WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

MEMORANDUM OF UNDERSTANDING

For the Confidential Close Call Transit Safety Reporting System

12/31/2019

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Memorandum of Understanding (MOU) for the Confidential Close Call Transit Safety Reporting System for the Washington Metropolitan Area Transit Authority (WMATA)

1. Background

As part of its commitment to safety, the Board states, among other things, that WMATA will support safety management with appropriate resources to create an organizational culture that fosters safe practices, encourages effective employee safety reporting and communication, and actively manages safety. WMATA frontline employees, like employees in other industries, are often unwilling to report events that could result in adverse safety outcomes, particularly with respect to self-reported behaviors, because disclosure may result in discipline for the employee and/or fellow employees.

Confidential safety reporting programs address these problems by collecting information about close calls in a way that protects the identity of the employee. When individual close call events are analyzed collectively, the agency can identify safety hazards and develop solutions to these threats. Analyses/hazard identification from close call reports can also provide important safety information to the transit industry.

This MOU describes the provisions of the Confidential Close Call Transit Safety Reporting System ("Close Call Program" or "Program") and explains the rights, roles, and responsibilities of the participants. The following are participants involved in the Program ("Participants"):

- WMATA is the transit agency participating in the Close Call Program that: (i) provides funding and resources for the Close Call Program and works with the other participants to implement the Program; and (ii) reviews Peer Review Team reports, accepts recommendations, takes preventive safety actions, tracks results of actions, and evaluates the Program.
- WMATA non-represented employees are eligible to participate in the Close Call Program.
- Amalgamated Transit Union (ATU) Local 689, International Brotherhood of Teamsters (IBT) Local 922, and Office & Professional Employees International Union (OPEIU) Local 2, (collectively, "Unions") are the labor organizations that represent employees who are eligible to participate in the Close Call Program.
- Bureau of Transportation Statistics (BTS) is a federal statistical agency within the US Department of Transportation that serves as an independent third party to: (i) collect, analyze, and maintain the confidential close call data collected for WMATA; and (ii) identify safety trends and emerging risks and write and distribute publications to share this information with participants and the transit industry.

This MOU and program replaces in its entirety the prior agreements between the parties to participate in close call reporting programs and establishes the terms and conditions of the program on a go-forward basis.

For this Program, as amended, close call reports should address the following goals:

- Improve the safety culture by encouraging and increasing the frequency of employee reporting of safety concerns;
- Monitor the frequency of known existing risks to safety;
- Learn about new risks to safety;
- Heighten awareness of safety risks in the transit industry; and
- Enable WMATA and its Unions to jointly identify safety issues that require preventive action.

2. Definition of a "Close Call" Event

A **close call** is a situation or circumstance that had the potential for safety consequences but did not result in an adverse safety event.

It can be any safety concern that could lead to an unsafe event or condition, or any event that is perceived as potentially endangering one's own safety or someone else's safety at work, including employees, contractors, or the public. It can also relate to equipment or the environment. Knowledge about a close call presents an opportunity to improve safety practices and culture.

An event is not considered a close call when it is observed in real time and the WMATA supervisor informs the employee of the observed violation immediately.

3. Confidential Close Call Transit Safety Reporting System Program Description

The Program is designed to perform six primary functions:

1. Accept reports of close calls that meet the criteria set forth in Section 5;
2. Store confidential data;
3. Analyze close calls;
4. Disseminate reports on trends and other information to increase WMATA and transit industry safety;
5. Track WMATA's reports on preventive safety actions to measure the reporting system's impact on safety; and

6. Evaluate and identify ways to improve the effectiveness of the reporting system.

4. Confidentiality

BTS shall act as the owner of the data reported to it by transit agency employees under the Close Call Program and protect the confidentiality of this information through its own statutory authority (e.g., Confidential Information Protection and Statistical Efficiency Act (CIPSEA)).

After BTS has determined that all relevant data from a close call event has been collected, the close call report shall be de-identified so that the identities of the employee and anyone mentioned in the report can no longer be determined.

BTS shall protect the following information from disclosure when provided in a close call report:

1. The employee's close call report and the content of that report;
2. The name of the employee who submits a close call report;
3. Names of any other employees mentioned in the close call report, regardless of whether they are part of the Program;
4. Any other information that would make it obvious that only a few, easily identifiable people could have made the close call report; and
5. Evidence and other information gathered during a Peer Review Team (PRT) evaluation of a close call report.

