FEDERAL EMPLOYERS LIABILITY ACT

FELA provides the exclusive remedy for an injured railroad employee. A railroad is liable as long as there is any negligence by the railroad, however slight. In addition, an employee is not prevented from recovery by the fact that he knew of a hazardous condition and assumed the risk of injury. If an employee is found to be partly responsible for his injury, i.e., contributorily negligent, this does not prevent recovery. His damages are simply reduced in proportion to the amount of negligence for which the employee is responsible. For example, if the jury found that the employee was 50% responsible for his injuries, he will be awarded only 50% of what he otherwise would have received. Contributory negligence is not chargeable against an employee if he is injured or killed by reason of a violation of any statute or regulation enacted for the safety of employees.

A lawsuit for recovery of damages against a railroad must be brought within three years from the date of accident. If third-parties are also going to be sued, the applicable state statute of limitation applies to such parties.

If you have been injured and have any questions concerning your legal rights under the FELA, you should contact the designated legal counsel in your area for assistance.