

RIGHT ON TRACK

POOLSON | ODEN WWW.POOLSONODEN.COM 504.766.2200 VOLUME 2, ISSUE 4

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FRA Grants "Relief" for Rail Carriers; Hell for Rail Workers

Railroad Workers and the Coronavirus

On March 26th, 2020, in response to a Petition from the Association of American Railroads (AAR), American Short Line and Regional Railroad Association (ASLRRA) and American Public Transportation Association (APTA), the Federal Railroad Administration (FRA) has issued a 60-day emergency waiver for certain requirements of the FRA's rail safety regulations, due to the COVID-19 pandemic. The petitioners, on behalf of their member railroads, requested relief from certain requirements of the Code of Federal Regulations (49 CFR Parts 213, 214, 217, 218, 219, 220, 228, 229, 232, 234, 236, 239, 240, and 242) on March 21st. The "relief" granted 4 days later by the FRA applies to ALL rail companies in the United States, whether they were party to the request or not.

The relief granted is supposedly conditioned on the existence of personnel shortages and other "constraints", that can be shown as having a direct correlation to the effects of the COVID-19 pandemic, that might prevent a rail carrier from "timely" completing federally mandated railroad safety inspections, tests, and/or other requirements.

Many of the rules/regulations that railroaders have worked under -in many cases for decades if not their entire careers - will potentially no longer be enforced between now and late May (if not longer). Rail workers must now be at the ready, to be ordered to perform any one of a number of unsafe tasks, that yesterday would've been a violation of federal law, yet today, failure to carry them out could result in termination. In recent weeks, rail workers have been put in a "damned-if-you-do, damned-if-you-don't situation in recent weeks with regards to marking off sick. Now, these same workers are similarly placed in a precarious situation, being ordered to "violate" sacred rules and regulations upon threat of termination (insubordination) on the one hand, or proceed as directed to do something they know is intrinsically unsafe that could result in disaster.

Meantime, the FRA has to date refused to respond in such a fashion to the rail unions' (Brotherhood of Locomotive Engineers & Trainmen and the SMART-Transportation Division) petition of March 24th, ignoring their pleas to – among other things – recall to service some of the thousands who have been laid off in recent months. Yet, while they remain in furlough status as the direct result of the rail carriers' new operating plan - Precision Scheduled Railroading (PSR) - the railroads are clamoring about "labor shortages" and have been granted relief by the FRA. In fact, RWU has received reports of new furloughs initiated literally on the day that the FRA Waiver was announced!

If ever there was an "All hands-on deck!" moment for railroad workers, this is it. We cannot sit back and allow the carriers and the government make us pay the price for their criminal lack of foresight and preparation in the face of this oncoming pandemic. There have been reports of health care workers on the front lines that have already paid the price with their health and lives, due to lack of basic PPE, which should have been ordered in massive quantities in February. Similarly, furloughed railroad workers could have and should have been reintegrated back into the industry in that same time frame. There is still time, of course, to do this, yet as *The Highball* goes to press, the railroad continues to furlough rail workers!

The rate of derailments, railroad worker fatalities, accidents and injuries was unacceptable before this FRA waiver went into effect. The proceeding years of PSR – while providing a massive drop in rail employment – concurrently produced a rise in the rate of accidents, injuries and fatalities. With the rail carriers now cut loose this spring to abrogate dozens, if not hundreds, of regulations in the name of "personnel shortages," one shudders to think of the potential consequences. RWU demands that every politician forcefully denounce this charade for what it is, and demand that the Class One carriers recall to service their furloughed employees, rather than unnecessarily compromise the safety of rail workers and the public.

