

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*
*
*
*
*
*

SEPTA TROLLEY ACCIDENT
PHILADELPHIA, PENNSYLVANIA
JANUARY 4, 2017

Accident No.: DCA17FR003

* * * * *

Interview of: EFRAIN RODRIGUEZ

SEPTA Headquarters
Philadelphia, Pennsylvania

Friday,
January 6, 2017

APPEARANCES:

RYAN FRIGO, Operations Group Chair
National Transportation Safety Board

GEORGETTA GREGORY, Chief, Railroad Division
National Transportation Safety Board

NICHOLAS WEBSTER, M.D., Medical Officer
National Transportation Safety Board

MIKE HOEPF, Human Performance Investigator
National Transportation Safety Board

TROY LLOYD, Lead Accident Investigator
Federal Transit Administration (FTA)

MICHAEL LIBERI, Chief Officer of Surface Transportation
Southeastern Pennsylvania Transportation Authority
(SEPTA)

ELIZABETH BONINI, State Safety Oversight Manager
Pennsylvania Department of Transportation (PennDOT)

RICK DOLBIN, State Safety Oversight
PennDOT

STEVEN FRAZIER, Contractor
PennDOT State Safety Oversight Program
(Posting)

BILL MATTHEWS, Contractor
PennDOT
(Posting)

WILL VERA, Vice President
Transport Workers Union (TWU) Local 234

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Efrain Rodriguez:		
By Mr. Frigo		6
By Mr. Liberi		13
By Ms. Bonini		15
By Mr. Vera		15
By Mr. Lloyd		16
By Mr. Hoepf		19
By Mr. Frigo		23
By Ms. Gregory		24
By Mr. Liberi		24
By Ms. Bonini		25
By Mr. Lloyd		26
By Mr. Frigo		27
By Mr. Liberi		31

I N T E R V I E W

1
2 MR. FRIGO: My name is Ryan Frigo and I am the Operations
3 Group Chair for this NTSB accident. We are here today on January
4 6th, 2017 at SEPTA Headquarters in Philadelphia, Pennsylvania to
5 conduct an interview with Mr. Efrain Rodriguez, who works for
6 SEPTA. This is interview is in connection with NTSB's
7 investigation of a collision between two SEPTA trolleys in West
8 Philadelphia on January 4th, 2017. The NTSB Accident Reference
9 Number is DCA17FR003.

10 Before we begin our interview and questions, let's go around
11 the table and introduce ourselves. Please spell your last name
12 and please identify who are you representing and your title. I
13 would remind everybody to speak clearly so we can get an accurate
14 recording. I'll lead off and then pass off to my right.

15 Again, my name is Ryan Frigo. The spelling of my last name
16 is F-R-I-G-O. I am the Operations Group Chair for the NTSB and
17 this accident.

18 MS. GREGORY: I'm Georgetta Gregory, G-R-E-G-O-R-Y. I'm the
19 Chief of the Railroad Division with the NTSB.

20 MR. LIBERI: My name is Michael Liberi, L-I-B-E-R-I. I'm the
21 Chief Officer of Surface Transportation for SEPTA.

22 MS. BONINI: My name is Elizabeth Bonini, that's B-O-N-I-N-I,
23 and I'm PennDOT's State Safety Oversight Manager.

24 MR. FRAZIER: My name is --

25 MR. MATTHEWS: Bill --

1 MR. FRAZIER: I'm sorry.

2 MR. MATTHEWS: Bill Matthews, M-A-T-T-H-E-W-S, also with
3 PennDOT as a contractor. I'll be observing.

4 MR. FRAZIER: My name is Steve Frazier, F-R-A-Z-I-E-R. I
5 will be posting as a PennDOT contractor.

6 MR. DOLBIN: And Rick Dolbin, D-O-L-B-I-N, with PennDOT State
7 Safety Oversight, Upstate.

8 MR. VERA: My name is Will Vera, Vice President of Local 234.
9 Last name is spelled V-E-R-A.

10 MR. LLOYD: Troy Lloyd, Accident Investigator, Federal
11 Transit Administration. That's Troy Lloyd, L-L-O-Y-D.

12 MR. HOEPF: And Mike Hoepf, that's H-O-E-P-F. I am with the
13 NTSB and I'm Human Performance.

14 MR. RODRIGUEZ: My name is Efrain Rodriguez, Rodriguez, R-O-
15 D-R-I-G-U-E-Z, and I'm a dispatcher for Septa.

16 MR. FRIGO: Thank you, Mr. Rodriguez. And before I proceed
17 with some mandatory information I have to read onto the record,
18 are you okay if we proceed on a first name basis?

