



Rail Law Alert: Federal Railroad Administration Safety Advisory

04.13.20

On April 10, the Federal Railroad Administration (FRA), issued Safety Advisory 2020-01, “Safety Precautions Related to Coronavirus Disease 2019 (COVID-19).”

Under the new Safety Advisory, the **FRA encourages, but does not require**, railroads, their employees, and contractors, to review guidance from various agencies related to the COVID-19 public health emergency. Transportation, including passenger and freight railroads, is a critical infrastructure industry.

The Safety Advisory reviews the FRA’s activation of its Emergency Relief Docket, as well as its issuance of temporary, industry-wide relief from specific FRA regulations. More information on the Emergency Relief can be found [here](#).

The Safety Advisory refers to the following sources:

- The President’s Coronavirus Guidelines for America – 30 Days to Slow the Spread, which offers information on effective social distancing.
- The Centers for Disease Control’s (CDC) Coronavirus Website, which provides information on how to protect yourself from contracting the coronavirus, what to do if you are sick, and the latest updates on the Coronavirus from the CDC.
- The CDC’s Interim Guidance for Businesses and Employers, which was drafted to prevent workplace exposures to the Coronavirus in non-healthcare settings. This CDC webpage includes information on the following topics: “Preparing Workplaces for a COVID-19 Outbreak,” “Reduce Transmission Among Employees,” “Maintain Healthy Business Operations,” and “Maintain a Healthy Work Environment.”
- The CDC’s Workplace, Home and School Guidance. This website provides four slides with general guidance on how to keep workplaces, schools, homes, and commercial establishments safe.
- The Occupational Safety and Health Administration’s (OSHA) COVID-19 Guidance page. This OSHA website includes a link to their published “Guidance on Preparing Workplaces for COVID-19,” document. The 35-page document “is not a standard or regulation” and “creates no new legal obligations,” but provides recommendations intended to assist employers in providing a safe and healthful workplace. The guidance includes a discussion of exposure risks and what to do to protect workers at various risk levels. The full guidance document is available [here](#).
- The Federal Coronavirus website: <https://www.coronavirus.gov/>, which provides an array of links to information about coronavirus as well as the Government’s responses.

The Safety Advisory notes that the FRA may modify the advisory or take other actions necessary to ensure the highest level of safety on the Nation’s railroads.

Rail and Transit Agencies should also be aware that the CDC has revised its interim guidance on safety practices for Critical Infrastructure Workers who may have had exposure to COVID-19. More information on the CDC’s interim guidance is available [here](#).