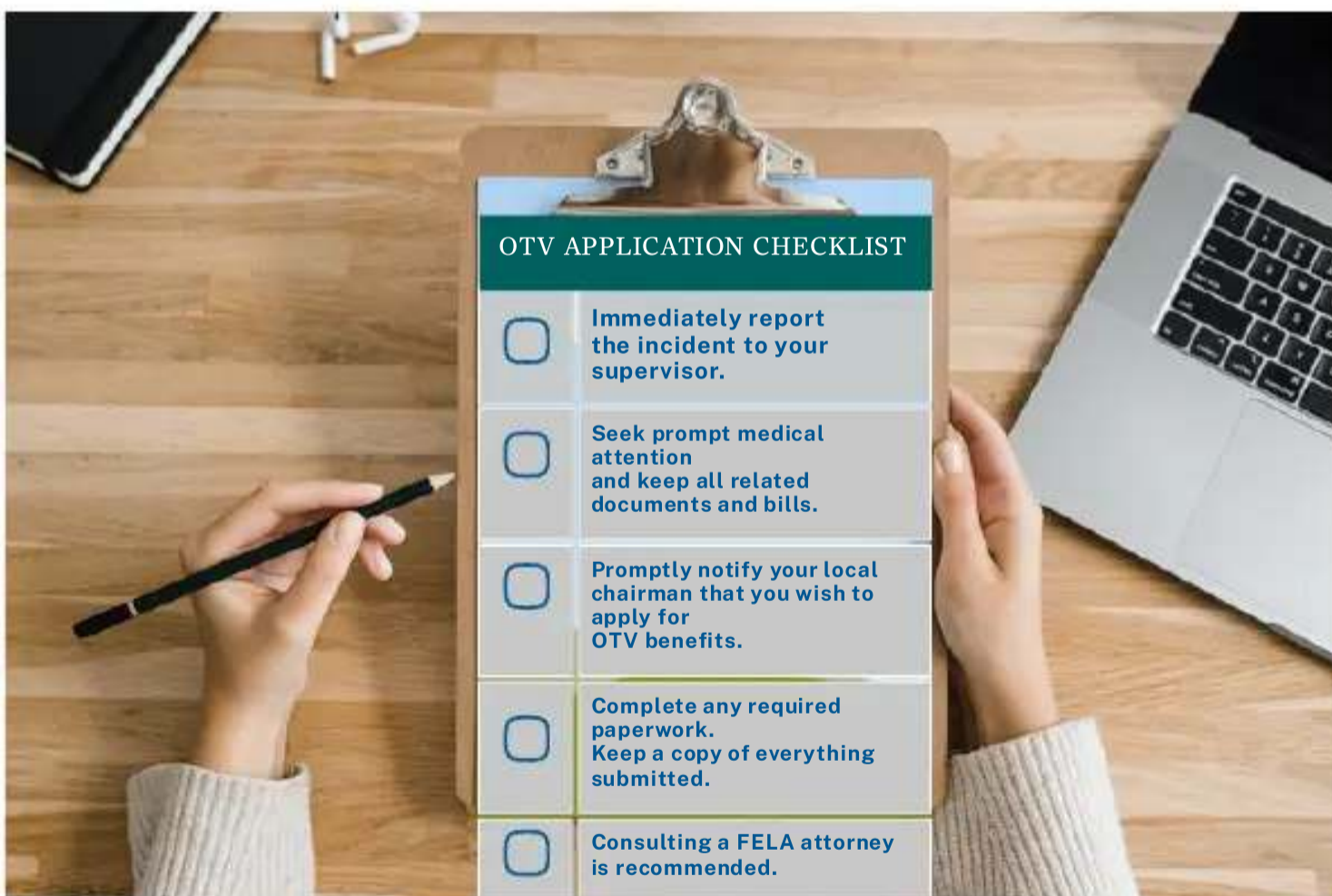
What's Covered

To qualify for OTV benefits, the injury must occur while riding in, boarding, or exiting an authorized off-track vehicle. The incident must happen during deadheading or while being transported at the carrier's expense.

Covered benefits may include:

- **Injury compensation** (including loss of limbs or sight).
- **Lost wages** due to time off work.

However, certain circumstances may disqualify a railroader from receiving benefits, including self-inflicted injuries, suicide attempts, or incidents involving alcohol or drug impairment.



* To access all of the resources referenced in this document, visit our **RESOURCES** page on our website by clicking here:

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How to Apply for Off-Track Vehicle (OTV) Benefits



Follow these steps if you're injured in a vehicle while on duty and may be eligible for **Off-Track Vehicle (OTV)** benefits through your union agreement. Use this checklist below to stay organized throughout the process.