5. Criteria for close call report acceptance

Reports can be accepted for any condition or event that is perceived as potentially endangering employees, the public, equipment, or the environment. Any concern about one's own safety or someone else's safety at work can be reported. BTS will conduct the first screening and the PRT may conduct a second screening. The following types of reports will be rejected:

1. Reports unrelated to the safety of WMATA's rail/transit infrastructure or bus operations;
2. Urgent real-time issues (e.g., a runaway train);
3. Grievances, related to a safety event, which have been or should be filed pursuant to the parties' collective bargaining agreements.

Employees who file a close call report with BTS must also consent to an interview if requested by BTS to receive protection from discipline.

5.1 Steps in the reporting process

Step	Responsible party
1. Identify an unsafe event or condition, initiate and then complete a close call report. Employees can use an 800-telephone number to initiate a close call and then fill out a report online within the 24-hour deadline to complete the process. Employees also have the option of completing their reports entirely using an 800-telephone number within the required timeframe. Each report must contain sufficiently detailed information about a safety event for evaluation.	Employee(s)
2. Enter close call report in tracking system[1] a. Confirm eligibility b. Provide confirmation receipt to employee. c. Provide feedback to reporting employee(s) if report is rejected.	BTS
3. BTS will interview all reporting employees to collect additional details about the reported close call event or unsafe condition. If it meets acceptance criteria, report receives final acceptance.	BTS
4. Analyze individual close call report for preliminary root causes and multiple reports for emerging trends and new sources of risk. Produce summary of report based on the collected data and forward to the PRT for analysis.	BTS

[1] If initial report contains insufficient information to determine acceptance, report will receive provisional acceptance by BTS. Final eligibility will be determined when the interviewer obtains more information from the employee.

5. Meet at regular intervals to: a. Review BTS' recommendation on preliminary root causes of reported close call incidents. Analyze summarized data from multiple reports; b. Identify new sources of emerging trends and new types of safety critical risks; c. Assess the association between emerging patterns or trends in close calls, relate those to preventive safety actions to be taken by WMATA, and approve implementation strategies. **Management representatives on the PRT are empowered to approve preventive safety actions.** If the PRT reaches an impasse or recommends actions that require significant additional resources or executive level actions, PRT will refer those actions to the WMATA Chief Operating Officer (COO) for approval. Actions approved by the PRT do not supersede corrective actions already established to address Federal Transit Administration, National Transportation Safety Board, Washington Metrorail Safety Commission, or other external party requirements. d. Review and discuss a summary report comprised of the individual close call reports generated from the Close Call Safety Reporting System, emerging trends, identified root causes, and approved (or recommended based on the criteria in Step 5c. above) preventive safety actions; e. Review and discuss all reports prior to their distribution. f. Enter preventive action into Corrective Action System (CATS) for routing to appropriate party for approval	PRT or WMATA COO and/or as appropriate
6. Review and accept individual WMATA decisions on preventive safety actions as needed based on Step 5c.	WMATA COO and/or Chief Safety Officer (CSO) as appropriate
7. Provide oversight and direct the implementation of approved preventive safety actions.	WMATA COO and CSO
8. Track preventive safety actions taken in response to close call events.	WMATA COO and CSO
9. Make feedback available to employees on preventive safety actions and safety outcomes resulting from their close call reports, including a quarterly status report (WMATA/Unions) and individual outreach to reporters (BTS).	WMATA/Unions/BTS

10. Write a biennial report describing the status of the program, any modifications made, and lessons learned to date; report on reporting activity; describe emerging trends and recommended solutions; distribute and post on a Confidential Close Call Transit Safety Reporting System website.	BTS
11. Write Special Reports on single topic issues, as needed. Distribute to all participants and post on the BTS Close Call website.	BTS
12. Develop and continue to improve reporting, tracking (CATS) and preventive safety action monitoring systems.	WMATA, BTS

6. Conditions when a reporting employee is not protected from discipline

The following events do not qualify for protection from discipline under the Program:

1. The employee's action or lack of action was **intended** to damage WMATA's operations or equipment, or injure other employees, or the employee's action or lack of action purposely places others in danger (i.e., sabotage);
2. The employee's action or lack of action involved a criminal offense;
3. The employee's action or lack of action violated a traffic safety law leading to a citation (e.g., red light cameras, speed cameras or observed by law enforcement);
4. The employee's behavior involved substance abuse or inappropriate use of controlled substances;
5. The close call report contains falsified information;
6. The event resulted in a transit agency accident/incident and/or has caused or alleged to have caused any injury, illness, or medical treatment of any kind to any person involved in the event;
7. The event resulted in an identifiable release of a hazardous material/major reportable spill;
8. In addition, the following specific events do not qualify for protection under the Program:
    a. <u>Rail</u>
        i. Station overrun of more than one door leaf
        ii. Exceeding the limits of an absolute or permissive block
        iii. Red Signal Violation by train or work equipment

iv. Wrong Side Door Opening

v. An employee is not exempt from discipline for a violation that WMATA identifies contemporaneously (e.g., a vehicle (maintenance/revenue) passes a red signal without proper authorization and the control point (ROCC/Interlocking Operator) notices it before the vehicle completely clears the associated switch) before the employee files a close call report. In such situations, WMATA may use event recorder information to support discipline. For example, a WMATA official who observes a revenue or maintenance vehicle operate past a signal that requires a stop may use any relevant data recorded by the train's event recorder in pursuing disciplinary action against the employee(s), regardless of whether he/she/they timely file a close call report.

b. ROCC

i. Third Rail Power restoration violations to include restoring third rail power when personnel have not cleared and giving personnel permission to restore a Red Tag Outage when personnel has not cleared the work location.

c. Bus

i. Rollaway bus involving the operator's failure to follow procedures for proper vehicle securement.

Other than what is stated above, there are no other changes to WMATA's disciplinary policies or procedures.

7. Use of Data

All participants in the Close Call Program agree to use the information they acquire only for the purposes described in this MOU. Data collected by BTS under this MOU may only be used for statistical purposes. All confidential micro-data, including PRT input on root causes and corrective actions, collected or generated as part of the close call process will not be used to discipline or disqualify an employee for the reported covered behavior, to develop rules or regulations, to initiate enforcement actions, or for any other non-statistical purpose. BTS will make confidential data available to the PRT to perform tasks associated in the design, implementation, and monitoring of the problem identification and corrective actions processes, as well as supporting the design and implementation of communications sharing within the WMATA organization and the public domain. Access to confidential information will be granted in accordance with the BTS Close Call Data Program Confidentiality Manual and this MOU.

Data and information developed through the close call process deemed by BTS to be publicly releasable will be made available to interested parties in accordance with pertinent provisions in this MOU and BTS confidentiality requirements in the Confidentiality Manual. Before releasing any program work products (such as Annual or Quarterly Reports, Newsletter articles, web postings, etc.), BTS will coordinate with the PRT and the Close Call Steering Committee (CCSC) to ensure consistency in the work products and other program documents placed in the public domain.

This information may be used to develop new or modified training programs, assess risk and allocate resources to address those risks, and learn why these reported unsafe events are taking place. WMATA, in partnership with its Unions, may use any publicly releasable information to perform their safety oversight role, including disseminating important safety information to WMATA employees and developing safety and enforcement tools (including regulations) to address widespread safety concerns.

8. Participants' Responsibilities in Support of the MOU

The rights, roles, and responsibilities set forth in this MOU apply only to Participants in the Close Call Program.

8.1. BTS' responsibilities in support of the MOU

A. Confidentiality Operations

1. Provide confidentiality for close call reports, any information generated as a part of the close call process (e.g., BTS interview data, close call incident reports, PRT Multiple Cause Incident Analysis (MCIA) work products).
2. Liaison with WMATA, Unions, and other groups regarding the data, data systems, and data confidentiality.
3. Develop the Close Call Program Confidentiality Manual for the transit close call program. It covers the following topics:
    a. data management plan, including data storage procedures, and data distribution method and schedule,
    b. data security protocol,
    c. IT system security plan,
    d. process and protocol for data review,
    e. process and protocol for the review, production, and dissemination of the Annual Report, and other data products,
    f. establishment of a Disclosure Review Board (DRB), and
    g. development of confidentiality training curriculum and materials;
4. Provide confidentiality training to PRT members and BTS staff.