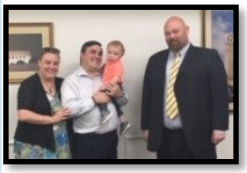
We call upon the rail union leadership to heed this desperate call for solidarity, unity and action. The carriers have betrayed both rail workers and the nation, putting their operating ratio ahead of the health and well-being of both their employees and the general public. ***Article reprinted with the permission of Railroad Workers United. For more info, see the website www.railroadworkersunited.org.***

Around The Office

We hope you and your family are staying safe and healthy during these unique and trying times. By way of update, our office if fully functional and operating remotely, as we abide by the governor's "Stay at Home" order. Although we may not be in the office, physically we are continuing to work on all of our client's cases and claims during these uncertain times.

Please feel free to contact us should you have any questions or concerns. Good luck during this time, and our thoughts and prayers are with you and yours. We look forward to seeing you very soon on the other side of the pandemic.

Quarantine Family Time



Carisa and Mike finalized their adoption of sweet Sebastian!

Danny creating artwork with the Twinkies!





Jeanne's Twins taking a virtual dance class!

Ashlie, John , and their fur baby Molly enjoying some classic Cheers reruns!



WHAT WE DO & HOW WE DO IT

About Poolson Oden Law Firm –

The law firm of Poolson Oden focuses on helping individuals who have been seriously injured or hurt.

Danny, Carisa, and their staff view their clients as family members, and find fulfillment in protecting the rights of railroad workers nation-wide. Danny and Carisa take pride in connecting with their clients and putting them at ease during their case. During a time when an injured worker fears hiring an attorney, Poolson Oden helps lead its clients to their best possible future after an accident or on-duty injury.

April is National Child Abuse Prevention Month

Key Facts and Statistics

- The most common type of maltreatment is neglect.

- In Federal fiscal year (FFY) 2018, about 4.3 million reports were made to child protective services concerning the safety and well-being of approximately 7.8 million children.

- Last year, an estimated 678,000 children were found to be victims of child abuse or neglect nationwide.

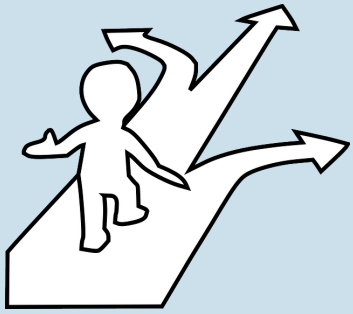
Keep children safe and families strong in supportive communities.

Get updated tools, tips, and techniques in the 2019/2020 Prevention Resource Guide. #NCAPM2020 #childabusepreventionmonth https://www.childwelfare.gov/topics/preventing/preventionmonth



Do I Really Need A Lawyer?

If you don't ask, you won't know.



Hiring a lawyer is a very personal decision. The lawyer client relationship is sacred. For years family and friends have asked the question "well, do I need a lawyer?" The simple answer is: If you don't ask, you won't know.

One of our favorite joys as lawyers is to address legal challenges for our clients, family, and friends, in order to *help them*. If it is not a legal circumstance that our office regularly handles, another one of our favorite joys as lawyers is getting our family and friends to the lawyer that is *right for them*. In the legal community, we have access to certain information and/or experiences that cannot be found by a simple Google® search. As lawyers active in our communities, we may be able to better guide you to the *right* lawyer to make sure you are getting the very best representation for your legal challenges.

Our practice focuses primarily on Railroad and Serious Injury; however, if you have a legal issue or question that you want to discuss, please do not hesitate to give us a call to see if we are the right firm to help you, or we can connect you to the right firm that can help you.

Thank you for allowing us to serve you. Cheers, Danny and Carisa

Poolson's Pointers Oden's Observations

Do you know someone who would enjoy receiving our newsletter?
*Call **504.766.2200** or send an email to admin@poolsonoden.com to add your friends, family, and coworkers to our newsletter list!*

Mississippi Pot Roast



Ingredients:

- Chuck roast
- Ranch dressing mix
- Au Jus gravy mix
- Stick of butter
- Jarred pepperoncini peppers- about 5 peppers

Directions:

1. Place the chuck roast in the bottom of your crock pot.
2. Sprinkle the ranch and au jus mixes over the top of the roast.
3. Add the butter and pepperoncini peppers.
4. Place the lid on top and cook over low heat for 8 hours or more.

