



New Jersey Assembly Bill A4689/Senate Bill S3164

Brothers and Sisters:

At present, New Jersey Transit (NJT) is attempting to circumvent legal protections granted by Federal Law, by claiming “sovereign immunity” as an arm of the State of New Jersey (See – Robinson v. NJT). The January 29 opinion of a panel of the Third Circuit Court of Appeals has declared that NJT is entitled to sovereign immunity as an “arm of the state” and is therefore immune to suit.

Should NJT ultimately succeed in their legal challenge, NJT Rail employees could lose the right to pursue legal action, at least in certain venues, under the Federal Employers’ Liability Act (FELA), which has protected injured railroaders for over 110 years.

The New Jersey State legislature is currently considering legislation in both the State Senate and the State Assembly to help protect railroad employees from this attack on their historic rights. S3164, sponsored by Senator Linda Greenstein (D – 14th District) and A4689, sponsored by Assemblyman Daniel Benson (D – 14th District) would clarify that NJT Rail is not an arm of the State and, therefore, may not assert sovereign immunity; it further clarifies that NJT Rail is subject to all of the various federal laws governing the railroad industry, as it has been for its entire existence. This legislation would be retroactive to all legal cases currently active on NJT.

All BLET members and their families need to contact their State Legislators **immediately** and request they support S3164 and A4689. If you are unsure who your State Representatives are, you can use the “Find your Legislator” on the New Jersey Legislature website <https://njleg.state.nj.us> or by visiting <https://www.njleg.state.nj.us/districts/municipalities.asp>

The BLET Mobilization Department strongly recommends that all BLET Members call their New Jersey State Legislators and ask them to support Assembly Bill A4689 & Senate Bill S3164. The time is now for you to defend the rights and protections that you have enjoyed throughout your entire careers!

A message from the BLET Mobilization Team