



**Metropolitan Transportation Author**

# **Safety Committee Meeting**

## **February 2015**

### **Committee Members**

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T. Prendergast, Chair  
F. Ferrer  
A. Albert\*  
J. Ballan  
R. Bickford  
N. Brown\*  
A. Cappelli  
C. Moerdler  
M. Pally  
J. Sedore, Jr.  
V. Tessitore\*  
E. Watt\*  
N. Zuckerman\*

**Safety Committee Meeting**  
2 Broadway, 20th Floor Board Room  
New York, NY 10004  
Wednesday, 2/25/2015  
8:30 - 9:30 AM ET

**1. Public Comments**

**2. Approval of Minutes - January 22, 2015**

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**3. Grade Crossing Safety Issues**

Date of next meeting, Monday, March 25th at 8:30 AM

**Metropolitan Transportation Authority  
Minutes of  
Safety Committee Meeting  
347 Madison Avenue  
New York, NY 10017**

**Monday, January 22, 2015  
8:30 AM**

**The following members were present:**

**Hon. Thomas F. Prendergast, Chairman & CEO  
Hon. Fernando Ferrer, Vice Chairman  
Hon. Mitchell Pally  
Hon. Allen Cappelli  
Hon. Charles Moerdler  
Hon. Andrew Albert  
Hon. Robert C. Bickford  
Hon. James L. Sedore, Jr.  
Hon. Neil Zuckerman  
Hon. Carl Wortendyke  
Hon. Johnathan Ballan  
Hon. Norman Brown  
Hon. Vincent Tessitore  
Hon. Ira Greenberg**

The following Chief Safety Officers were present:

David Mayer  
Anne Kirsch  
Loretta Ebbighausen  
Cheryl Kennedy  
Stephen Vidal  
James Foley  
Peter Kohner

Joe Leader, Senior Vice President, Subways, Patrick Nowakowski, President, Long Island Rail Road, Joseph J. Giulietti, President, Metro-North Railroad, James Ferrara, President, TBTA, Darryl Irick, President/SVP, MTA Bus Operations and Michael Horodniceanu, President, MTA Capital Construction, also attended the meeting.

**Chairman Thomas F. Prendergast called the meeting to order.**

There was one (1) public speaker, Murray Bodin, who did not address items relevant to the agenda. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records for the content of speaker's remarks.

Upon motion duly made and seconded, the minutes of the October 2014 Safety Committee were approved with a correction noting the correct spelling of Vice Chairman Ferrer's last name.

### **1. CHAIRMAN'S OPENING COMMENTS**

Chairman Prendergast thanked the board for allowing the Safety Committee meeting to be moved to the same day as the Board meeting. Chairman Prendergast then opened the floor to Chief Safety Officer, David Mayer.

### **2. CHIEF SAFETY OFFICER REPORT**

After summarizing his career prior to joining the MTA, Mr. Mayer discussed his current role as the MTA Chief Safety Officer.

Mr. Mayer stated the agency presidents and the people who deliver agency services remain accountable for safety. Each agency president is served by a Chief Safety Officer and those safety officers and staff remain responsible for overseeing and delivering safety at each of the MTA agencies. Mr. Mayer indicated his role is to provide support and guidance to the safety functions that already exist throughout the MTA agencies.

Mr. Mayer stated he would convene a "Safety Council" composed of agency safety leads to establish best practices to share among agencies. Mr. Mayer also stated there will be an assessment of the current state of policies and practices regarding human fatigue and alertness management at each of the agencies with an eye toward formulating an MTA-wide approach to fatigue. Mr. Mayer noted that he will closely monitor implementation of any recommendations including those of the NTSB.

### **3. SAFETY COMMITTEE CHARTER**

Mr. Mayer reviewed the Committee Charter, which had been reviewed and adopted by the Board prior to his arrival. The Committee Charter states the committee should meet quarterly but Mr. Mayer proposed five meetings in 2015. Mr. Mayer stated he encourages feedback from the Board on what is needed to carry out their oversight responsibilities.

Mr. Albert stated the Rider Representatives should be added to Committee Membership.

### **4. 2015 DRAFT SAFETY COMMITTEE WORK PLAN**

Mr. Mayer stated he would like feedback from the Board regarding topics they would like to see on the agenda, particularly items that cut across the agencies such as fatigue, platform safety and safe train movement.

Mr. Albert asked if new car equipment design would be included in safety reports. Chairman Prendergast answered if new car equipment design is deemed to be a high incident factor it would certainly be included.

Chairman Prendergast went on to say a dashboard set of metrics should be established to determine the “best in class” examples and what to compare the metrics against.

Mr. Moerdler asked if at some point MTA should look at tunnels, as they seem to present a large percentage of incidents such as fires and signal problems. Chairman Prendergast answered the National Fire Protection Association’s (NFPA) rigorous and high level standards for fire and life safety has a strong influence on the standards that are applied and followed across the agencies. The Chairman also noted MTA has control over tunnels such as those used by New York City Transit but limited control over others. Chairman Prendergast suggested Mr. Mayer deliver an overview of issues to the Board to determine if it is an area of high priority that required attention.

