



NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing

Washington Metropolitan Area Transit Authority Metrorail train 302 that encountered heavy smoke in the tunnel between the L'Enfant Plaza Station and the Potomac River Bridge on January 12, 2015

GROUP	
EXHIBIT	

Agency / Organization

Title

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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WMATA INCIDENT AT L'ENFANT PLAZA
STATION, WASHINGTON, D.C.
JANUARY 12, 2015

Docket No.: DCA-15-FR-004

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Interview of: JAMES MADARAS

WMATA Headquarters
Jackson Graham Building
Washington, D.C.

Monday,
April 13, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: MICHAEL FLANIGON
Railroad Accident Investigator

The interviewee was afforded an opportunity to review this transcript for accuracy. No inaccuracies were identified.

APPEARANCES:

MICHAEL FLANIGON, Railroad Accident Investigator
National Transportation Safety Board

ROBERT "JOE" GORDON, Investigator-in-Charge
National Transportation Safety Board

RICK NARVELL, Human Performance Investigator
National Transportation Safety Board

LOREN GROFF, Ph.D., Transportation Safety Analyst
National Transportation Safety Board

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I N T E R V I E W

1
2 MR. FLANIGON: Okay, my name is Mike Flanigon. I'm with
3 the National Transportation Safety Board, conducting interviews
4 today, April 13th, 2015. Today, we're interviewing Mr. Jim
5 Madaras, who is chief safety officer and assistant business agent,
6 shop steward, and executive board member.

7 MR. MADARAS: All of those.

8 MR. FLANIGON: All of those. You got it all to fit on
9 one card too. Very good.

10 MR. MADARAS: Yeah.

11 MR. FLANIGON: His last name M-a-d-a-r-a-s, my last name
12 F-l-a-n-i-g-o-n. And we can go around the room and let Joe and
13 others state and spell their last name.

14 MR. GORDON: Joe Gordon, G-o-r-d-o-n, National
15 Transportation Safety Board and the Investigator-in-Charge for the
16 L'Enfant Plaza Metro station accident.

17 DR. GROFF: Loren Groff, L-o-r-e-n, G-r-o-f-f, NTSB, and
18 the panel participant.

19 MR. NARVELL: Rick Narvell, N, like in Nancy, a-r-v,
20 like in Victor, e-l-l. I'm a human performance investigator with
21 the NTSB.

22 MR. FLANIGON: Okay. And as I mentioned to you earlier,
23 Jim, the purpose of our interviews is to develop some background
24 information for the panel that we're involved in at the upcoming
25 investigative hearing to -- do you need to take --

1 MR. MADARAS: This is the guy who's coming up.

2 MR. FLANIGON: Okay. Let's pause for just one minute.

3 (Off the record.)

4 (On the record.)

5 MR. FLANIGON: Okay, we're back on. And the purpose of
6 the interviews is to develop background information for the panel
7 at the investigative hearing on organizational culture, and also
8 to support the investigation with any new information that we can
9 develop. And just to confirm that you understand we'll record our
10 interview here and provide you a transcript?

11 MR. MADARAS: I do understand that.

12 MR. FLANIGON: Okay, excellent.

13 INTERVIEW OF JAMES MADARAS

14 BY MR. FLANIGON:

15 Q. So, just in -- kind of starting at the high-level view
16 of things, what kinds of changes have occurred at WMATA with
17 regard to safety since the Fort Totten accident, if any?

18 A. I think the bigger picture that change has occurred was
19 when Sarles came on board, is they started to get more organized
20 with their executive safety committee meetings, but those meetings
21 generally are talking about risks and risk-associated behavior and
22 they're not really designed to be conversations about safety. So
23 from the aspect of them being able to document where incidents
24 occur and try to minimize the frequency of those occurring, I
25 think that that's been the direction that Metro has moved in. But

1 as far as having the conversations with the employees, that
2 dialogue is -- still needs to occur in a better form.

3 Q. Do you know if WMATA has established any safety goals?

4 A. I believe that their goals are to lessen the reported
5 risk numbers. Those are their -- seem to be their immediate
6 goals, and also close out any of the things that the NTSB brings
7 to their attention that they need to address.

