



Asbestos Alert



RAILROAD WORKERS AND ASBESTOS

What is asbestos and how was it used on the railroad?

Asbestos is a mineral that can cause many diseases, including cancer. It was used in insulation materials (lagging) during the steam era and into the diesel era. Steam engine boilers, fireboxes and pipes were insulated with asbestos. In addition, asbestos was used in various other products including pipe wrapping, wallboard, cement, gaskets, packing and rope.

Why should I be concerned about exposure to asbestos?

If you worked on the Railroad from the 1930's - 1960's you most likely were exposed. Breathing asbestos dust can cause several serious diseases:

Asbestosis is scarring of the lungs caused by breathing asbestos. Asbestosis is incurable and may worsen over time.

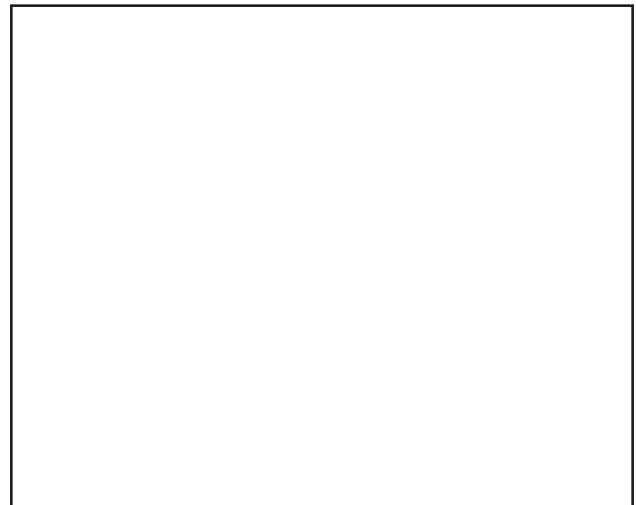
Cancer of various types is also caused by asbestos exposure, including lung cancer, cancer of the lining of the chest and abdomen (mesothelioma) and some gastrointestinal cancers.



Many workers who never handled asbestos insulation were exposed to asbestos dust during the lagging process.

What can I do to find out if I have an asbestos-caused disease?

Simply fill out the attached card or call the Asbestos Program Coordinator, Moody, Strople, Kloeppel & Higginbotham, Inc. at **(800) 793-4816** and participate in the screening that is being provided **at no cost to you**.



Workers applying asbestos insulation to a locomotive.

What railroad workers were exposed to asbestos?

Anyone who worked around steam locomotives or in roundhouses, backshops, carshops and other repair facilities was probably exposed to asbestos. When asbestos insulation is disturbed, it produces both visible and invisible dust particles and fibers, which are inhaled by those working nearby. **The worker need not have personally touched or worked with the asbestos to breathe contaminated air.**

Asbestos-caused diseases are not confined to any particular job titles or descriptions. Most all crafts have been affected by asbestos. If you worked in the shops or roundhouses, or worked on the crew of a steam locomotive, you were probably exposed to asbestos, even if you could not see it in the air.

Did the major railroads know about asbestos disease and how to prevent it?

Yes. Evidence has been discovered that shows that the railroad doctors knew about asbestos-caused disease and its prevention in the 1930s.

In 1935, the railroad doctors wrote in the minutes of the annual meeting of the Medical Section of the Association of American Railroads:

“...we as railroad surgeons are undoubtedly more interested in silicosis and asbestosis than the other types [of dust-caused diseases]...”

The railroad doctors further suggested five methods of prevention:

- 1) Educate the workers;
- 2) Get rid of the dust;
- 3) Sprinkle the work area with water;
- 4) Have the workers wear respirators
- 5) Frequently test the dust content of the air during working hours.

Unfortunately, these recommendations were rarely, if ever, carried out and railroad workers were indiscriminately exposed to deadly asbestos dust and fibers throughout the

“...railroad workers were indiscriminately exposed to deadly asbestos...”

1930s, 1940s and 1950s.

Furthermore, the railroad claims agents knew about the dangers of asbestos exposure to railroad workers in the 1930s. In 1937, the Railway Claims Agents’ organization discussed occupational dust diseases in railroad workers, stating, “We have also to deal with...asbestosis.”

This evidence clearly establishes that the major railroads knew about asbestos-caused disease, its prevention and that claims would result from continuing to expose their workers to asbestos.

What did the major railroads actually do to protect their employees from asbestos exposure?

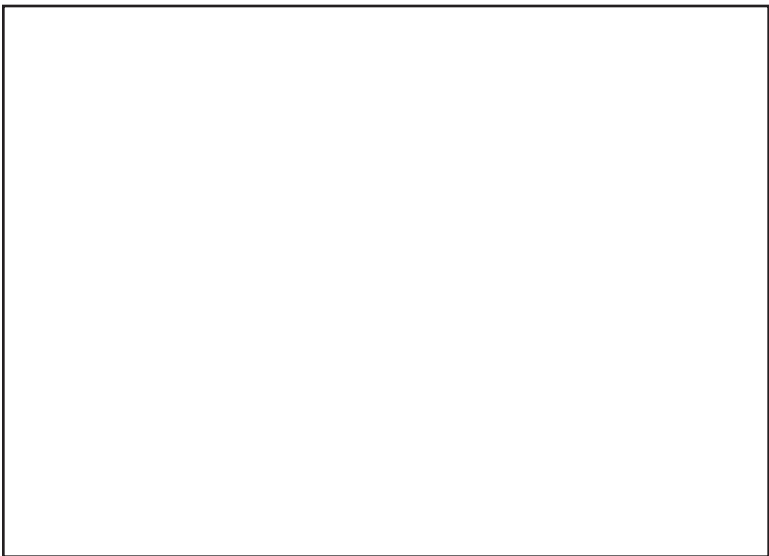
Little or nothing. In fact, although it was common knowledge in the railroad industry that exposure to asbestos could result in injury to its employees, few if any major railroads implemented a comprehensive program to prevent asbestos disease in its employees.

