Transit Safety and Oversight Spotlight

**Federal Transit Administration
Office of Transit Safety and Oversight**

Message from the Associate Administrator

March 2017
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Dear Transit Colleagues,

It's been one year since the FTA published the State Safety Oversight (SSO) final rule, strengthening SSO Agencies' (SSOA) safety oversight of the rail transit agencies within their States. The rule took effect April 15, 2016, and SSOAs have until April 15, 2019, to obtain FTA certification of their compliance with the rule.

The deadline is just two short years away, and I want to emphasize the importance of meeting the new program requirements. Timely compliance with the SSO Program will position SSOAs to operate more effective safety oversight programs. States should submit their certification applications to FTA during 2017 and early 2018, well in advance of the 2019 deadline. For States who do not meet the April 2019 deadline, the FTA, by law, is required to withhold all Chapter 53 funds from the entire State—not just the SSOA or the rail transit systems subject to SSOA safety oversight.

49 CFR Part 674
Certification Toolkit

Federal Transit Administration
Office of Transit Safety and Oversight

U.S. Department of Transportation
Federal Transit Administration

The State Safety Oversight Certification Toolkit

The FTA is committed to doing everything we can to support SSOAs in their certification efforts and to address any issues they may encounter in the process. We provided an SSO Program Certification Toolkit and Certification Application to the SSOAs. At our upcoming SSO program managers' workshop in April, we will provide training to SSO personnel, including program managers, their supervisors, support staff and contractors, about compliance and certification. We will continue to reach out to state officials asking their support and alerting them of SSOAs' needs. Our FTA SSO program managers will also continue to conduct their monthly one-on-one calls with SSOAs to address SSO issues as well as certification.

For more information on the SSO rule and compliance requirements, please visit the FTA's rulemaking page or State Safety Oversight page.

Thank you for your continued commitment to this important effort.

Sincerely,
Thomas Littleton, Ph.D.

Upcoming Training

The FTA sponsors several safety training courses, including those listed below. Refer to the FTA's website for the full list of safety training courses offered in FY 2017.

The FTA's training website is temporarily unavailable for maintenance until further notice, but you may contact Radonna Snider at the FTA-sponsored Transportation Safety Institute (TSI) at (405) 954-4799 for safety training registration and courses.

eLearning Self-Paced Online Courses	
Curbing Transit Employee Distracted Driving	Go to tsi.dot.gov
Fatigue and Sleep Apnea Awareness for Transit Employees	Go to tsi.dot.gov
SMS Awareness	Go to tsi.dot.gov

General Transit Safety Courses		
SMS Principles for Transit	Fredericksburg, VA	March 22-24
SMS Safety Assurance	Virtual-Live Training	April 4
SMS Principles for Transit	Brooklyn, NY	April 3-5
SMS Principles for Transit	Brooklyn, NY	April 5-7
SMS Principles for Transit	Everett, WA	April 19-21
Transit Safety and Security Audit Course	Kansas City, MO	April 26-28
SMS Safety Assurance	Virtual-Live Training	April 27
SMS Principles for Transit	Portland, OR	May 3-5
Transit Industrial Safety Management	Knoxville, TN	May 8-12
Substance Abuse Management and Program Compliance	Owensboro, KY	May 9-11
Reasonable Suspicion and Post-Accident Testing Determination Seminar	Owensboro, KY	May 12
Transit Supervisor Certification Course	Baltimore, MD	May 22-26
SMS Safety Assurance	Virtual-Live Training	May 23

Transit Crime Prevention and Emergency Management Courses		
Transit System Security	Tampa, FL	March 27-31
Effectively Managing Transit Emergencies	Denver, CO	March 28-31
Transit System Security	Arlington, VA	April 24-28
Effectively Managing Transit Emergencies	Dallas, TX	April 25-28
Transit System Security	Miami, FL	May 1-5
Effectively Managing Transit Emergencies	Atlanta, GA	May 16-19
Effectively Managing Transit Emergencies	Landover, MD	May 22-25
Transit System Security	Boston, MA	May 22-26