5. Responsible for securing OMB approval for all data collections related to this Program.

B. Program Planning and Implementation

1. Design the BTS business process for receiving and processing close calls reported by WMATA employees. This includes developing processes and procedures for data collection, data processing, data analysis, and data dissemination;
2. Coordinate with WMATA and the Close Call Steering Committee on the development of tools and processes used in the collection and processing of close call information. Tools and work processes include the following:
    i. Form used for reporting close call incidents,
    ii. Process and protocol for conducting interviews with reporting employees;
    iii. Standardized interview tool,
    iv. Process for data exchange (such as redacted reports, analyses and information on PRT work product),
    v. Special Reports and other products (i.e., quarterly and annual reports);
3. Develop job descriptions and requirements for program support staff, including transit safety experts, data analysts, IT specialists, and research assistants;
4. Develop a plan for setting up the Peer Review Team (PRT), including roles and responsibilities of team members, eligibility and selection criteria, tenure, and replacement protocol;
5. Develop templates for data products to be released in the public domain;
6. Establish contract support needed to operate the reporting system;
7. Assist WMATA staff in the development of communication and outreach materials on close call reporting;
8. Develop training materials on WMATA's Close Call Program for training the trainers at WMATA; and train the trainers at WMATA;
9. Guide and assist WMATA's trainers in the rollout of the Program at local program sites;
10. Develop the BTS Operations Manual, including a process for rigorous quality assurance of data input and output;
11. Develop technical requirements for an IT system that supports the Program:
12. Develop process and technical requirements for data exchanges and system interfaces with existing data systems at WMATA;
13. Customize the existing BTS C^3RS IT system to meet the technical requirements of WMATA's close call program. This includes implementation of system interfacing with WMATA's data systems, as needed;
14. Develop custom made analytical tools to facilitate analysis of emerging patterns of safety issues and reporting trends;
15. Develop a training curriculum on MCIA for PRT members, BTS staff, and other interested Participants;

16. Train the PRT in MCIA;
17. Train BTS' team (Feds and contractors) on the Program; and
18. Develop analytical tools for identifying and presenting patterns and trends of close call reporting.

C. Reporting System Operations

1. Process incoming close call reports to ensure accuracy and compliance with this MOU;
2. Conduct employee interviews to collect additional details about the reported event, and finalize data quality review;
3. Perform preliminary root cause analysis on single and multiple cases;
4. Prepare monthly program status reports for WMATA;
5. Perform quarterly system-wide data quality evaluation and data validation;
6. Present results to the Close Call Steering Committee;
7. Summarize emerging trends and corrective actions in quarterly briefings to the Close Call Steering Committee;
8. Write an annual report describing the status of the Program, any modifications made, and lessons learned to date; describe emerging trends and recommended solutions; distribute report to all participants in the Close Call Program.
9. Maintain an archival system of all program data and information, including MCIA records and other data generated by the PRT;
10. Track status of program deliverables and share results with PRT and the Close Call Steering Committee quarterly.
11. Maintain and update the PRT Handbook of Operations, as needed.
12. Analyze data collected through close call reports, interview data, the data collected through the MCIA tool on contributing factors and root causes, recommended corrective actions and relevant WMATA data on exposure (to provide a denominator). BTS will use these data to identify trends in the types of events that occur over time. The focus here is on problem identification. BTS will also identify trends in contributing factors and root causes and evaluate the effectiveness of corrective actions on close call reporting using appropriate covariate data. Results from such analyses will appear in special reports, as appropriate.
13. Assess the association between emerging patterns of safety issues and/or reporting trends in close calls and relate those to safety preventive actions taken by the WMATA.
14. Manage contract support needed to operate the reporting system, including:
    a) Provide annual budget, monthly program reports, including status of funding expenditures and programed outlays; and,
    b) Hire and manage staff (provide training and oversight).

D. Production of Close Call Program Products for the Public Domain

1. Produce an annual report describing the status of the Program, any modifications made, and lessons learned to date; describe emerging trends and recommended solutions; and
2. Prepare special reports, as appropriate.

E. Interacting with the Peer Review Team

1. Work with the PRT to develop the Handbook of Operations (HO) for the PRT;
2. Maintain and update the PRT HO, as needed.
3. Plan and host PRT meetings;
4. Serve as an active member on the PRT responsible for the following:
    a. present results of preliminary root cause analyses,
    b. respond to inquiries from the PRT, such as clarification of incident reports, confidentiality issues, etc.,
    c. collect and store results of PRT's work, and
    d. present and discuss reports on data analysis, trend analysis, and data quality evaluations conducted by BTS;

F. General

1. Prepare monthly program status reports for WMATA.
2. Provide WMATA or other Participants various statistical analyses of data submitted to the close calls reporting systems or other data sets related to transit safety, as needed.
3. Prepare briefing papers and other presentation materials about the Program.
4. Track status of program deliverables and share results with PRT and the Close Call Steering Committee.
5. Coordinate with PRT and/or WMATA, IBT, ATU, and OPEIU on any new requirements for the Close Call Report form, structured interview questions, MCIA tool and other upgrades to electronic tools (e.g., data analysis tools).

