

# Canadian National Railway fined for firing injured worker

By *Rick Romell* of the *Journal Sentinel*

Updated: 5:00 p.m. April 10, 2014

A Canadian National Railway subsidiary has been ordered to pay \$352,000 to a former Wisconsin employee who was terminated after reporting a workplace injury.

The Occupational Safety and Health Administration also ordered the railroad to reinstate the employee, a conductor, to his job.

The order follows a whistle-blower investigation by the agency.

"No worker should feel his job is at risk for reporting an injury or seeking medical attention," Nick Walters, regional OSHA administrator, said in a statement.

According to the agency, the conductor was working in Manitowoc for Wisconsin Central Ltd., a business unit of Montreal-based Canadian National, in early 2011.

The conductor was on his initial 60-day probationary period when he slipped off the ladder of a train and injured one of his arms, an OSHA spokesman said. The conductor reported the injury later that day, after his shift ended, OSHA said.

The agency said that on the last day of the conductor's probationary period, the company issued him a "removal-from-service letter." Later, the railroad said the conductor had violated company rules by failing to report an injury before his workday ended, according to OSHA.

A Canadian National spokesman said the company disagrees with OSHA's ruling and is considering its appeal options.

The \$352,000 payment ordered includes \$217,000 in back wages and employment taxes, \$60,000 in compensatory damages and \$75,000 in punitive damages.