



Metropolitan Transportation Authority

State of New York

February 3, 2020

Ms. Carmen Maldonado
Audit Director
The Office of the State Comptroller
Division of State Government Accountability
59 Maiden Lane, 21st Floor
New York, NY 10038

Re: Final Report #2019-F-18 (Operational Training and Medical Assessments of Train Crews)

Dear Ms. Maldonado:

This is in reply to your letter requesting a response to the above-referenced final report.

I have attached for your information the comments of Andy Byford, President, MTA NYC Transit, which address this report.

Sincerely,

A handwritten signature in black ink that reads "Pat Foye".

Patrick J. Foye
Chairman and Chief Executive Officer

c: Anni Zhu, Acting MTA Chief of Staff
Michele Woods, Acting Auditor General, MTA Audit Services

Memorandum



Date January 28, 2020

To Patrick Foye, Chairman, MTA

From Andy Byford, President, New York City Transit

Re **New York State Comptroller Report #2019-F-18 (Follow-Up Report)– Operational Training and Medical Assessments of Train Crews (SIR)**

This information is being provided in response to the State Comptroller's final audit report on Operational Training and Medical Assessments of SIR Train Crews (2019-F-17). The stated purpose of this follow-up audit was to assess the extent of implementation, as of November 25, 2019, of the three recommendations included in their initial report (2017-S-71, issued March 2018).

Comptroller Recommendation #1: Require all instructors to review the class files periodically during and at the end of training to ensure that all quizzes, tests, and final examinations are documented and graded, and are retained in the training files.

Status per Comptroller: Partially Implemented

Status per NYCT: Full Implementation expected March 30, 2020

NYCT Response: In response to the initial audit, SIR created a checklist, which is placed in each employee file, to ensure all required quizzes, tests, and final exams are documented and graded. However, this follow-up audit found that there were some discrepancies among checklists, due to lack of documentation regarding course requirements. As a result, SIR has undertaken a review of all training checklists to ensure that they reflect current requirements, and will properly document all changes going forward.

Comptroller Recommendation #2: Emphasize the importance of refresher training to ensure compliance by instructors and train crews, evidenced by complete records, including documents showing the employee attained passing grades.

Status per Comptroller: Implemented

Status per NYCT: Implemented

NYCT Response: The audit found that SIR was in compliance with its refresher training requirements.

New York State Comptroller Report #2019-F-18
Operational Training and Medical Assessments of Train Crews (SIR)
January 28, 2020

Comptroller Recommendation #3: Develop a system that properly tracks and monitors employee medical examinations against the scheduled time intervals.

Status per Comptroller: Partially Implemented

Status per NYCT: Full Implementation as of January 1, 2020

NYCT Response: The audit found that 5 of 16 sampled periodic medical assessments were performed later than scheduled (between 4 and 13 months). As a result, SIR has created an internal tracking system, used in conjunction with Occupational Health Services' medical database, to ensure proper tracking and monitoring of employee medical examinations. Additionally, the audit found that 2 files could not be located. Subsequent to the auditors' visit, these files were located and the auditors were notified that they were available for review.

THOMAS P. DENAPOLI
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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

December 13, 2019

Mr. Patrick J. Foye
Chairman and Chief Executive Officer
Metropolitan Transportation Authority
2 Broadway
New York, NY 10004

Re: Operational Training and Medical
Assessments of Train Crews
Report 2019-F-18

Dear Mr. Foye:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law, we have followed up on the actions taken by officials of the Metropolitan Transportation Authority (MTA) – Staten Island Railway (SIR) to implement the recommendations contained in our audit report, *Operational Training and Medical Assessments of Train Crews* (Report 2017-S-71).

Background, Scope, and Objective

The MTA is a public benefit corporation that operates North America's largest transportation network. New York City Transit (Transit), one of the MTA's constituent agencies, operates bus and subway service within the City of New York. SIR is a subsidiary agency that operates a single rapid transit line on Staten Island, which runs from the St. George Ferry Terminal to the southern terminus at the Tottenville Terminal. Administratively, SIR is a separate operating unit, reporting to Transit's Department of Subways.