8.2. WMATA's responsibilities in support of the MOU

WMATA has the following responsibilities:

1. Commit to the use of the confidential close call transit safety reporting system at all levels of the organization.
2. Consult on the high-level implementation plan and allocate funding each year dedicated to implementing preventive safety actions.
3. Assist in explaining the Program to employees as it is initiated and providing ongoing training and communication to employees.
4. For rail and bus each, appoint two primary WMATA representatives and four alternates to participate on the PRT to analyze and summarize emerging trends as well as to approve

(or recommend based on the criteria in Section 5.1, Step 5c. above) preventive safety actions.

5. Senior management and supervisors cannot preempt their respective PRT representative's decision-making discretion for an event reported.
6. Stay "at arm's length" from individual close call report data.
7. Not seek any information that might reveal the identity of employees or violate data disclosure requirements as defined in this MOU and the BTS Confidentiality Procedures Manual.
8. Take preventive safety actions in a timely manner.
9. Report preventive safety actions taken to other Participants.
10. Develop a communication plan for sharing findings with employees as an important means to achieve success in this Program.
11. Monitor implementation of the MOU in cooperation with all other signatories via periodic Steering Committee meetings that include representatives from WMATA, Unions, and BTS.

8.3. Unions' responsibilities in support of the MOU

1. Commit to the use of the confidential close call transit safety reporting system at all levels of the organization.
2. Consult on the high-level implementation plan.
3. Appoint one primary and two alternate representatives to participate on the PRT to analyze and summarize emerging trends as well as to recommend preventive safety actions.
4. Monitor implementation of the MOU in cooperation with all other signatories.
5. Assist in explaining the confidential close call transit safety reporting system to employees as the Program is initiated and providing on-going training and communication to Union members.
6. Officials or Executive Leadership cannot preempt their respective PRT representative's decision-making discretion for an event reported.

8.4. Peer Review Team's responsibilities in support of the MOU

The PRT consists of individuals from WMATA, ATU Local 689, IBT Local 922, OPEIU Local 2, and one representative from BTS, to represent the Participants' perspectives in forming a

comprehensive view of close call events. The PRT will meet at a minimum on a quarterly basis. Their primary responsibilities include the following:

1. Makes final determination of report eligibility in cases given provisional acceptance by BTS.
2. Review BTS' recommendation on preliminary root causes of reported close call incidents.
3. Analyze summarized data from multiple reports on emerging trends of safety concerns;
4. Assess the association between emerging patterns or trends in close calls, relate those to preventive safety actions to be taken by WMATA, and advise on implementation;
5. Review and discuss a summary report comprised of the individual close call reports generated from the Confidential Close Call Transit Safety Reporting System, emerging trends, identified root causes, and approved preventive safety actions;
6. Review and discuss all program reports (Annual, Quarterly, Special Reports, etc.) prior to dissemination.

The PRT will function using, but not be limited to, the following guidelines:

1. The PRT can conduct business only when a quorum is present. A quorum exists when all designated representatives, or their alternates, are present. The designated representative will name an alternate to act when the designated representative is unable to attend;
2. The primary Participants on the PRT are encouraged to consult with their constituents and/or industry experts for guidance on complex or sensitive matters, where more information is desired to make an informed decision.
3. The PRT will conduct its own root-cause analysis, driven by the risk data (and a preliminary root-cause analysis) provided by BTS;
4. Each representative is empowered to offer possible sources of risk, error recovery mechanisms, and preventive safety actions. Diverse perspectives are expected and encouraged. The PRT's opinions reflect a collaborative decision-making process among all PRT representatives;
5. The PRT makes its decisions using "consensus" when assigning root causes and developing preventive safety actions. Consensus means the voluntary agreement of all representatives. It does not require that all members believe that a particular decision is the best one. Instead, all representatives' positions are given a proper hearing and are addressed, and a decision is one that all can accept;
6. The PRT members will receive training in data confidentiality and sign non-disclosure agreements with BTS;

7. The PRT will not disclose any information that would make it possible to identify the reporting employee(s) mentioned in the close call report;
8. The PRT will meet at the offices of BTS to ensure the confidentiality of any reported close call data.