19 MR. RODRIGUEZ: Sure.

20 MR. FRIGO: Great. Thank you, Efrain. So, the purpose of
21 this investigation is to increase safety; it's not to assign
22 fault, blame, or liability. The NTSB cannot offer any guarantee
23 of confidentiality or immunity from legal or certificate actions.
24 A transcript or summary of the interview will go into the public
25 docket.

1 And the interviewee, you can have one representative of your
2 choice. Do you wish to have a representative with you today?

3 MR. RODRIGUEZ: No, I'm good.

4 MR. FRIGO: Okay, great. Thank you.

5 BY MR. FRIGO:

6 Q. And, Efrain, to start out with, can you tell me a little bit
7 about your work experience at SEPTA, when you started and your
8 first position, and walk me through into your current position?

9 A. Yes.

10 Q. Great.

11 A. I started with SEPTA back in July 1991. I started as a
12 trackless trolley operator out of Frankford District. I drove
13 trackless trolleys for about a year, transferred (indiscernible)
14 bus at the Frankford District and drove buses for about 15 years.
15 Then after that, I became a dispatcher. I've been a dispatcher
16 for ten years.

17 Q. And in your role as a dispatcher, can you walk me through a
18 typical, a typical shift? What does that look like as a
19 dispatcher here at SEPTA?

20 A. You come in; you make relief, you make relief as you ask the
21 dispatcher on duty what's going on for the day; you exchange
22 information; grab the clipboards, see what runs are open, see
23 what's got to get filled, see if you need any more people to come
24 in to work, and make sure you have all shifts current, all the bus
25 routes and whatnot. That's step one. Then, after that, operators

1 start coming and you just check on the operators and make sure
2 they're fit for duty.

3 Q. And do you dispatch both buses and trolleys --

4 A. Yes.

5 Q. -- or just trolleys?

6 A. Yes, we have trolleys and buses at Callowhill District.

7 Q. And is it typical on your shift to be working with both modes
8 of transportation?

9 A. Yes.

10 Q. Okay. And on the day of the collision between the two
11 trolleys, can you tell us, you know, about that shift, when you
12 went on duty, and talk to us about that shift?

13 A. Yea. It was normal day. Came on duty, we exchanged
14 information, and that was it.

15 Q. What time did you come on duty that day?

16 A. I came on duty at 8:00 a.m.

17 Q. Okay. And do you remember speaking with Operators Anderson
18 or Smith that day during your shift?

19 A. No. I think Smith was already on the street when I reported.
20 Anderson did report to me. As far as conversation, no, we didn't
21 have a conversation. He came in, came to the window, said,
22 Rodriguez, I'm here. I looked at him, he looked okay, checked him
23 off, and he went about his business.

24 Q. Can you recall around what time that was?

25 A. I'm going to say roughly around 10:00. I'm not really sure,

1 but I'm going to say roughly around 10:00.

2 Q. Okay. And when you were describing the duties of a
3 dispatcher, you mentioned, you know, to check the employees for
4 their fitness for duty. What does that mean?

5 A. Fitness for duty, we check to make sure they're in uniform
6 compliance with the uniform codes and make sure that they look
7 like they're fit for duty and there's nothing strange about them
8 or anything like that.

9 Q. Can you describe, you know, in your experience and from your
10 training -- you know, you mentioned looking strange. What would
11 be an indication that an operator looked strange to you?

12 A. Not being a normal person every day. If we had a
13 conversation, slurred speech; bloodshot eyes; something different
14 in his eyes; or the way he would walk; the way he would speak to
15 me, it wouldn't be a normal day-to-day conversation, stuff like
16 that in that nature.

17 Q. Okay. Have you ever encountered any operators that appeared
18 strange to you?

19 A. No, no.

20 Q. Okay. Can you tell me a little bit more about your -- you
21 know, what kind of training does SEPTA give you to become a
22 dispatcher? I know it was ten years ago --

23 A. Um-hum.

24 Q. -- but do you remember that initial training and then any of
25 the annual recertification training that you might go through?

1 A. Well, with the dispatcher's training as far as dispatching,
2 it's a lot involved, like computerized, with the computers, and
3 every shift has a different responsibility. That took a lot of
4 training, just learning that part of the job. As far as training
5 as fitness for duty, SEPTA offers training -- I think it's once or
6 twice a year when we have a training class down here at 1234 --
7 where they show you how to observe anything strange with an
8 operator.