OTV APPLICATION CHECKLIST	
<input type="checkbox"/>	Immediately report the incident to your supervisor.
<input type="checkbox"/>	Seek prompt medical attention and keep all related documents and bills.
<input type="checkbox"/>	Promptly notify your local chairman that you wish to apply for OTV benefits.
<input type="checkbox"/>	Complete any required paperwork. Keep a copy of everything submitted.
<input type="checkbox"/>	Consulting a FELA attorney is recommended.
NOTE:	<ul style="list-style-type: none">• REDDY LAW will review any required paperwork before submission, at no charge.• You should submit claims as soon as possible; strict time limits may apply.• Benefits are contractual; they are not dependent on who is at fault.• If you receive a settlement for your injuries, you may be required to pay back any OTV benefits you received.

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HOW TO PREPARE FOR AN EMERGENCY AND PROTECT YOUR FAMILY



Preparing for a medical emergency means finishing key paperwork ahead of time. Legal documents that spell out your medical care preferences should be completed and kept accessible, in case an injury leaves you unable to speak for yourself.

“Emergencies don’t make appointments. Taking time today to prepare is the surest way to protect your family tomorrow.”

- Brian Reddy

Insurance: Life and Disability

Life Insurance

Railroad workers face unique occupational risks, making **life insurance** a vital safety net. Life insurance pays out to your chosen beneficiaries if you suffer a fatal injury, providing critical funds for funeral costs, living expenses, and other needs.

Many railroad employers include life insurance in their benefits package – check with your HR department to confirm your coverage.

Disability Insurance

Disability insurance helps replace lost income if you cannot work due to illness or injury. Some policies cover short-term disabilities, while others focus on long-term protection.

A **personal disability policy** provides extra financial security and peace of mind. Also, many railroad unions offer disability insurance options. You should consult your union representative to confirm and secure coverage.



Keep your life insurance beneficiary up to date whenever your family circumstances change.



Advanced Healthcare Directives: Living Wills and Medical Powers of Attorney

A **Living Will** documents your wishes about life-saving medical treatment, while a **Medical Power of Attorney** names someone to make healthcare decisions for you if you cannot do so yourself. Together, these documents ensure your voice is heard — even if you can't speak. Complete both forms promptly and inform your loved ones of their location in case of an emergency. If you have questions about their legal impact, consult an attorney.



Wills and Trusts

Creating a **will** ensures that your assets go where you want them to – and helps your family avoid confusion and legal complications during an already difficult time. Your will can designate who receives your property, cares for your minor children, and manages your estate. **Requirements vary by state.** Although the process may be simple, it is best to seek legal advice.

A **trust** lets you transfer assets to a trustee who manages them according to your instructions. Trusts can help your family **avoid probate court, speed up distribution, and protect your privacy.** Consult with an attorney to determine which type of trust best suits your needs.



Call Brian for a free, no-obligation case consultation.



Transferring Assets Outside of a Will

Some of your assets can pass directly to others without being included in a will. For example:

- **Joint bank accounts** automatically transfer to the surviving account holder.
- In **Ohio**, for example, when a vehicle owner dies, their spouse can assume **ownership of the vehicle** using the existing license plates for a small fee.
- If you want someone other than your spouse to inherit the vehicle, you can file a **Transfer on Death (TOD)** form with your county's Clerk of Courts Title Office. Many states have similar processes.



To access all of the resources referenced in this document, visit our [RESOURCES](#) page on our website by clicking here:

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Gun Trusts & Firearms Transfers

If you own multiple firearms — or any weapon regulated under the **National Firearms Act (NFA)** — a gun trust can help manage ownership, transfer, and inheritance.



Initially designed to bypass federal restrictions, gun trusts are now subject to the same rules as individual transfers and are less common in states with moderate gun laws, such as Ohio.

A gun trust may still be useful if:

- You're **transferring NFA-regulated weapons**.
- Multiple people need legal access to the same firearms.
- You want to **avoid probate** delays during transfer.

In most cases, standard firearms (handguns and rifles) can be transferred through a basic trust — as long as all parties are legally eligible to possess them.



IMPORTANT: Gun laws vary by state, and federal rules are complex. Always consult a **firearms attorney** — this isn't a DIY situation.

If someone dies with firearms:

- The estate's executor usually takes custody.
- If police recover weapons before probate starts, they'll hold them until a court-appointed administrator is named.

Certain firearms may also require a **Federal Firearms License (FFL)** to transfer, depending on type and classification.

Working with a **qualified attorney** ensures legal compliance and makes ownership transfers smoother and safer.