8 Q. Okay. When you mention risks, can you expand on what
9 that means?

10 A. Like slips, trips, and falls --

11 Q. Injuries?

12 A. -- employee injuries, yes. That's their focal point.
13 Almost everything is centered around that discussion.

14 Q. Okay. To change gears here a little bit. Are there
15 negative consequences for employees if trains are delayed?

16 A. Well, that's a difficult question to ask. If you're a
17 roadway worker and you're an ATC person, I myself have witnessed,
18 when I was out in the field having a maintenance radio, the
19 pressure that ROCC puts on the roadway workers to get the trains
20 moving. If there is any type of delay where they have to go out
21 and make an assessment or work on something, I think that their
22 main goal is to keep the trains running in a timely fashion and I
23 think that that -- I don't want to say that from the sense that
24 I'm saying it from a cold point, but I think that that's really
25 their main prerogative is to keep the trains running, to get them

1 timely from point A to point B, and sometimes I think that
2 pressure is put on the ROCC controllers.

3 Q. Okay. Are you aware of any pressure on employees to
4 take shortcuts to solve problems?

5 A. I can't speak on that. I think the employees themselves
6 would have to speak about that.

7 Q. Okay, okay. And how about kind of freedom to raise
8 safety issues? Is there -- what's the environment like in terms
9 of people --

10 A. Well, that's where we have tried, as the union, tried to
11 assert ourselves a little bit more, and more so now since the
12 January 12th accident, to open that dialogue more between the
13 employees.

14 A lot of the LSC meetings, the Local Safety Committee
15 meetings, and the Divisional Safety Committee meetings, which are
16 the DSC meetings, if you look at the attendees, from the ones that
17 I do get reported minutes from, which is very minimal -- and I
18 have requested those minutes on a regular basis, and right now
19 they probably have maybe 25 or so LSC meetings per month and I'm
20 getting about 5 or 6 per month, the meeting minutes. But if you
21 look at the attendees, it's -- the conversations are pretty much
22 between managers and managers; it's not managers and employees.

23 So the union is again requesting that we want to go back
24 to the joint labor-management committee safety meetings where it's
25 a representation of employees and managers having a dialogue about

1 what we can do to improve safety, not an environment where we're
2 reporting how many accidents there were and whether we've gone up
3 and down with these numbers. Those are not real safety
4 conversations.

5 Q. Okay. How about a near miss or a close call reporting
6 system? Is there such a system at WMATA?

7 A. Yeah. Since January -- or, July 1st, 2013, the close
8 call reporting program with the Bureau of Transportation
9 Statistics went live. I have participated in the committee that
10 helped move the program forward and I am also a peer review team
11 member, which I meet monthly at the Department of Transportation
12 with the Bureau of Transportation Statistics and we go over the
13 close call reports, but all of that information has to remain
14 private. It's covered under CIPSEA.

15 Q. Okay. And how -- when did you say it started?

16 A. July 1st, 2013.

17 Q. So coming up on a year. No, coming up on 2 years.

18 A. Almost 2 years.

19 Q. Yeah. And so, what happens to the -- I mean, I
20 understand specifics have to be confidential, but the intent is
21 to, I think, kind of shine a light on potential problem areas so
22 something can be done about it.

23 A. Right.

24 Q. How does that part work?

25 A. Well, the way the program works is a person calls in to

1 the Bureau of Transportation Statistics and makes a close call
2 report. They, on the other hand, make a determination as to
3 whether it qualifies as a close call. They take the report. They
4 -- the person has 16 hours from the time that the close call
5 occurs to make the report, and at 24 hours, which is inclusive of
6 the 16 hours, to finalize the report online.

7 There have been several instances where the employees
8 are not felt computer literate, so they have worked with the BTS
9 folks to take the report so that they can still report. The
10 report is taken. The interview is done. The information that
11 would identify the person or the location is scrubbed from the
12 report.

13 The report then goes to the Peer Review Team, which I'm
14 a member of that, and there's WMATA -- two union members, two
15 WMATA members, and several folks from BTS are part of that
16 committee. And then we review the case, and then we make a -- we
17 determine what we believe is the root cause, and then we make a
18 recommendation to the deputy general manager.

19 That recommendation is forwarded to his office and he is
20 required to respond. He's either -- his response can be to adopt
21 the recommendation of the close call or the Peer Review Team, he
22 can send it back and ask for additional information, or he can
23 decline the recommendation. But declining the recommendation, you
24 know, he would have to give some pretty good reasoning to
25 completely decline the recommendation.