9. Modifications

WMATA and its Union participants may modify this MOU by written agreement entered into by WMATA's General Manager/Chief Executive Officer, the President/Business agent of ATU Local 689, the President/Business agent of IBT Local 922, the Chief Shop Steward of OPEIU Local 2, and the BTS Director.

10. Program Duration

This MOU is in effect through December 31, 2020 with 4 one-year options, which may be exercised by written agreement of the participants no later than October 31 for each succeeding additional option year.

Participants in the Program may terminate their participation in the program at any time by providing the other parties with 90-days' notice.

All notices and other communications under the MOU shall be directed to the following, who shall also serve as the point-of-contact for any issues related to this MOU:

To WMATA

Attn: Joseph Leader
Title: Chief Operating Officer
Email: jleader@wmata.com

To Amalgamated Transit Union, Local 689

Attn: Raymond Jackson
Title: President
Email: rjackson@atu689.org

To International Brotherhood of Teamsters, Local 922

Attn: Rudolph Gardner
Title: President
Email: rudolph.gardner922@gmail.com

To Office & Professional Employees International Union, Local 2

Attn: Edith Lowden
Title: Chief Shop Steward
Email: emlowden@wmata.com

To Bureau of Transportation Statistics

Attn: Demetra Collia
Title: Data Collection Officer
Email: Demetra.Collia@dot.gov

Each party will update, as needed, the identity of the person who is authorized to accept notice.

Termination or modification of this MOU should not adversely affect anyone who acted in reliance on the terms of this MOU if it was in effect at the time of that action; i.e., when a program is terminated, all reports and investigations that were in progress should be handled under the provisions of the program until they are completed. If significant disputes arise between any of the parties regarding the implementation of the terms of the MOU, the parties will meet to resolve their differences.

If the Program is determined to be successful after a comprehensive review and evaluation, the parties intend that it will be the basis for a continuing program, although not necessarily funded solely by WMATA.

11. Funding

Continuation of the Program is contingent on the future availability of WMATA funds in its sole and absolute discretion.

12. Responsible Officials

The officials responsible for this MOU are WMATA's General Manager/Chief Executive Officer, Chief Safety Officer, Chief Operating Officer, the President/Business Agent of ATU Local 689, the President/Business Agent of IBT Local 922, the Chief Shop Steward of Local 2, and the BTS Director.

The current holders of these positions have signed below. If during the term of this MOU any current holder leaves his or her position, the outgoing managers will inform their successors about the value of this Program.

Execution

The parties signing below are authorized to execute this Memorandum of Understanding. This Memorandum of Understanding may be executed in counterparts, which shall have the full force and effect of an original document.

BY: _____
Paul J. Wiedefeld, General Manager and Chief Executive Officer
Washington Metropolitan Area Transit Authority

DATE: 3/4/20

BY: _____
Raymond Jackson, President and Business Agent
Amalgamated Transit Union, Local 689

DATE: 2/21/2020

BY: _____
Rudolph Gardner, President
International Brotherhood of Teamsters, Local 922

DATE: 2-24-2020

BY: _____
Edith Lowden, Chief Shop Steward
Office & Professional Employees International Union, Local 2

DATE: 2/25/2020

BY: _____
Patricia Hu, Director,
Bureau of Transportation Statistics
Office of the Assistant Secretary for Research and Technology
U.S. Department of Transportation

DATE: 2/20/2020

BY: _____

Joseph Leader, Chief Operating Officer
Washington Metropolitan Area Transit Authority

DATE: 3-2-2020

BY: Theresa M. Impastato

Theresa Impastato, Chief Safety Officer
Washington Metropolitan Area Transit Authority

DATE: 2-26-2020

Appendix A: Glossary of Terms

Amalgamated Transit Union, Local 689 (ATU): Labor organization that represents employees who are eligible to participate in the Close Call Program. Member of the Close Call Steering Committee and the Peer Review Team.

Bureau of Transportation Statistics (BTS): BTS is a federal statistical agency within the US Department of Transportation that serves as an independent third party that collects, analyzes, and maintains the confidential close call data collected for WMATA. BTS also identifies safety trends and emerging risks and writes and distributes publications to share this information with WMATA participants and the transit industry.