Training, cont. from pg. 2

Bus Transit Courses		
Instructors Course for Transit Trainers	Charlotte, NC	March 20-24
Fundamentals of Bus Collision Investigation	Landover, MD	March 20-24
Instructors Course for Transit Trainers	Baltimore, MD	April 3-7
Fundamentals of Bus Collision Investigation	Atlanta, GA	April 10-14
Instructors Course for Transit Trainers	Casper, WY	April 17-21
Fundamentals of Bus Collision Investigation	West Palm Beach, FL	April 24-28
Fundamentals of Bus Collision Investigation	Oceanside, CA	May 8-12
Transit Bus System Safety	Cleveland, OH	May 9-12
Instructors Course for Transit Trainers	Charleston, SC	May 22-26

Rail Transit Courses		
Transit Rail System Safety	Baltimore, MD	March 27-31
Transit Rail Incident Investigation	New York, NY	April 3-7
Transit Rail Incident Investigation	Houston, TX	April 17-21
Transit Rail System Safety	Philadelphia, PA	May 1-5
Advanced Rail Accident Investigation	Landover, MD	May 15-19

SSO personnel from across the country participate in FTA's 2016 training workshop

## Reminder: State Safety Oversight Program Managers Training Workshop, April 24-28

The FTA will host a State Safety Oversight (SSO) training workshop April 24-28, 2017, at the Renaissance Baltimore Harborplace Hotel in Baltimore, Maryland. All SSO Program Managers, their supervisors, alternate Program Managers, and SSO support staff should plan to attend. Contractors are also invited.

Training will focus on the responsibilities and effective safety oversight of rail transit systems, as well as address the application and certification process under 49 CFR Part 674. Presenters will include FTA headquarter and regional staff, rail transit agency officials, and representatives from the SSO community. Additionally, the FTA has invited representatives from the Transportation Security Administration to address rail transit security, and the National Transportation Safety Board to outline its accident investigation process.

Please contact Juan Morrison or Maria Wright with questions.

Employee Safety Reporting: What is it, and why is it so important?

As a transit professional, you've probably heard a lot about employee safety reporting recently. Maybe you've heard that it's a critical part of an effective [Safety Management System (SMS)](). Maybe you remember it from the FTA's [proposed Public Transportation Agency Safety Plan rule](), which would require transit agencies to establish employee reporting processes, as well as protection for employees who submit reports. You might have heard about the successful use of employee safety reporting in other industries, like aviation. Or maybe you even work for a transit agency that has successfully implemented its own system (and if so, [we'd love to hear your success stories or lessons learned]()).
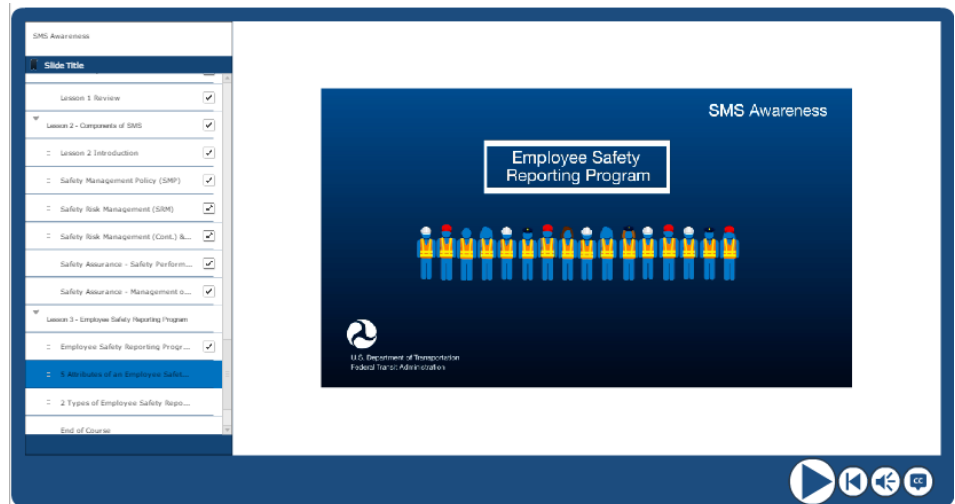
FTA's SMS Awareness training, pictured here, includes a lesson on employee safety reporting. SMS Awareness is a free, one-hour eLearning course available at tsi.dot.gov.