9 Q. Do you remember how long that training -- is it one day --

10 A. It's --

11 Q. -- or is it a few hours?

12 A. It's a few hours. I think it's like four or five hours.

13 Q. Okay. And is that something that you can recall taking
14 annually or --

15 A. I think it's done every year or every two years.

16 Q. Okay.

17 A. Yeah.

18 Q. And are you given a card or --

19 A. Yes.

20 Q. You are?

21 A. Um-hum.

22 Q. Okay. And cards like that, are you required to have them --

23 A. Yes.

24 Q. -- on your person when --

25 A. Yeah. Um-hum.

1 Q. Okay.

2 A. I think I have mine on me; let me check.

3 Q. It's -- I'm sure it's somewhere in there.

4 A. Here it is. I think this is it. Yeah.

5 MR. FRIGO: So, Efrain handed me a -- his certification that
6 he completed the training program for 49 C.F.R. Part 655 and it's
7 -- I think that's a five-year certification on there from '14 to
8 '19.

9 BY MR. FRIGO:

10 Q. So, thank you.

11 A. Um-hum.

12 Q. That's part of the information we look at. As part of our
13 investigations, we look at the records and whatnot, but I'm glad
14 you were able to provide us an example here today. So, again, how
15 -- we talked a little bit about fitness for duty and I know you
16 mentioned that your conversation with Mr. Anderson was extremely
17 brief.

18 A. Yes.

19 Q. What kind of information do you give an operator such as Mr.
20 Anderson when they do come to check in?

21 A. There is usually no information given. They come in. They
22 know what they've got to do. They work the same run every day
23 unless there's something different. They might actually say, hey,
24 Rodriguez, is there a detour on the route today that you know of?
25 Somebody told me it was a detour. We have conversations at times,

1 but very short, brief. It's -- yeah.

2 Q. So, it's a check-in process? That's the best way for me to
3 understand that.

4 A. Right.

5 Q. Do you distribute any bulletins or any other route-specific
6 information to the operators?

7 A. Yes. We have bulletin sheets right in front of the reporting
8 district, or at the recording window, where there's bulletin
9 orders that they pick up and take on -- out to the street on their
10 route.

11 Q. Okay. And so, they're required to pick those up on their
12 own?

13 A. Yeah, um-hum.

14 Q. Okay. I -- do you recall, did Mr. Anderson have his
15 paperwork with him when he checked in with you? Are you -- do you
16 recall that at all?

17 A. No. I remember him coming up to the window saying,
18 Rodriguez, I'm here; I have run so and so. And I looked him, I
19 said, okay, thank you, Mr. Anderson, and I just checked him off
20 and he went on his -- he went on the street.

21 Q. Okay. And --

22 A. I didn't have a conversation with him, just checked him off.

23 Q. And just to clarify, it's you checking him off on a sheet
24 that you have --

25 A. Um-hum.

1 Q. Does he sign in at all anywhere?

2 A. No.

3 Q. He does not? Okay. And if we could just go back to the date
4 of the accident, when did you first become aware that something
5 had happened out on the line?

6 A. That something happened?

7 Q. Yeah.

8 A. People were saying, hey look, there's an accident. The
9 driver is in his room and I happened to look up from my desk at
10 the TV and I saw that two trolleys were involved in an accident.
11 That's all I know.

12 Q. Okay.

13 A. Everything else was hearsay.

14 Q. Okay. And do you, as part of your duties as a dispatcher, do
15 you listen to radio communications at all?

16 A. Only if control center would call us for any kind of
17 information.

18 Q. Okay. So, is there a console --

19 A. No.

20 Q. -- or a handheld --

21 A. No. They would just call us via phone and say, hey
22 Rodriguez, can you have so and so take out a trolley; his relief
23 is late, or there's something wrong with the trolley. The same
24 thing with a bus.

25 Q. So, it's almost as if there's a disruption?

1 A. Yes.

2 Q. Okay. And again, just going back to the normal dispatching
3 operations for the trolleys, are they dispatched according to
4 demand or according to a schedule? How does that happen?

5 A. They're dispatched according to a schedule.

6 Q. And what is a typical schedule on -- I think it's the number
7 10 line, is that correct?

8 A. I'm not sure what line he was on.

9 Q. I believe it was the --

10 A. Like I said, everything I heard was hearsay.

11 Q. Okay, okay. And do -- are the schedules the same for all the
12 trolley lines or do they vary depending on the line?