Sudoku

8		3		1	6			
	9	1					6	
2	6	4						
			4	6			7	2
	7			3			5	
4	3			5	2			
						1	8	5
	8					7	4	
			1	7		2		3

Fill in the numbers 1-9 exactly once in every row, column, and 3x3 region.

Client & Community Spotlight

Settlements:

A successful settlement was obtained for **Monica D.** in Orleans parish. Congratulations, Monica D., on your settlement!

Thank you for allowing us to be a part of your legal team!

Thank you for your Referrals!

Thank you for all of the referrals! It's because of you that we are continuing to build a successful firm and are able to provide the best service to our clients. We have signed up four new clients last month!

We appreciate your referrals and please continue to pass along our name to anyone that may need our help.

Upcoming/Cancelled Events:

While the **Casa Jefferson** Sip Sip Hooray event and the **Global Maritime Ministries** Lighthouse Gala were cancelled due to the pandemic, both are wonderful organizations that we ask you to consider donating to their great causes.

Please visit their websites to get to know them!

www.casajefferson.org

Portministries.com

hess painting

Contact our friend, Marvin, at **Hess Painting** for all of your Residential Interior/Exterior Painting, Small Carpentry and Pressure Washing needs. Marvin takes great pride in the work that he provides to his clients.

nolamarv@gmail.com

(504) 487-0246

Facebook: Hess Painting NOLA

Horoscope | April 2020



Aries: It's up to you to determine the pattern your relationship will take. Examples of love are all around you. You can earn the respect of bosses and co-workers through honesty and dedication.



Leo: When you feel great and look great, you have a greater influence on others. Get lucky with money without gambling on the lottery. Saving that investment could make you a big winner over time.



Sagittarius: Strategy is important at this stage of your life and career. Negotiate new financial arrangements that will make life easier. New clothes do your image a lot of good.



Taurus: Your great ability to solve problems under pressure will be tested soon. You can handle it well. It pays to give others your attention rather than dominate conversations with your own stories.



Virgo: A change in what you do at this time of year could bring new opportunities. Get organized or you won't get the job done. Organizing takes time now but saves a lot of time later.



Capricorn: You need downtime now. Try to arrange time for yourself without neglecting your family. It's been too long since you contacted an older relative who would love to see you now.



Gemini: Sometimes in order to reach a work-related or financial goal, you have to revise your plan. It pays to be flexible while keeping your eye on the target. If you review your daily life, you will see neglected areas.



Libra: When different versions of a story emerge, be patient and avoid taking sides. As you successfully deal with obstacles, you get stronger and more attractive to the kind of people who are good for you.



Aquarius: Make time to get those technical skills. No need for hesitation. No need for fear. Suddenly it will all make sense. But try.



Cancer: Health issues soon come to the forefront. Be prepared to change some habits and follow medical advice. Singles should consider someone with children. It could be interesting to get a ready-made family.



Scorpio: Teaching others how to solve their own problems will save you some time, but don't get too bossy. In new situations, take stock of what you do and don't know.



Pisces: You may not realize it, but you are making some pivotal life decisions by simply not deciding. Time to make a choice.

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Check us out on Social Media!





Answer

3	6	2	8	7	1	5	4	9
9	4	7	5	2	3	6	8	1
5	8	1	4	9	6	7	2	3
6	1	8	2	5	7	9	3	4
4	5	6	1	3	8	2	7	9
2	7	3	9	6	4	8	1	5
1	3	9	7	8	5	4	6	2
8	9	5	3	4	2	1	9	7
7	2	4	6	1	9	3	5	8

"Hope is important because it can make the present moment less difficult to bear. If we believe that tomorrow will be better, we can bear a hardship today."

– Thich Nhat Hanh