



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

FRA Position on Railroads Communicating Safety & Health Information Pertaining to COVID-19 to Covered Service Employees' Personal Electronic Devices

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The Federal Railroad Administration (FRA) has learned railroads wish to send health and safety information and updates, including CDC guidance, related to the current COVID-19 pandemic, to their employees' personal e-mail addresses. Statutory hours of service requirements at 49 U.S.C. §§ 21103(e) and 21104(d) prohibit communication with train employees and signal employees respectively during minimum off-duty periods, and an e-mail to all employees would violate those requirements for any train employees or signal employees on a required uninterrupted rest period at the time. However, the hours of service laws provide some flexibility for emergency situations, and FRA will exercise enforcement discretion related to this particular type of message, sent at reasonable intervals, to which the employee is not required to respond. Railroads are encouraged to seek the approval of labor organizations, to avoid any conflict.