13 A. Depending on what time it is, we have a different schedule.
14 Like, say like -- we call it the low line when it's not rush hour.
15 It's probably like every 15, 20 minutes, depending on the bus
16 route or line, trolley line. Rush hour would be anywhere from,
17 depending on how busy it is, I'll say anywhere from three to six
18 minutes apart.

19 Q. Okay. All right. Well, Efrain, thank you for answering my
20 questions. I'm going to pass it off to my right here.

21 MS. GREGORY: And I'm going to pass it off. I have no
22 questions at this time. This is Georgetta Gregory.

23 MR. FRIGO: Okay.

24 BY MR. LIBERI:

25 Q. Efrain, I only have two questions for you.

1 A. Yes.

2 MR. LIBERI: Do I have to say my name again? Mike Liberi,
3 Chief Officer of Surface Transportation for Septa.

4 BY MR. LIBERI:

5 Q. What are the two lines that, the two trolley lines that
6 operate out of Callowhill District?

7 A. We have a 10 and a 15.

8 Q. And do you know what line Operator Anderson was operating
9 that day?

10 A. That time, he checked in for the Route 10.

11 Q. Did Operator Anderson say anything to you in regards to his
12 wellbeing? Was he tired? Did he ask to be relieved?

13 A. No.

14 Q. There was no conversation about that?

15 A. No conversation. He didn't ask to get relieved or can I get
16 my second off, nothing. He just reported. He said, Rodriguez,
17 I'm here for my run. I looked at him. He looked okay to me.
18 Okay, thank you for coming in.

19 Q. And my last question regarding the bulletin orders, the
20 bulletin orders are required to be signed for when they picked
21 them up or are they just issued?

22 A. No; they're just issued. Normally -- we have a tray at the
23 reporting and we just lay them on the tray and they just pick them
24 up as they report.

25 Q. Okay. And then a follow-up to that; if there was a problem

1 on the line, we were busing the line, anything out of the ordinary
2 of the operation, would there be an engagement with the operator
3 reporting?

4 A. Yes, because I will have to let them know, hey, we're not
5 using trolleys today; we need to take out a bus, and I will let
6 them know, hey, see the block for a bus.

7 Q. Okay. Thank you, Efrain.

8 A. No problem.

9 BY MS. BONINI:

10 Q. This is Beth Bonini from PennDot. How are you?

11 A. Good. How are you doing?

12 Q. Good. Just one quick question. Were you involved in
13 anything post-accident as far as the dispatching?

14 A. No, I was not involved. The only thing I did was check the
15 operator in and make sure he was okay, and that was it.

16 Q. So, nothing post?

17 A. No.

18 Q. Okay, thank you.

19 UNIDENTIFIED SPEAKER: (Indiscernible) Post.

20 BY MR. VERA:

21 Q. I just have one question. Will Vera from Transport Workers
22 Union. Mr. Anderson, we assigned this run or was he on report
23 that day?

24 A. He was assigned that run.

25 Q. And then just to follow up, is he a regular operator or is

1 he --

2 A. Yes.

3 Q. That's all I have.

4 BY MR. LLOYD:

5 Q. Mr. Efrain, I'm Troy Lloyd from the Federal Trans
6 Administration. I've just a couple of questions (indiscernible).
7 It would help me out, and I'm sure he'd probably help out the
8 interview panel here. But, when you conduct this fit for duty
9 physical look-over or whatever, how is that conducted? How is
10 that carried out? How would you carry that out in detail?

11 A. Oh, we look at the operator, make eye-to-eye contact, check
12 his uniform appearance. We might have a brief conversation, like,
13 hey, how are you doing, just regular conversation like everyone
14 else does, good morning, how are you doing, and --

15 Q. Okay. So, he's in the same room with you in the dispatch
16 office or is he --

17 A. Not really. He doesn't come in unless he has a question that
18 he needs to see me about. They usually report to a window.

19 Q. So --

20 A. There's a glass window and you report to the window and say,
21 Rodriguez, I'm here.

22 Q. Okay.

23 A. I've got run so and so; I'm checking in.

24 Q. So, we're performing a fit-for-duty physical, this initial
25 physical, through a glass --

1 A. Um-hum.

2 Q. -- where you can maybe not really hear speech that well --

3 A. Well --

4 Q. -- maybe no smells --

5 A. -- it's got like --

6 Q. -- things of that nature?

7 A. -- it's got like three holes in there --

8 Q. Okay.

9 A. -- so you --

10 Q. So, you don't see the whole entire -- that guys doesn't have
11 to come in to you or that operator doesn't have to come to you and
12 sit there and physically say like, hey, are you doing, Mr.

