NO REQUIREMENT TO WORK IF EXPOSED TO IMMINENT DANGER

A railroad may not discharge or in any manner discriminate against an employee for refusing to work when confronted by a hazardous condition if (a) the refusal is made in good faith and no reasonable alternative to refusal to work is available; and (b) the hazardous condition is of such a nature that a reasonable person would conclude that:

(1) The condition presents an imminent danger of death or serious injury; or

(2) There is insufficient time to eliminate the danger through resort to regular statutory channels.

and (c) the employee, where possible, has notified the employer of his concern of such hazardous condition and of his intention not to perform the work unless the condition is corrected immediately.

Any disputes, grievances, or claims arising out of the refusal to work shall be handled under the same procedures of as for Discrimination and Harassment discussed in the prior page.

49 U.S.C. § 20109