Personal Auto Insurance: Protecting Yourself Beyond the FELA

The FELA and Auto-Related Injuries

The **Federal Employers' Liability Act (FELA)** is **fault-based** — it only applies if you can prove that the railroad or its agent was negligent. If you're injured while being transported by a railroad contractor like **PTI, Renzenberger, or Hallcon**, and the driver was negligent, the railroad may be held liable.

“I represented a young railroader hit by a drunk driver while deadheading. The railroad wasn't at fault, and his recovery was limited to \$100,000—the driver's insurance limit. With SUM coverage, he could have recovered far more. He deserved better.”
—Brian Reddy

SUM Coverage: When Insurance Coverage Falls Short

Every railroader should add **Supplemental Underinsured/Uninsured Motorist (SUM)** coverage to their personal auto insurance policy. It's a critical layer of protection if you're injured in a crash involving a driver with inadequate or no coverage.



If the railroad or its agent is not negligent, and you are injured, you will not have a viable FELA claim against the railroad. In this common scenario, your recovery will likely be limited to the negligent driver's insurance coverage. For example, if you are injured when another driver runs a red light and T-bones your van, you will most likely be unable to prove negligence on the railroad's part. If so, you must rely on the other driver's insurance. Your financial recovery could be minimal if you are injured by an underinsured driver or a driver without insurance coverage.

In Ohio, the minimum coverage is \$25,000. In this situation, you could be unable to work on the railroad because of your injuries and only receive \$25,000 for your financial recovery.

Why You Need Supplemental Insurance Coverage (SUM)

SUM coverage protects you when the at-fault driver is underinsured or uninsured. It allows you to file a claim with your own insurer for additional compensation. You can consult with your insurance agent to determine the highest available limit. This is an essential financial safety net. Please don't forget about it. **Secure SUM coverage now.**



What You Should Do Now

- Talk to your **insurance agent** about adding this protection to your policy.
- Request the **highest coverage** limit available.
- Ensure the coverage applies to you even when you're a passenger in someone else's vehicle (such as a work van or contractor transport).



Final Note: Don't Leave Your Family Guessing

Keep a **written list** of the following:

- The location of your will, living will, and medical power of attorney.
- Key account numbers.
- **Passwords and login credentials.** For example, Apple has a Legacy Contact option. Android / Google has an inactive account manager option.
- Locations of valuables.



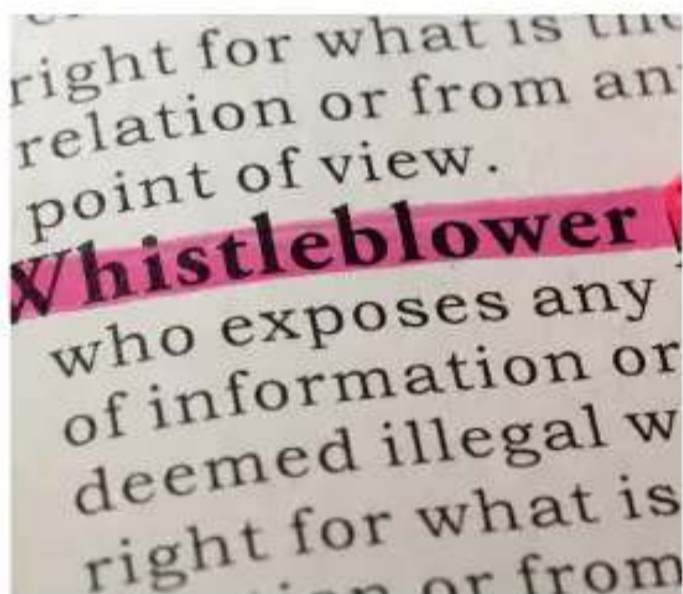
Having your wishes documented helps your family act quickly and confidently in an emergency.

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06

INTRODUCTION TO WHISTLEBLOWER PROTECTIONS

Whistleblower laws are well-intentioned, but recent court rulings have made recovery more difficult. Valid claims depend on the specific facts of the retaliation, so blanket rules don't apply. If you believe you may have a claim, consult an experienced attorney right away – strict deadlines apply.



Protected Whistleblower Activities

-  Notifying the railroad of your own or a co-worker's work-related injury or illness.
-  Reporting a hazardous safety or security condition to someone with supervisory authority. Just telling your union is not protected.
-  Refusing to violate any federal law, rule, or regulation relating to rail safety or security.
-  In certain situations, refusing to authorize the use of unsafe railroad equipment, track, or structures.
-  For any work-related injury, railroad managers and medical department personnel cannot deny, delay, or interfere with the employee's medical treatment during the period immediately following the injury.
-  A railroad cannot discipline an employee for following a treating doctor's orders or treatment plan for a work-related injury.
-  Providing information regarding the fraud, waste, or abuse of government funds connected to rail safety or security.