13 Rodriguez, I mean, how are you doing today, Eric?

14 A. Now, unless he needs to see me for any kind of questions or
15 anything --

16 Q. Okay.

17 A. -- he doesn't have to come in.

18 Q. Do you, as a dispatcher putting these operators out on the
19 line daily, do you think that's a good way to perform a fit-for-
20 duty initial assessment?

21 A. What do you mean?

22 Q. Looking at an operator through a glass, maybe seeing from his
23 upper torso up --

24 A. Um-hum.

25 Q. -- and sitting there saying have a good day; you're good to

1 go? Do you think --

2 A. Well, that's the normal way of doing it. That's the way we
3 do it. I mean, I don't know what the good way and what's the bad
4 way, but that's just the way we do it.

5 Q. I'm -- that's what I'm asking.

6 A. Yeah.

7 Q. So, what authority do you have if you find an employee unfit?

8 A. Oh, we can't let them go on the street. He's -- we can say,
9 hey, I don't think you're fit for duty; have a seat; I'm calling
10 supervision.

11 Q. Okay. And 659 or that SEPTA police that give you that
12 authority?

13 A. No, SEPTA policy. We --

14 Q. Or, is that 655 or SEPTA authority?

15 A. We have that power that we can hold them off --

16 Q. Okay.

17 A. -- and --

18 Q. Okay. Now, do you also do bus operator fit for duties as
19 well?

20 A. Yes, um-hum.

21 Q. And I'm sure that's a SEPTA policy?

22 A. Yes.

23 Q. Same way, same window?

24 A. Yes.

25 Q. Okay. That's all I have. Thank you.

1 BY MR. HOEPF:

2 Q. All right, thanks. This is Mike, NTSB. So, thanks for, you
3 know, kind of us giving us detail there. And so, I'm going to
4 kind of just ask you for a little bit more color. So, I'm sorry
5 if I'm kind of repetitive with, you know, the same sort of topic
6 here --

7 A. Right.

8 Q. -- but we're really just kind of trying to, you know, just
9 paint a picture of what it's like, you know, what's, what is it
10 like for you as you're sitting there, you know. So, are you
11 sitting there in a chair and then there's a glass window, it's got
12 three holes --

13 A. Um-hum.

14 Q. -- and then you've got your people coming in and you're kind
15 of just checking them off?

16 A. Right.

17 Q. Do you have -- what's the frequency with, you know, when new
18 people come in? Is it pretty -- is there like one every five
19 minutes, one every ten minutes?

20 A. Every now and then and operator will pop in and they'll try
21 to have a conversation with me; hey Rod, how you doing man, how's
22 it been, you know, long time no see, general conversation.

23 Q. Yeah.

24 A. But, we usually try to keep it out of the room because we're
25 busy.

1 Q. Right.

2 A. At that time of day, 8:00 to 4:00, we're busy. We have a
3 schedule to put out for the next day; we've got to assign work to
4 the operators that don't have assigned work. So, that shift is
5 pretty busy. We really don't have time to be back and forth
6 playing mister nice guy.

7 Q. Right, right. You're running the schedule, you're --

8 A. Right.

9 Q. So, in between looking at, you know, these operators that are
10 coming, is there -- are you on a computer doing something else?
11 Are you, like, managing other -- are you juggling other tasks at
12 the same time or --

13 A. Yes, we're at a computer putting in the information making up
14 our slate. Our slate is assigning work to the operators for the
15 next day. And we also have a lot of writing we've got to do.
16 We've got to write stuff down on paper and make sure everything's
17 okay on paper before we put it on that slate and post it.

18 Q. Gotcha.

19 A. So, it's a lot of writing and computer stuff involved, yes.

20 Q. A lot of managing different tasks and stuff?

21 A. Um-hum, right.

22 Q. Do you feel like you have a pretty high workload just in
23 general or is it pretty manageable? Is it --

24 A. It's manageable.

25 Q. Pretty manageable? Okay. So, is any, I mean, anything --

1 that just was a normal day? Nothing stood out to you as -- was
2 the weather good, bad, late, anything?