Close Call Steering Committee (CCSC): Developed and oversees implementation of the Close Call Program. Includes representatives from program Participants (WMATA, IBT, ATU, OPEIU, and BTS) and oversees the Close Call Program. Developed the program's Memorandum of Understanding. Coordinates with BTS and PRT to ensure consistency in the work products and other program documents.

Confidential Information Protection and Statistical Efficiency Act (CIPSEA): A statute which governs BTS confidentiality is the Confidential Information Protection and Statistical Efficiency Act (CIPSEA). This statute prohibits disclosure or release, for non-statistical purposes, of information collected under a pledge of confidentiality. Under CIPSEA, data may not be released to unauthorized persons. Willful and knowing disclosure of protected data to unauthorized persons is a felony punishable by up to five years imprisonment and up to a $250,000 fine.

Chief Operating Officer (COO): Directs the daily operation of Bus Services, Rail, Access Services, Support Services, Metro Transit Police, and Budget, Performance and Planning. Via participation on the CCSC, directs program implementation and provides budget for the program. Reviews and approves, if necessary, PRT's preventive safety actions and provide oversight for and direct implementation of approved preventive safety actions. In partnership with SAFE, tracks preventive safety actions taken in response to close call events.

International Brotherhood of Teamsters, Local 922 (IBT): Labor organization that represents employees who are eligible to participate in the Close Call Program. Member of the Close Call Steering Committee and the Peer Review Team.

Office & Professional Employees International Union, Local 2 (OPEIU): Labor organization that represents employees who are eligible to participate in the Close Call Program. Member of the Close Call Steering Committee and the Peer Review Team.

Participants: WMATA management, Amalgamated Transit Union Local 689, International Brotherhood of Teamsters (IBT) Local 922, Office & Professional Employees International Union (OPEIU) Local 2 employees represented by the three unions, non-represented employees, and the Bureau of Transportation Statistics (BTS), part of the Department of Transportation (DOT).

Peer Review Team (PRT): The PRT consists of representatives from WMATA rail and transit infrastructure management, union officers and members, WMATA Safety, and BTS. It promotes the Close Call Program at WMATA, identifies why close calls occur, approves preventive safety actions, and evaluates the effectiveness of any such action that was implemented.

Preventive Safety Actions (PRSA): Actions taken by WMATA in response to the PRT's reports of emerging trends and new types of safety-critical events.

Safety and Environmental Management Department (SAFE): Ensures that WMATA's rail, bus and paratransit systems and other facilities are operationally safe and environmentally sound for all our employees, customers and surrounding communities. Manages and/or complies with policies and procedures in the areas of system safety, occupational safety and health, accident and incident investigation, the continuous hazard management process, internal safety audit process, oversight of construction safety, safety and security certification, environmental management, safety data and analysis, industrial hygiene, safety training, corporate safety programs, and corporate quality assurance. In partnership with COO, tracks preventive safety actions taken in response to close call events.

Washington Metropolitan Area Transit Authority (WMATA): Transit agency participating in the Close Call program. WMATA works with the other Participants to implement the Close Call Program, review PRT reports, and take preventive actions in response to close call events.

Appendix B: Examples of Unsafe Rail Events That Could Qualify for Confidential, Non-Punitive, Close Call Safety Reporting at WMATA

1. Station overrun of one door leaf or less
2. Split switch incidents
3. Speeding events
4. Improper flagging
5. Failing to blow the horn when required
6. Operating on the wrong track
7. Operating beyond authorized limits
8. Failure to protect adjacent track when necessary for safety
9. Non-compliance with roadway worker protection rules
10. Third rail or power-related incidents
11. Entering onto Roadway without following proper procedures

Appendix C: Examples of Unsafe Bus Events That Could Qualify for Confidential, Non-Punitive, Close Call Safety Reporting at WMATA

1. Unsafe bus turnaround areas
2. Near miss accident or incident with a bus due to blind spots or equipment issues
3. Speeding events, on the street on in the yard
4. Failing to blow the horn when required
5. Operating on the wrong side of the road
6. Not stopping at railroad crossing
7. Not using/improper use of Personal Protective Equipment (PPE) available
8. Improper use of tools/use of incorrect tool to get the job done
9. Facilities, housekeeping, infrastructure or equipment issues that may lead to an accident or incident
10. Other instances of non-compliance with safety rules, processes or procedures or taking shortcuts to stay on time or get the job done.