Train crews consist of two members: a Locomotive Engineer (Engineer) and a Conductor. At SIR, the train crew reports to the Superintendent of Transportation or his designee. Induction Training is required for all employees new to their positions and is conducted both in the classroom and at various train yards. Conductors receive 54 days of Induction Training and individuals promoted to Engineers receive 55 days. Training also includes "posting," where the inductee works alongside a permanent employee to use the skills taught in class.

Additionally, train crews are required to take Refresher Training courses (Book of

Rules and Signals biennially and Roadway Worker Protection annually) intended to update the employees on current operating, communications, fire, and evacuation procedures.

Employees new to these positions are required to pass a medical assessment at a Medical Assessment Center (MAC). Periodic medical assessments are required every two years for Engineers and every five years for Conductors. Revisits may be necessary as determined by MAC medical personnel.

We issued our initial audit report on March 1, 2018. We found that SIR was not in compliance with the requirements of the Induction and Refresher Training established for its Engineers and Conductors. For example, for our sample of Conductors, 61 percent (55 of 90) of the Induction Training test papers were either not graded or missing. In addition, for our sample of Engineers, 81.7 percent (49 of 60) of test papers for those newly hired and 41.7 percent (30 of 72) for those newly promoted were either missing or not graded. Because these tests cover knowledge of safety issues and how to respond in situations that may delay trains en route, it is essential that SIR ensure train crews take and pass these tests. We also noted that medical assessments were not always done for either Conductors or Engineers.

The objective of our follow-up was to assess the extent of implementation, as of November 25, 2019, of the three recommendations included in our initial audit report.

Summary Conclusions and Status of Audit Recommendations

MTA-SIR officials made progress in addressing the problems we identified in the initial audit report. Of the initial report's three audit recommendations, one was implemented and two were partially implemented.

Follow-Up Observations

Recommendation 1

Require all instructors to review the class files periodically during and at the end of training to ensure that all quizzes, tests, and final examinations are documented and graded, and are retained in the training files.

Status – Partially Implemented

Agency Action – SIR officials advised that they assigned personnel to review the training files of Conductors who were newly hired and individuals who were recently promoted to Engineers who attended Induction Training since our initial audit was issued. Our review of the files for 5 promoted to Engineers and 5 of the 18 new Conductors could not ascertain whether files were complete because SIR officials did not provide written requirements for each of the classes held from May 2018 to June 2019.

Recommendation 2

Emphasize the importance of Refresher Training to ensure compliance by instructors and

train crews, evidenced by complete records, including documents showing the employee attained passing grades.

Status – Implemented

Agency Action – Engineers and Conductors are required to periodically attend Refresher training courses and achieve a passing grade of 85 on the examination. Our review of the files for 12 of the 67 Conductors and Engineers who required refresher training found that the requirements were met.

Recommendation 3

Develop a system that properly tracks and monitors employee medical examinations against the scheduled time intervals.

Status – Partially Implemented

Agency Action – A new system was developed. However, based on our review, employee medical examinations were still not performed as required. We reviewed the files of 13 Conductors and 11 Engineers to test whether employees were receiving periodic medical assessments within scheduled time intervals. A total of 16 periodic medical assessments were due during the period reviewed. We found five were late (ranging from 4 months to 13 months). Additionally, the files for two employees were not located. Pre-employment and medical assessments for those who are promoted are also required for Conductors and recently promoted Engineers. SIR officials advised us that they do not receive any pre-employment documents and these records are maintained by the Occupational of Health Services or Human Resources. We sampled ten employees (five new Conductors and the five promotional Engineers). Information was available for all but one of the Conductors.

Contributors to this report were Robert C. Mehrhoff, Anthony Belgrave, Netash Phull, and Menard Petit-Phar.

We would appreciate your response to this report within 30 days, indicating any actions planned to address the unresolved issues discussed in this report. We thank the management and staff of the Metropolitan Transportation Authority and Staten Island Railway for the courtesies and cooperation extended to our auditors during this review.

Very truly yours,



Carmen Maldonado
Audit Director

cc: M. Woods, MTA
D. Jurgens, MTA
Division of the Budget