3 A. No; everything was fine.

4 Q. Just usual channel along?

5 A. Yeah.

6 Q. Okay, gotcha. Do you know Operator Anderson in a personal
7 way or anything? Do you know --

8 A. Not personally; I just know him as an operator. That's
9 really all I can say.

10 Q. Sure, sure. Yeah. And again, I don't want you to speculate
11 or, you know --

12 A. Right.

13 Q. -- go off on, you know -- we're not asking for anything more
14 than just --

15 A. Um-hum.

16 Q. -- you know, what you saw, what --

17 A. Right.

18 Q. -- you know, what your day was. So, again, thanks, and if
19 you don't anything -- something about something, just, you know,
20 just say that you don't know. So, do you know what -- do -- would
21 you be the person -- would you be considered his supervisor?

22 A. Yes.

23 Q. Okay. And so, I mean, do you create his schedule?

24 A. No, he has a set schedule, like Mr. Vera asked. He is a
25 regular operator, so that means he does the same thing every

1 day --

2 Q. Okay.

3 A. -- except for his days off.

4 Q. Um-hum.

5 A. On his days off, he is entitled or allowed to volunteer for
6 extra work.

7 Q. Um-hum.

8 A. There might be a time where I might say to him, hey listen, I
9 need you do something other than your regular run; would you
10 mind --

11 Q. Um-hum.

12 A. -- stuff like that.

13 Q. Gotcha.

14 A. Yeah.

15 Q. Gotcha. So, you don't really -- I mean, would you have a
16 good idea of what his schedule was like, you know, in the previous
17 couple of weeks? I mean, we're obviously going to pull, you know,
18 records for that sort of thing, but just --

19 A. Not offhand.

20 Q. Okay.

21 A. No.

22 Q. And that's totally fine. So, I mean, you don't necessary
23 have a close relationship with this person, so you're not -- I
24 mean, would you be in a position to make an assessment about just
25 anything in his personality or health or anything out of the

1 ordinary?

2 A. No, sir.

3 Q. No. Okay. Okay, well, I'm going to go ahead and pass it
4 back on to Ryan and catch you for a second round of questions.

5 BY MR. FRIGO:

6 Q. We're back to me, Mr. Rodriguez. I just have a few follow-up
7 ones.

8 A. Okay.

9 Q. Do you, based on your experience, the ten years experience as
10 a dispatcher -- and you were a bus operator for a while --

11 A. Um-hum.

12 Q. -- a trackless trolley operator for a while, so you've been
13 here -- you've had some memories --

14 A. Yes.

15 Q. -- created?

16 A. Yes.

17 Q. You know, in your opinion, do you think that the current
18 procedure for conducting that fitness for duty check is
19 sufficient?

20 A. Yeah, I think it is.

21 Q. And do you feel that based on the training -- you showed me
22 the certification card, the training you went through for Part 655
23 training. Do you think that the policy for the fitness for duty
24 check is sufficient based on the training?

25 A. Yes.

1 Q. Is there anything you could think of to improve the process?

2 A. Not offhand, no.

3 Q. Okay. And that's -- you know, if you think of something
4 after the fact, you can always give me a call --

5 A. Okay.

6 Q. -- or whatever. But, I don't have any further questions, so
7 I'm going to pass on to my right.

8 MR. LIBERI: I'm sorry, Georgetta.

9 BY MS. GREGORY:

10 Q. I just have one quick question. This is Georgetta Gregory.
11 Efrain, how many -- have you experienced an employee that you
12 determined was not fit for duty --

13 A. No.

14 Q. -- in your ten years?

15 A. No.

16 Q. Okay. Thank you. And I'll pass to the right.

17 BY MR. LIBERI:

18 Q. Efrain, Mike Liberi again. The fitness for duty procedure,
19 and then the subsequent DNA testing that you went through to get
20 the certification, do you feel adequately trained that the DNA
21 testing adequately trained you to observe someone that may be
22 prepared?

23 A. Yes, um-hum.

24 Q. And my last question is -- two -- I'm sorry. During peak
25 reporting periods where there may be four, five, six people

1 reporting consecutively, do you feel that you're able to conduct a
2 fitness for duty check --

3 A. Yes.

4 Q. -- properly?

5 A. Yes.

6 Q. And then my last question was Mr. -- was -- on this day, was
7 this Mr. Anderson's regularly scheduled day to work or was it a
8 day-off assignment?

