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NEWS // TRANSPORTATION

OSHA blasts Union Pacific as 'serial violator' in Texas whistleblower case

The company said it plans to appeal the finding that accused them of an unlawful dismissal.

By **Amber Gaudet**
Sep 8, 2025



0:02 / 0:24





Union Pacific trackmen work at the Union Pacific Railroad rail yard on Thursday, March 28, 2024, in Palestine, Texas.
Juan Figueroa/Staff Photographer

A Texas railroad engineer was awarded more than \$300,000 in back wages, damages and attorney's fees after a federal investigation found Union Pacific unlawfully fired him.

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In an Aug. 6 finding, the Dallas division of the Occupational Safety and Health Administration found that the railroad violated a federal whistleblower law when it fired the Houston-area engineer in March 2024 after he reported a workplace injury.

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The agency called Union Pacific a "serial violator" of t
past violations. In 13, OSHA found the railroad had re
work-related injuries.

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OSHA ordered Union Pacific to pay the engineer more than \$195,000 in back wages and interest, \$150,000 in punitive damages, \$10,000 in pain and suffering, and attorney fees. He was reinstated in June after a separate arbitration process, OSHA records show.

The railroad disagrees with the findings and plans to appeal. Either party has 30 days to appeal the OSHA decision to an administrative law judge.

"Union Pacific recognizes the right of all our employees to claim injury and seek medical attention without fear of retaliation," the company said in a statement.

Union Pacific, the largest freight railroad in the U.S., has a significant presence in the Lone Star State. The company had more than 6,400 miles of tra

The facts of the case

After an Uber that was transporting the workers to th

Houston was struck by a Toyota Tundra pickup on Feb. 4, 2021, the engineer and another

0:02 / 0:24

Union Pacific employee reported back pain to their supervisor.

The engineer sought medical care, which escalated the injury to a federally reportable incident. Meanwhile, the engineer's fellow employee did not seek medical care or fill out a formal injury report, and was not disciplined.

The day after filling out an injury report, a manager accused the engineer of falsely reporting a work injury, according to OSHA. Union Pacific said there was no visible damage to the rideshare vehicle and "no indication of physical injuries" observed by his manager immediately following the accident.

He was fired March 15 following an investigative hearing earlier that month.

OSHA found the company did not have sufficient evidence to justify the firing, which violated provisions of the FRSA that preclude railroads from retaliating against employees who report work-related injuries.

Punitive damages of up to \$250,000 for past violation
Union Pacific's "illegal conduct," according to OSHA.

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"For too long, railroads have tried to create a culture of silence around injuries. This ruling pushes back against that culture," said Scott Alexander, general chairman at the Brotherhood of Locomotive Engineers and Trainmen, which represents the rail worker.

"It shows that when a railroad employee reports an injury and follows medical advice, he cannot be punished for it," he said.

It's unclear if the case will have any impact on Union Pacific's [plans to acquire Norfolk Southern](#), forming what would become the first transcontinental railroad in the United States.

The acquisition is subject to approval by the Surface Transportation Board, which considers "fair working conditions for employees" as part of its review process, the [Wall Street Journal](#) reported.



Amber Gaudet

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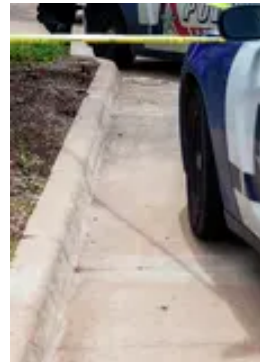
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