If the railroad had implemented its doctors’ recommendations, could asbestos disease in railroad workers have been prevented?

Yes. Many railroad workers’ health could have been protected and their lives could have been saved. The methods of prevention of asbestos disease that were suggested by the railroad doctors in 1935 are the recognized methods of prevention today.

Did the manufacturers of asbestos products also know about the dangers of asbestos?

Yes. The manufacturers that supplied the asbestos products to the railroad were also aware as early as the 1930s of the health hazards to workers from exposure to their products.



Train crews riding in engine cabs were also exposed to asbestos.



Rows of locomotives in a backshop undergoing heavy repair.

My family doctor has never made a diagnosis of an asbestos-caused disease, so why should I worry about it?

Specialized training is necessary to diagnose an asbestos-caused disease. The changes asbestos causes on chest x-ray are subtle and are often missed by doctors who are not accustomed to diagnosing asbestos-caused diseases. Symptoms such as shortness of breath and coughing are often attributed to the aging process, smoking or other breathing disorders. Individuals may experience no breathing impairment at all even though the scarring caused by asbestos has already begun. A current chest x-ray read by a specialist can easily determine if asbestosis exists.



Asbestos covers the floor and clouds the air after a locomotive is insulated.

Can I still be compensated even though I smoked?

Yes. Smoking does not cause asbestosis. Only exposure to asbestos causes asbestosis. Disease caused by smoking and disease caused by asbestos can usually be distinguished by x-

“People who were or are smokers are still entitled to compensation.”

rays and breathing tests. Many railroad workers have the mistaken belief that because they smoked they are prevented from recovering for asbestos-caused diseases. **This is not true.** People who were or are smokers are still entitled to receive compensation for the portion of their lung damage that was caused by asbestos exposure.

What are the symptoms of an asbestos-caused disease?

The most common symptom of an asbestos-caused disease is shortness of breath. Another common symptom is a dry cough. However, **a person can have an asbestos-caused disease without having any symptoms at all.**

Should I be concerned even though I have not been exposed to asbestos for 15-20 years?

Yes. The scarring from asbestos takes a long period of time to develop, **with disease not appearing until 20 to 50 years** after a worker’s first exposure to asbestos. Once you have inhaled asbestos, it cannot be removed from your lungs. More importantly, asbestos continues to damage the lungs over time, even after exposure stops.

Know Your Rights Under the FELA

What is the FELA?

The Federal Employers' Liability Act (FELA) is a federal law that allows railroad employees to recover for their on the job injuries and occupational diseases that occurred due to the negligence (however slight) of their employer. The railroads have a legal duty to provide their employees safe places to work, safe equipment and proper working conditions. If any railroad fails to take these safety measures, the railroad is held responsible.

Can a retired employee still recover for injuries that occurred while working for the railroad?

Yes. Even though a railroad employee develops an occupational disease such as asbestosis many years after he has left the railroad, he is still entitled to compensation for injuries caused by the railroad's negligence.

If I have an asbestos-caused disease, how can I get compensation?

Advice and counsel of a union approved railroad attorney are your best guarantees that your claim will be properly evaluated, handled and presented. Moody, Strople, Kloeppe & Higginbotham, Inc. is union approved and the only designated legal counsel approved by NARVRE.

How do I find out if I have an asbestos-caused disease?

Scarring from asbestos causes changes on a chest x-ray. A doctor trained in diagnosing occupational lung diseases can determine whether any changes on your chest x-ray are consistent with an asbestos-caused disease.

The law firm of Moody, Strople, Kloeppe & Higginbotham, Inc. will arrange for you to have a chest x-ray taken. This x-ray will be reviewed by a physician trained to interpret asbestos-caused disease, and you will be noti-

About Moody, Strople, Kloeppe & Higginbotham, Inc.

Moody, Strople, Kloeppe & Higginbotham, Inc. has helped thousands of railroad asbestos victims obtain compensation from their railroad employers and manufacturers. The law firm has been representing injured railroad workers since the 1950s. Willard J. Moody, Sr., Willard J. Moody, Jr. and the law firm are designated legal counsel for the following railroad unions and organizations:

- National Association of Retired and Veteran Railroad Employees (NARVRE)
- United Transportation Union (UTU)
- Brotherhood of Locomotive Engineers and Trainmen (BLET)
- Transportation Communication Union (TCU)
- Brotherhood of Maintenance of Way Employees (BMWE)
- International Brotherhood of Electrical Workers (IBEW)
- National Conference of Firemen and Oilers (NCF&O)
- Brotherhood of Railroad Signalmen (BRS)
- Sheetmetal Workers International Association (SMWIA)
- International Brotherhood of Boilermakers and Blacksmiths (IBBB)

fied of the results. If the doctor believes that you may have an asbestos-caused disease, Moody, Strople, Kloeppe & Higginbotham, Inc. will arrange for you to have a full medical examination by an occupational lung disease specialist.

For further information on how to participate in this **free** asbestos screening, please contact the Asbestos Program Coordinator, Moody, Strople, Kloeppe & Higginbotham, Inc. at the **toll free number** listed below.

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