9 A. I think it was his day off because I remember seeing his name
10 on the day-off list. So, if I remember correctly, I think it was
11 his day off.

12 Q. Then I'll ask, does Mr. Anderson normally work the Route 10
13 or the Route 15, or you don't know his run?

14 A. That I don't remember.

15 Q. Okay.

16 A. As a regular, I don't remember what route he does as a
17 regular, if the 10 or the 15.

18 Q. Okay. Thank you.

19 A. You're welcome.

20 BY MS. BONINI:

21 Q. I have one question. Again, Beth Bonini from PennDot. So,
22 Mr. Frigo asked you about the medical fitness for duty and your
23 thoughts on it. If you did have an issue or thought that there
24 was an improvement or in the process, do you feel that the SEPTA
25 staff would be receptive to hearing your opinion and that you

1 would have the ability to express your concerns to --

2 A. Yeah. Why not?

3 Q. Okay. Thank you.

4 BY MR. LLOYD:

5 Q. I just have one more, just a follow-up. Does SEPTA have any
6 type of program, maybe completed medical forms -- for instance,
7 let's say an employee is on some type of prescribed medication,
8 such as pain meds or, you know, you've got to pull them back, but
9 where they would have to sit there and say, yeah, he used the
10 doctor's rules as he is allowed to report to work under these
11 medications.

12 A. Yes.

13 Q. How is that forwarded to you so if operator so and so would
14 come up, you're not knowing he's under this stuff, do you get a
15 copy of those medical forms faxed to your division or whatever
16 saying that this gentleman here, yeah, he's approved to operate
17 under these said medications or things of that nature?

18 A. We don't -- we don't normally don't have that on a
19 possession; that's usually kept in SEPTA Medical and at the boss's
20 office.

21 Q. So, does the bosses somehow -- how do you receive that
22 information --

23 A. Well --

24 Q. -- since you're doing the initial fit for duty?

25 A. -- if he wasn't -- if there -- if he was on some kind of

1 medication where he couldn't operate a vehicle safely, then he
2 would be held off or assigned another work, job, until he is
3 cleared to work as an operator, and that would be kept by SEPTA
4 Medical. They make that decision; we just dispatch.

5 Q. Okay.

6 BY MR. FRIGO:

7 Q. Okay, great. Thanks. This is Mike again. Okay, so I have
8 just a couple of different branches, so I'm going to ask one kind
9 of set of question and another set of questions. So, while we're
10 still talking about, you know, your job and the operator, so I'm
11 wondering about, so an operator -- not necessarily Operator
12 Anderson, but just somebody who's out there, and what kind of
13 communication are they having with -- are they communicating with
14 you or are they not communicating with anyone? Once they're out
15 on their route, what's governing how they go about their route?

16 A. Once they leave us, they belong to control center.

17 Q. Control center.

18 A. If anything happens on their route or anything, any kind of
19 questions, they are to call control center and deal with control
20 center. We only have contact with them when they report to us.
21 After they leave our window, they become the street supervisor's
22 problem and control center.

23 Q. Okay, so you -- they leave your window and you don't see them
24 again until they come onto their next shift?

25 A. Right.

1 Q. Do you see them at the end of the shift or anything or --

2 A. If they have a split shift, we'll see them like coming back
3 in. If they come back into district, they'll have lunch, hang
4 out, wait for it's time to go back out. We don't have a second
5 report, so they'll just hang out, wait for it's time to leave, and
6 they go back out in the street.

7 Q. Gotcha, gotcha. So, when they're going about their business,
8 do they regularly, you know, interact with that control center or
9 is that only is there's a problem?

10 A. Only if there's a problem.

11 Q. Okay, okay. And then are these typically eight-hour, ten-
12 hour, 12-hour shifts?

13 A. It all depends. There's anywhere, work wise, anywhere
14 between six, six and a half, ten-hour shifts --

15 Q. Um-hum.

16 A. -- work wise, not pay wise.

17 Q. Um-hum.

18 A. There's numerous. It all depends on what you pick --

19 Q. Okay.

20 A. -- and if you don't pick, then you get assigned, but in Mr.
21 Anderson's case, he's a regular, so he has that every day.

22 Q. Okay. So, correct me if I'm wrong. But, so then, so,
23 basically, somebody will come, they'll see you, they'll call in
24 their shift, and then, assuming there's no problems, they're just
25 -- they'll just operate independently until the conclusion of

1 their shift?

