



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

July 28, 2023

Mr. Phillip Eng
General Manager
Massachusetts Bay Transportation Authority
10 Park Plaza
Boston, MA 02116

Subject: Response to Closeout Request for FTA-OCC-22-002 (Operations Control Center (OCC) Hours-of-Service)

Dear Mr. Eng:

This letter is regarding Special Directive 22-6 Finding 2 and the associated Required Action. MBTA has been submitting documents for this Required Action as part of its response to interim findings issued in Special Directive 22-6: OCC from the Safety Management Inspection (SMI) initiated by the Federal Transit Administration (FTA) in April 2022 and most recently submitted documentation on July 5, 2023.

Closeout Approval for FTA-OCC-22-002 (OCC Hours-of-Service)

Special Directive 22-6 identified the following Finding and Required Action:

- **Finding 2:** MBTA does not ensure its OCC staff are given sufficient opportunity for recovery between shifts.
- **Required Action (FTA-OCC-22-002):** MBTA must ensure OCC staff, including dispatchers, supervisors, and management working within the OCC, have sufficient time off to recover between shifts, consistent with MBTA hours of service policy for rail transit motorpersons.

To implement this Required Action, between June 21, 2022 and July 5, 2023, MBTA submitted the following documentation demonstrating completion of the Required Action:

- Between June 21, 2022 and September 30, 2022, MBTA submitted daily reports documenting whether each OCC staff member that worked during the time covered by the report had greater than ten hours off since their previous shift and whether their shift exceeded 14 or 16 hours.

- Between October 1, 2022 and April 7, 2023, MBTA submitted monthly reports that identified any violations of the hours-of-service requirements.
- On July 5, 2023, MBTA submitted a quarterly report of the same information.

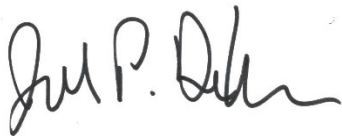
FTA carefully evaluated this documentation and reviewed specific submissions with MBTA during bi-weekly meetings on Special Directive 22-6 between June 2022 and July 2023. These submissions and conversations with MBTA confirm that MBTA's OCC staff are complying with MBTA's hours-of-service requirements. Additionally, between September 1, 2022 and June 30, 2023, FTA conducted on-site verifications of dispatchers on the floor, reviewed OCC staffing documentation, timecards, and shift-change forms to verify actual hours worked.

Based on review of these submissions and the results of verification activity, FTA finds that these completed action items adequately satisfy the requirements of Required Action FTA-OCC-22-002 and this finding may now be closed. Based on this closure, MBTA may stop quarterly reporting on OCC staff hours-of-service, as originally required in FTA's January 5, 2023 correspondence.

Conclusion

This required action closure represents a tremendous amount of work and FTA greatly appreciates your efforts. Please contact our SMI Coordinator, Erin Powell, by phone at (771) 200-8016 or by email at Erin.Powell@dot.gov with any questions.

Sincerely,



Joe DeLorenzo
Associate Administrator and
Chief Safety Officer
Office of Transit Safety and Oversight

cc: Peter Butler, Regional Administrator, FTA Region 1
Jeff Gonneville, Deputy General Manager, MBTA
Erik Stoothoff, Acting Chief Operating Officer, MBTA
Kat Benesh, Acting Deputy Chief Operating Officer, MBTA
Ron Ester, Chief Safety Officer, MBTA
Meredith Sandberg, Acting Chief of Quality, Compliance, and Oversight, MBTA
Jamie Van Nostrand, Chair, Massachusetts Department of Public Utilities (DPU)
Robert Hanson, Rail Safety Director, DPU