Call Brian for a free, no-obligation case consultation.



NOTE: REFUSAL TO WORK

Refusal to work is only protected in the following limited circumstances:

- Refusing to work when confronted by a hazardous safety or security condition related to the performance of the employee's duties.
- Refusing to authorize the use of any safety-related equipment, track, or structures — if the employee is responsible for inspection or repair — when the employee believes the condition is hazardous.

These refusals are only protected if all of the following conditions are met:

- The refusal is made in good faith, and no reasonable alternative is available.

A reasonable person in the same situation would conclude:

- The hazardous condition presents an imminent danger of death or serious injury.
- The urgency of the situation does not allow enough time to eliminate the danger without refusal.
- The employee, where possible, has notified the railroad of the hazardous condition and the intent to refuse work or authorization unless the issue is corrected or the equipment is repaired or replaced.

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07

ABOUT BRIAN REDDY



I was born and raised in Dublin, Ireland. I was fortunate to attend college in Buffalo, New York. After making great friends and realizing how much I enjoyed life here, I — like many before me — emigrated from Ireland to begin a new adventure in the United States. I'm proud to be a citizen of both Ireland and the United States, two countries I love.

Since graduating from law school, I've dedicated my career to helping people seriously injured on the railroad, or elsewhere. It can be hard to understand what's truly at stake until you've seen someone lose their career due to injury. After 30 years of experience, I understand the emotional and financial strain that comes with that loss — especially when it's compounded by chronic pain. It's an honor when someone whose life has been upended by serious injury places their trust in me. There's nothing more fulfilling than securing a client's financial future and providing peace of mind for them and their families.

I'm grateful to work in a profession that allows me to fight to improve the quality of life for my clients and provide financial stability for their families. As a husband and proud father of a daughter and two sons, I know just how important that is.

When I represent an injured person, my primary goal is to alleviate the burden of legal stress so they can focus on their recovery. At the heart of my work is a simple mission: to right a wrong and secure the financial future of my clients and their families.



Education

- Canisius College, Buffalo, NY – Bachelor of Science
- University at Buffalo School of Law, SUNY – Juris Doctor, cum laude



Court Admissions

- New York
- Ohio
- United States Court of Appeals for the Sixth Circuit
- U.S. District Courts: Northern, Southern, Eastern & Western Districts of New York, Northern & Southern Districts of Ohio, Eastern District of Michigan
- Brian has had the honor of being admitted to represent clients in state or federal courts across Georgia, Idaho, Illinois, Indiana, Kentucky, Massachusetts, Michigan, Pennsylvania, Tennessee, Virginia, and West Virginia *
- Brian has argued appeals in the U.S. Court of Appeals for the Second and Sixth Circuits, as well as in multiple state appellate courts



* *Pro hac vice admission is when a court grants permission for an out-of-state lawyer to handle a particular case.*



Honors and Recognitions



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The National Top 100
Trial Lawyers



Railroad Accident
Trial Lawyers
Top 10

Robert J. Connelly Award for
Excellence in Trial Technique,
The Western New York Trial
Lawyers Association



Professional Affiliations

- Academy of Rail Labor Attorneys
- Ohio State Bar Association
- New York State Bar Association
- Toledo Bar Association



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- For more information, see our **resources** page at FELA.com









- Visit FELA.com



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RRB Applications and Resources

<ul style="list-style-type: none">• Application for Unemployment Benefits and Employment Service (UI-1)	
<ul style="list-style-type: none">• Application for Sickness Benefits (SI-1a)• Statement of Sickness (SI-1b)• Statement of Authority to Act for Employee (SI-10)	
<ul style="list-style-type: none">• Create a myRRB Login	
<ul style="list-style-type: none">• Q & A: Disability Annuities for Railroad Employees	
<ul style="list-style-type: none">• RRB Field Office Locator	
<ul style="list-style-type: none">• RRB Frequently Asked Questions	

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RRB Publications

<ul style="list-style-type: none">• Employee Disability Benefits (RB-1d)	
<ul style="list-style-type: none">• Informational Handbook: A Guide to Benefits Administered by the U.S. Railroad Retirement Board	
<ul style="list-style-type: none">• Medicare for Railroad Workers and Their Families	
<ul style="list-style-type: none">• Railroad Retirement and Survivor Benefits	
<ul style="list-style-type: none">• Railroad Unemployment and Sickness Benefits	

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To the men and women who
keep the railroads running—
thank you. We're here when you
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