1 Q. So what are some examples of changes that have come
2 about from that process?

3 A. I brought the releases, some of the releases. One is --
4 there have been several. There's been more than probably 30 or 35
5 close call reports since the program started. There have been --
6 one was audible safety announcements in the shops. Some of the
7 folks were saying that the PA system within the shop wasn't
8 working correctly, and then there was a corrective action to check
9 all of those and make sure that people could hear the
10 announcements in the shops.

11 Another one was having an audiovisual warning system
12 alerting employees when vehicles are exiting the shop. Before, it
13 was just where they were entering the shop. Another one is
14 clarifying the duties of people who were flagging, flagging trains
15 in and out of the shops, to make sure that, you know, the person
16 who is doing the flagging understands what the responsibilities is
17 for that shift.

18 There's, I mean, there's quite a number of them.
19 Exclusive track occupancy, the roadway worker in charge needs to
20 ensure that all workers are clear of all switches. There was a
21 revision to SOP 28 because of that. There was another one, ensure
22 operators understand the procedures for passing red signals, and
23 there's only a very few instances where that is even possible, but
24 there needed to be, you know, clarification on that.

25 There was signage put at the shop doors talking about

1 increasing the awareness and procedures for entering the shop, and
2 the signs are outside the shop doors now. There was a memorandum
3 to the power staff to improve the safety of the roadway workers
4 during switch movements. And then there was another with unsafe
5 conditions on the roadway; another one with the documentation of
6 the information that's contained in any WMATA vehicle, to ensure
7 that if there's a discrepancy and -- or deficiency of something in
8 the vehicle, that it's documented properly so that people don't,
9 you know, inadvertently take out a vehicle that needs to have
10 repair.

11 But, anyway, there's -- you can see that there's a
12 number of them that have come. The idea behind the close call
13 program was to identify issues and concerns that exist that would
14 be normally unreported and that both the union and WMATA didn't
15 know fully about, and that there would not be any retribution to
16 the employees or disciplinary action, and that's the whole key,
17 that we believe is the key to the success of safety throughout
18 WMATA.

19 Q. And, presumably, all of those arose out of some near
20 incident that somebody reported through the system?

21 A. I don't know that for sure.

22 Q. No. Um-hum.

23 A. I just -- some of them may have come from people that --
24 when we discuss the close call reporting program with the
25 employees from the union standpoint, we tell them that if there's

1 a question about anything that's safety related that you don't
2 feel has been answered or you don't feel comfortable that
3 someone's addressed, then you need to report it. And if you don't
4 feel comfortable in talking with your supervisor or reporting it
5 on the safety hotline, or even reporting it to me, which I, you
6 know, try to make sure that I address everything that they bring
7 to my attention, then we want you to use the close call program.

8 Q. Okay. So it serves sort of two purposes: it's almost a
9 last resort to get something on the table, and also if I had a
10 near miss of some kind, I could report that; is that --

11 A. Yeah, and now it's even deeper. WMATA has come out with
12 this new disciplinary matrix and the disciplinary matrix has
13 heightened the fear of employees to want to talk about anything
14 because they're concerned that if they talk about something it may
15 lead to them receiving some type of discipline because,
16 inadvertently, somebody will say you did something wrong, and
17 that's what we're trying so hard to get away from.

18 So, I -- personally, this is my feeling. I think WMATA
19 really fumbled when they came up with this disciplinary matrix,
20 because what they do is they take groupings of infractions, they
21 put them together, and each time you have an infraction within
22 this group, the next offense within that group, even those things
23 may be unrelated, leads to further severe discipline which
24 eventually can lead up to termination. And they go back and they
25 -- it encompasses a 3-year time span.

1 So, if -- I'm just thinking about it from a practical
2 standpoint. If you want me to have a conversation with you about
3 something and I don't know how, when I have that discussion with
4 you, how you're going to receive that, then I don't want to talk
5 to you about it because why do I want to turn the light on
6 something that may lead to me being disciplined or you may
7 misinterpret it or whatever? And we're not opening that dialogue
8 to move safety forward. I hope you understand what I'm saying.