So what IS employee safety reporting? Employee safety reporting can be either incident-based or risk-based. Incident-based employee reporting by nature is public. An incident has occurred, such as an accident, injury, or assault, and needs to be reported through proper channels. Incident-based employee reporting systems often involve a rule violation or refraction from standard practices that lead to enforcement of rules and disciplinary actions. Unfortunately, when these incidents occur and lead to discipline or some form of punishment, the punitive actions taken typically suppress or inhibit the investigation process of uncovering the causal factors contributing to the incident. The underlying causal factors of the incidents go undetected. Without this knowledge, the organization is unable to learn from its mistakes or take action that could prevent similar incidents from occurring in the future. Thus, stand-alone incident-based employee reporting systems, while necessary, do not promote a learning organization and do little to identify leading indicators or precursors to incidents. What's needed are more proactive, risk-based reporting systems to supplement incident-based approaches, ones that don't engage the punitive and disciplinary processes that inhibit a true understanding of safety issues.

Risk-based employee safety reporting systems can be a tremendous boon to organizational learning about safety issues and accident prevention. When done effectively, risk-based approaches enable frontline employees to report unsafe conditions or acts to transit agency management without fear of retaliation for speaking up. Management may not otherwise detect the conditions and events that employees report, so it can be an effective means to keep management informed about safety shortfalls that need their attention. Additionally, employee safety reporting provides data that can fuel an organization's SMS.

Risk-based employee safety reporting may vary between transit agencies, but effective systems share some common characteristics. The system should be easy to use, and management should provide training to employees about how to use the system and what types of events to report. Employees trust that their reports are confidential, and they see evidence that their safety concerns are being addressed. The reporting process follows a basic cycle: an employee reports a concern, management analyzes and addresses the concern, and management communicates

(Cont. from pg. 4) how the safety concern was addressed. Once a transit agency has successfully instituted an employee safety reporting system, management may want to go a step further and implement close-call reporting. These programs allow employees to inform an agency's leadership about conditions and behaviors that, under different circumstances, could have led to injury or harm, or perhaps 'almost led' to a harmful event. The information from these reports is used by the organization to mitigate risk and understand broader safety issues. Through consistent use of a well-designed close-call system, an agency can create a culture wherein the organization as a whole is focused on identifying and learning from mistakes, high risk conditions and behaviors in order to improve safety. Strong protections are in place for employees so that the information they report is treated confidentially and only used for its intended purpose, and third parties who are able to protect the data from disclosure are typically involved. Both management and labor work together in the administration of these programs.

Effective risk-based employee safety reporting has many benefits that can help an organization take a more proactive approach to safety. Reports from frontline employees can provide germane and data-rich information that is often unique and cannot be gathered any other way. The information is also diverse, as it comes from different individuals in the organization with a variety of experiences and perspectives. Over time, multiple reports submitted about a similar issue can reveal patterns and trends. While a standard incident-based employee safety reporting system has potential to provide useful safety information to management, a close-call reporting system can provide larger amounts of even more valuable safety information to proactively reduce an organization's safety risk.

We will address additional employee safety reporting topics in upcoming issues of the TSO Spotlight, including best practices and its link to SMS. If you have questions about employee safety reporting, please contact FTA's Lynn Spencer.

Deputy's Corner
Webinars and Resources for SSOAs
Kimberly Burtch, Acting Deputy Associate Administrator for Transit Safety and Oversight

As Tom Littleton mentioned in his message (see page one), we are nearly two years away from the April 2019 deadline for State Safety Oversight Agencies (SSOA) to comply with the SSO final rule. We're updating some of our existing resources to emphasize this important deadline, so if you previously received a copy of our SSO final rule fact sheet or FAQs, please visit our SSO web page to download an updated copy. While you're there, you'll also find the SSO Program Certification Application and Certification Toolkit, as well as a fact sheet about the certification process. Additionally, we're planning to host webinars to address specific certification areas. As SSOA Program Managers work toward certification and find topics they would like to see featured in an FTA webinar, please let us know, or reach out to your FTA SSO Program Manager.

