Railroad worker’s widow files wrongful death suit against CSX

*Curtis C. McConihay Jr. killed in Dec. 14 derailment*

MAR 6, 2020  EVAN BEVIN  Staff Reporter

PARKERSBURG — The widow of a CSX worker killed when a train derailed in December near the Washington Works plant has filed a wrongful death lawsuit against the railroad company.

The suit was filed last week in Wood County Circuit Court on behalf of Megan McConihay of Gallipolis Ferry, W.Va.

It says her husband, Curtis C. McConihay Jr., was working as a conductor delivering rail cars to the Washington Works site owned by Chemours in Washington, W.Va., on Dec. 14, 2019. He was riding the rear tank car of a train consisting of two engines and three cars when the car derailed, causing him to be thrown or fall off of it, resulting in his death.

It was not the first time a derailment had occurred at that location, the complaint says.

The suit claims CSX failed to provide McConihay with a reasonably safe place to work and failed to maintain safe and proper work tools and equipment.

It says the car on which he was riding “was not equipped with proper and secure grab irons or other handholds,” which are mandated by the Federal Safety Appliance Act.

After the accident in December, the Wood County Sheriff’s Department said the accident was being investigated by CSX, since it occurred on the company’s property.

“While CSX does not comment on pending litigation, we extend our thoughts to the family and those impacted by this tragic event,” the CSX Media Team said via email when asked about the lawsuit and the investigation.

The lawsuit was filed pursuant to the Federal Employees’ Liability Act, which provides compensation for railroad workers who are injured or killed on the job, since they are not covered by state workers’ compensation statutes.

McConihay was survived by his wife and two daughters.