

RAIL RIGHTS II

Rail Rights II, a guide to the rights of a railroad worker. is finally available. It includes in simple and easy to read question and answer format 380 pages of great information on the Railway Labor Act; The Family Medical Leave Act; The Americans with Disability Act; the new Conductor Certification law; Railroad Retirement and Disability; The Federal Employer's Liability Act; including a chapter on van accidents, the new Hours of Service Act; an easy to understand outline on medical and disability insurance; the new law on Electronics; and a chapter on the widely acclaimed No Rules.

GENE DISCRIMINATION NOW ILLEGAL

Recently some railroads and other employers began an alarming hiring & promotion practice based in part on one's genetics. There are tests that can be done to determine if a person is at risk for a specific disease or disorder. The idea was not to hire a person who had bad genes. For example, BNSF purportedly had already begun using genetics for these purposes.

In November 2010 the EEOC implemented a final rule pursuant to the Genetic Information Non-Discrimination Act prohibiting discrimination based on a person's genetics. Now it is unlawful for an employer to discriminate against an employee based on their genes.

PERSONAL NOTE

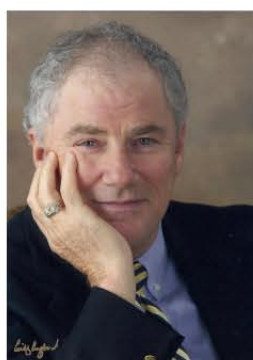
Local Chairman John Dunn was recently recognized by several national media sources for aiding his fellow union Teamster brothers.

John supplied striking picketers with drinks and Gatorade while walking the picket line in San Antonio.

Paul Young is recovering after losing his legs and left arm in a switching accident in Ft. Worth on May 23, 2011. This young man has an amazing positive attitude after the tragic injury and is making good progress. He has undergone numerous surgeries and overcome serious infections and hopes to begin rehab soon.

Jerry Hoosier dies at 38. Jerry died Monday, June 6, 2011 after a short battle with cancer. Jerry was a UP engineer and active in the BLET. He is survived by his wife Sandy and two small children.

The funeral will be at 2 PM Sunday, June 12, 2011 at the Memorial Funeral Home of Vidor, Texas. Our thoughts and prayers are with the family.



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This is a must have book for every railroad worker. It is compact and can be kept in your grip for quick on the job reference. Several General Chairman and State Legislative Directors have bought the book for their entire committee. Rail Rights II costs \$20. plus tax and shipping. You can get your book by ordering on line at [Order Rail Rights II](#)

or you can email Steve Young or call our office 888 565 7245.

Rail Rights II is a job saver, so get yours today!

VAN ACCIDENT PROTECTION

It happens everyday. You are required to ride in a contract van to get to or from your work. But what happens if you are in a van accident? Is there coverage? What can you do to protect yourself?

Railroad workers are covered by FELA while at work and/or riding in a van. However, under FELA the injured worker must prove the railroad was negligent in causing their injury or there is simply no money. If there is a van accident and the driver is not at fault and there is nothing wrong with the van, neither the van nor the railroad may owe for your injuries. A classic example is a rear end collision where the primary fault is that of the rear-ender. Often the person who rear ends the van has little or no coverage.

Under the national labor agreements an injured worker is entitled to Off Track Vehicle accident benefits which pay up to \$1,000. per week for up to 156 weeks.

Further, an injured worker is entitled to RRB sickness benefits of \$66. per day and any disability benefits, but while this is all good, it is not enough!

The best protection is to buy your own Underinsured/ Uninsured policy of insurance on your personal vehicles.

This is cheap and it usually provides protection in a van accident. The policy pays when the driver who is at fault does not have enough coverage. Most people only have \$25,000. in underinsured/uninsured coverage, but everyone on the railroad needs at least \$300,000. in coverage.

On May 25, 2011 we tried a case in Houston for an engineer who was badly injured in a rear end collision van accident. The negligent driver had a small policy of insurance which did not even begin to cover the engineer's loss.

We tried to make a case against the van company and railroad by alleging that the van driver did not take evasive action. The jury said NO and found neither the van nor the railroad liable, so the injured engineer was not and will not be compensated for his loss, even though he cannot return to his old job.

We also have a case for a young engineer who was going to work, when he was struck head on by a driver impaired by drugs. The young man was left totally disabled and unable to work, but the driver did not even own a car.

Underinsured/uninsured coverage would pay here as well. So call your insurance agent TODAY and get the coverage to protect yourself and your family! Learn more by clicking on [The Van Case](#)