

Case Name: Stanley R. Nickels v Grand Trunk Western Railroad, Inc. Donald C. Cooper v CSX Transportation, Inc.

Date Decided: March 18th, 2009

Originally Filed in: ()

Decided by: (State)

Court: U.S. Court of Appeals- 6th Circuit

Judge: Circuit Judge Batchelder

Citation: 560 F.3d 426

Background:

In this consolidated action, appellants Stanley Nickels and Donald Cooper appealed entries of summary judgment on their Federal Employers' Liability Act ("FELA") claims. Both appellants claim that their former employers failed to provide a safe working environment by using large mainline ballast instead of smaller yard ballast around the railroad tracks. The larger ballast is more strenuous on the body and provides for uneven footing. Appellant Nickels worked as a conductor, moving railcars from one track to another. This forced him to often walk on the mainline ballast. In 2004 Nickels began experiencing pain and discomfort in his feet. Ultimately he had surgery on both feet but has been unable to return to work. Appellant Cooper's duties also required him to walk on the mainline ballast. In 2000, Cooper sought treatment for stiffness and pain in his right leg. By 2003, Cooper was no longer able to perform his job responsibilities, and was diagnosed shortly after with avascular necrosis. This illness caused bone destruction and loss of joint function. Both appellants separately sued their former employers under the FELA. The railroads moved for summary judgment, arguing that the Federal Railway Safety Act ("FRSA") precluded the plaintiffs' FELA claims. The district courts granted the motions, holding that allowing the workers' FELA claims to continue would undermine the FRSA's goal to achieve national uniformity in railroad safety regulations. Thus, the lower courts both held that only a claim under the FRSA should have been brought. Nickels and Cooper appealed, and this Court consolidated their actions.

Issue:

Whether the Court will uphold the summary judgments granted to the railroads or overturn in favor of the injured employees.

Overall Issues Discussed or Touched Upon in this Case:

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Held:

First, the Court examined the role of the FRSA and FELA, both of which are designed to promote railway safety. The FRSA's purpose is to promote safety in all areas of railroad operations and to reduce railroad-related incidents. Under the FRSA is a provision that states,

"laws, regulations, and orders related to railroad safety...shall be nationally uniform." The FELA makes a railroad liable to its employees injured "by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment." After examining the FRSA's goal to create national uniformity in railroad safety, this Court affirmed the lower courts' grant of summary judgment to the railroads. This Court noted that allowing the appellants to pursue their FELA claim would be in direct contradiction with the goals of the FRSA. The employees would likely have been more successful had they brought an FRSA claim. Having a nationally uniform system for injured railroad employees was paramount. The FELA was meant to compensate employees for injuries incurred, while the FRSA controlled the railroad safety regulations. Finding no reason to change the interpretation of the FELA and FRSA, the Court denied Nickels and Cooper's appeal

Comments:

Both the FELA and FRSA promote railroad safety. The FELA is specifically for railroad workers who are not covered by regular workers' compensation laws. They are able to sue companies over their injury claims. Under FELA, the cause of action is based on negligence by the employer. The FRSA varies from the FELA. The FRSA's purpose is to promote safety in railroad operations and reduce railroad accidents. The FRSA prescribes certain regulations and orders for every area of railroad safety. The goal is to create a national uniformity of regulations. Steve Gordon