Mr. Moerdler suggested the MTA investigate the number of incidents at bus/train repair shops. Chairman Prendergast answered agency of injury and slip, trips and fall data would have that information but agreed the inquiry bears review.

Mr. Greenberg stated Capital Construction, East Side Access project in particular, has a high rate of injuries. Chairman Prendergast stated though the MTA does not have direct control over all of the resources, MTA’s responsibilities and accountabilities are the same. Mr. Mayer added Chief Safety Officers from across the agencies plan to discuss safety metrics specifically related to Capital Construction and contractor safety.

Mr. Zuckerman asked why the Safety Committee plans to meet quarterly as opposed to monthly. Chairman Prendergast answered that the Board should plan to meet at least quarterly and is open to more frequent meetings dependent on need.

Mr. Brown asked if there are any mechanisms in place for studying incidents involving pedestrians/trespassers. Chairman Prendergast answered that the Department of Buses under New York City Transit and MTA Bus is working with the New York City Department of Transportation on the “Vision Zero Program”. The Chairman stated that though the MTA has input in the Vision Zero program it should be led by the city as it is a city responsibility. The Chairman also noted the Vision Zero Program could possibly be added to the New York City Transit agenda because it is specific to NYCT.

Mr. Moerdler suggested Mr. Mayer attend Labor Management Safety Committee meetings. Mr. Mayer agreed and stated he is eager to attend.

## **5. KEY SAFETY METRICS**

Chairman Prendergast stated that some of the most successful organizations follow a dashboard set of critical metrics. Mr. Mayer then referred the Board to a draft of safety metrics which showed comparisons of the most common customer and employee injuries across the agencies.

Mr. Mayer stated the numbers were “zeroed” out as comparisons across rails, buses and trains is difficult due to different regulatory environments and reporting thresholds. Mr. Mayer stated that the draft was an aspirational goal and the final product would include thoughts from the Board. Chairman Prendergast noted the chart does not reflect Operational Safety Metrics like collisions and derailments.

Chairman Prendergast stated a very clear distinction should be made between the reporting of information and the assessment of errors as compared to a disciplinary perspective or retraining of employees. He asked the committee to focus on reporting and analyzing statistics and keep disposition separate and apart. Mr. Mayer suggested key safety metrics should be finalized by the next Safety Committee meeting in March.

Mr. Zuckerman suggested including and analyzing “lead indicators” in the key safety metrics could prove beneficial in preventing accidents from occurring. Chairman Prendergast answered that each of the agencies has “near miss” reporting mechanisms which are revealing of trends that may be occurring. He also suggested this information be reported to the Board in a presentation at a future meeting.

Mr. Moerdler stated slip and falls make up a significant part of accidents but where and under what circumstances they occur is relevant. Mr. Mayer answered that the statistics have been done but augmenting the information may be necessary.

## **6. NTSB Activities**

Mr. Mayer stated in November 2014 the NTSB released a special investigation report titled “Organizational Factors in Metro-North Railroad Accidents”. The report focused on MNR work environment, management of safety risks, reviewed oversight functions, programs and procedures. The 11 findings of the Special Investigations report are related primarily to Safety and Risk Management and Safety Oversight and the overall ability of Metro-North Railroad. The NTSB is satisfied with the improvements made by and continuing to be made by Mr. Giulietti and MNR.

Mr. Mayer stated there are several open safety recommendations from the NTSB related to Safety Management, Positive Train Control, Operations and Medical Factors. Chairman Prendergast noted the NTSB does not close recommendations until they have been satisfied. Chairman Prendergast also stated any recommendations to a specific agency would be reviewed for implementation across all of the MTA agencies where applicable.

Mr. Albert stated he did not think there was a suitable dead man’s control installed during the “push” on the Hudson line. Anne Kirsch, MNR Chief Safety Officer, stated that a dead man’s control is a requirement on all operating cabs. Ms. Kirsch went on to say that based on regulatory requirements “alerters” were not mandatory but have since been installed in all operating cab cars.

Mr. Zuckerman asked if there is a metric we should use regarding improving track inspection as per the NTSB recommendation. Mr. Mayer agreed we should do so.

Mr. Moerdler asked if medical protocols should be reviewed to avoid accidents where medical factors play a role. Chairman Prendergast agreed a host of medical conditions can contribute to accidents. He also stated that due to collective bargaining agreements and privacy laws the MTA does not have the unilateral right to make decisions with respect to those matters.

Mr. Greenberg stated “close call” reporting system is very important in addressing a multitude of issues. Mr. Mayer answered that both railroads are working closely together to roll out “close call” reporting.

Mr. Ballan asked when results of all medical screening and evaluations could be expected. Chairman Prendergast answered that instances that have a high frequency of occurrence and severity of hazard will take precedence over negligible consequence with low frequency of occurrence. Mr. Prendergast added that data compiled with respect to the health and physical issues that could influence an employee or operational fatality will help guide the discussion. Mr. Mayer stated the NTSB asked MNR to revise its entire medical protocol for fitness for duty. He added it would not be wise to promise a timeline due to the enormity of the recommendation.

Mr. Moerdler stated if the union committees are brought in from the onset of medical protocol revisions they will be cooperative. Chairman Prendergast agreed.

## **7. ADJOURNMENT**

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 9:36 am.