Kimberly Burtch, Acting Deputy Associate Administrator

Email FTA with your National Safety Plan Questions!

Have a question about the recently published National Safety Plan? Send it to our new email address for inquiries about FTA safety regulations: PTASP_QA@dot.gov. Also check out the FAQs and fact sheet on our rulemaking website.

TSO Profile

Q&A with Iyon Rosario, FTA Drug and Alcohol Program Manager

Iyon Rosario, FTA's Drug and Alcohol Program Manager

How would you explain your job to someone you've never met before? As Program Manager for the [FTA's Drug and Alcohol Program](#), I am responsible for making sure all rail and bus operators in the United States are properly tested for drugs and alcohol under FTA regulations.

What were you doing prior to this role? I've served as Program Manager for several other programs in the FTA's Office of Transit Safety and Oversight (TSO), including Continuity of Operations (COOP), the [Transit Advisory Committee for Safety (TRACS)](#), and [Operation Lifesaver](#).

How do you work with people outside the FTA? How would you like to be working with them in the future? Within USDOT, we work closely with the Office of the Secretary's (OST) Office of Drug and Alcohol Policy and Compliance. They oversee implementation of the drug and alcohol testing collection procedures under 49 CFR Part 40, which all modes within the Department and other industries follow. OST helps provide technical assistance to our grantees in implementing 49 CFR Part 40.

Within the transit industry, the FTA's Drug and Alcohol Program participates in two trade conferences each year where we give presentations, conduct one-on-one sessions with industry personnel, and provide technical assistance.

We have a great relationship with the industry through our current outreach, and our grantees often contact me with questions. Going forward, I want to continue the momentum of our outreach program and encourage grantees to keep reaching out to me with their Drug and Alcohol Program questions.

What is something you wish people knew about FTA or TSO? TSO was established in 2013 after Federal transportation law strengthened the FTA's safety regulatory authority. I joined the FTA before this, and I've watched the organization grow and reorganize to take on its new responsibilities. Even though TSO is relatively new, FTA staffers have always been dedicated public servants who actively work to make sure the riding public is safe by ensuring our safety and oversight programs are implemented effectively.

Did you know that the FTA's Drug and Alcohol Program has its own quarterly newsletter? Archived issues are available on the [FTA's website](#), and you can register through [GovDelivery](#) to be notified when new issues are published.

Federal Transit Administration

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https://www.fta.dot.gov/regulations-and-guidance/safety/transit-safety-oversight-tso

Transit and Motor Carrier Administrations Discuss Bus Safety

On February 16, 2017, the FTA participated in a meeting with the Federal Motor Carrier Safety Administration (FMCSA) in Hanover, Maryland, to share information about how the two agencies are working to improve bus safety.

The FTA and FMCSA both oversee bus safety, but for different groups. The FTA administers a voluntary bus safety program for transit buses. The FMCSA oversees mandatory safety regulations for commercial motor vehicles, such as school buses, large trucks, and motorcoaches. The investigation into a November 2016 accident in Baltimore, Maryland, between a transit bus and school bus prompted the idea to bring together the two organizations at a National Passenger Technical Advisory Group (P-TAG) meeting to discuss best practices and lessons learned for overseeing operator and passenger safety. P-TAG provides subject matter expertise and support to FMCSA and state agencies in reducing crashes involving motorcoaches and buses, ultimately saving lives. P-TAG membership consists of FMCSA and state regulatory and enforcement agencies from across the country.

Candace Key, Acting Director in the FTA's Office of System Safety, presented an overview of the FTA's safety program, including the voluntary bus safety program, bus-related safety regulations, and the Safety Management System (SMS) pilot program ongoing at three bus agencies and one multi-modal agency. Audience members asked questions about parameters of the FTA's safety authority, which Federal public transportation law expanded in 2012; potential hours-of-service regulations for transit bus drivers; and the FTA's drug and alcohol testing.

Thank you to the FMCSA for the opportunity to participate. The FTA welcomes opportunities to collaborate and share information with our safety-dedicated colleagues across the transportation industry.

The Passenger Technical Advisory Group's February 16, 2017 meeting in Hanover, Maryland