2 A. Yes.

3 Q. Okay. All right, great. And then the other thing I want to
4 talk to you about just was a little bit more about just the
5 general structure hierarchy of your job. Could you just maybe
6 talk a little bit more about who's above you and who's, you know,
7 who's below you, maybe how many people are you managing, you know,
8 on a given day and who's -- you know, do you report to, just sort
9 of a general structure?

10 A. Okay. I report to my director and the assistant director.
11 But, then again, I really don't report to them. I mean, when I
12 come in, there's a dispatcher sitting there. I say, hey, how are
13 you doing, man? How's it going? You know, what's going on for
14 the day? We exchange information; that's it. And our boss will
15 come out every now and then. Hey, how are you doing, Rod?
16 Everything's fine. Okay. That's it. That's the person I report
17 to.

18 Q. Okay.

19 A. Yeah.

20 Q. And then you're in charge of?

21 A. There's about, roughly, 300 operators at Callowhill and
22 there's about 80 rail side operators.

23 Q. Okay.

24 A. So, if you combine them together, you're talking 380, but
25 that's during the whole day.

1 Q. Right.

2 UNIDENTIFIED SPEAKER: (Indiscernible) bus.

3 MR. RODRIGUEZ: So, it all depends on what shift you work
4 that determines the number of operators that report to me.

5 BY MR. FRIGO:

6 Q. Gotcha, gotcha. And in a given average day, what do you -- a
7 ballpark?

8 A. Well, see, I have a rotating shift. I work all three shifts.

9 Q. Oh, okay, okay.

10 A. So, on that given day, I was working the 8:00 to 4:00 shift,
11 so a wild figure, I'm going to say maybe a hundred operators that
12 reported to me --

13 Q. Okay.

14 A. -- somewhere around that number.

15 Q. So, in a given hour, let's say the 10:00 hour, how many, just
16 on average, operators you might --

17 A. Between 10:00 and 11:00, I would say maybe around 20.

18 Q. Twenty? Okay.

19 A. Yeah, somewhere around there.

20 Q. All right, sounds good.

21 A. But, that's combined, bus and rail side.

22 Q. Bus and rail?

23 A. Right.

24 Q. Okay. Gotcha, gotcha. And you're physically seeing like
25 come in?

1 A. Oh yeah, definitely.

2 Q. Oh, okay, okay. And then -- okay, awesome. And then do you
3 guys have a safety department?

4 A. Yeah, we have a safety department.

5 Q. Okay. Do you interact with anybody from the safety
6 department?

7 A. No.

8 Q. Nobody -- does anybody come around and just --

9 A. No.

10 Q. Okay. Do you have any -- I don't know -- like, policies or
11 -- I don't know -- any programs that are sort of big safety
12 programs or anything?

13 A. Every now and then they'll have a program and whatnot, but
14 other than having interaction with them, no.

15 Q. Okay, so it's not really any -- there's not really a big
16 impact on your day-to-day operations?

17 A. No.

18 Q. Okay. I think that's about it for me.

19 MR. FRIGO: Is there (indiscernible) any (indiscernible) you
20 want to add?

21 BY MR. LIBERI:

22 Q. Well, Mr. Rodriguez, I just, you know, again, want to thank
23 you for coming in today and helping us learn more about what
24 occurred on the day of the accident. I just have a good two final
25 questions for you. Were there any questions that we should have

1 asked you today that we didn't?

2 A. No.

3 Q. Do you think there -- is there anybody else that we should
4 interview as part of our fact-finding into this accident?

5 A. No, because, like I said, he reports to me and that's it.

6 Q. Okay. Mr. Rodriguez, thank you again for taking the time to
7 come in.

8 UNIDENTIFIED SPEAKER: Somebody else.

9 UNIDENTIFIED SPEAKER: No.

10 MR. FRIGO: Any last-minute questions? Okay, great.

11 Thank you.

12 MR. RODRIGUEZ: Okay.

13 UNIDENTIFIED SPEAKER: Thank you very much.

14 MR. RODRIGUEZ: Yep.

15 MR. FRIGO: We'll go off the record.

16 (Whereupon, the interview was concluded.)
17
18
19
20
21
22
23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SEPTA TROLLEY ACCIDENT
 PHILADELPHIA, PENNSYLVANIA
 ON JANUARY 4, 2017
 Interview of Efrain Rodriguez

DOCKET NUMBER: DCA17FR003

PLACE: Philadelphia, Pennsylvania

DATE: January 6, 2017

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Karen M. Galvez
Transcriber