9 Q. Yeah. No, I do. Is that -- do you have a copy of that
10 discipline matrix?

11 A. It's different for each section.

12 Q. Okay. I can get it from WMATA. Or, I guess, a series
13 of them.

14 A. Yes.

15 Q. Yeah. Okay. Do you personally feel free to speak up if
16 a peer or a manager is not following proper safety procedures?

17 A. If you were to ask the people at WMATA, they will
18 validate that I will speak up.

19 Q. Okay.

20 A. I participate in the Executive Safety Committee meetings
21 and it's with the Executive Leadership Team and they are -- I
22 don't think there's any individual that participates in that
23 meeting that would --

24 Q. Yeah.

25 A. -- say that I'm apprehensive about --

1 Q. I guess I'm envisioning, you know, you get in a car with
2 somebody and they don't put on their seatbelt or they're not
3 following some safety procedure out on the right-of-way.

4 A. Yeah, I will talk to them about it.

5 Q. Yeah, yeah. Okay, good. And do you think WMATA is a
6 safe place to work?

7 A. I do from the general view, but I think that there's a
8 lot of areas that we need to focus more attention in and that if
9 we don't and we don't open these dialogues up to where the general
10 employee population feels comfortable in having safety discussions
11 on a regular basis, then we're going down a path where it's only
12 time until we have another incident. And I'm not saying that we
13 are and not trying to alarm you by saying that. I'm just saying
14 that there are things that we can do to make it better and I think
15 we need to be moving in that direction.

16 Q. Okay. Kind of along those lines, how would you describe
17 the organizational culture here with regard to safety?

18 A. I think, kind of what I said back before, I think we
19 need to have conversations with each other. When we had the
20 public forum where we talked with the public on the 25th of March,
21 the conversation that -- or the testimony that I gave was talking
22 about communication, and I figured that a lot of people there were
23 going to be thinking that I was talking about radio
24 communications, which is something that needs a lot of attention,
25 but I wasn't talking about that. I was talking about our

1 interaction with each other and that we need to develop a culture
2 that people go receive courses on communicating with each other
3 instead of having an environment where -- I'm not saying all of
4 the folks are like this because they're not. Some of them are
5 very effective at being able to dialogue with their employees that
6 are in management, but some aren't. And the ones that are
7 insecure use discipline as a means to create leverage with their
8 employees and, therefore, that insecurity develops a relationship
9 that is not an open dialogue when you talk about anything, and
10 that needs to improve and I think that you can't improve that
11 until we learn to talk to each other.

12 I mean -- and I don't want to go too far off base here,
13 but, you know, a lot of us can't talk to our spouses and we can't
14 talk to our kids and, you know, we need to learn those -- that
15 process of communicating. And if we learn to communicate with
16 each other, a lot of these subsequent problems, which I think are
17 not the real problem, they go away on their own. We don't have to
18 address each individual problem because people feel comfortable to
19 talk about it, and then those things will come up. But, when
20 everybody's, you know, backed off and they're concerned about how
21 they're going to be received and -- and I'm not saying every
22 department is like that. Some of them are very good at
23 communicating, but some of them aren't.

24 Q. Yeah. Okay. Are you familiar with the Tri-state
25 Oversight Committee?

1 A. I am.

2 Q. Okay. And how often have -- well, let me ask this
3 first. Are you a full-time union rep?

4 A. I am.

5 Q. Okay. S, you're not working in the field other than
6 visits you might make as your -- in your union capacity?

7 A. Right. I became full time 2½ years ago.

8 Q. Okay. So I was going to ask how often do you see them
9 other than in an office setting and --

10 A. The Tri-state Oversight Committee?

11 Q. Yeah.

12 A. I don't.

13 Q. Yeah.

14 A. The only time I see them is at the Executive Safety
15 Committee meeting or, inadvertently, I'll see them in the lobby
16 here at the Jackson Graham Building.

17 Q. Okay, okay. All right. I think that's my questions for
18 now and we can just go around the table and --

19 A. Yeah. Okay.

20 Q. Are doing okay? Do you need a break or anything? Or do
21 you need to call anybody or --

22 A. I'm good.

23 MR. NARVELL: If you need a break, just --

24 MR. MADARAS: No, I'm fine.

25 MR. NARVELL: Thank you. That's very enlightening, what

1 you -- some of that -- I wanted to follow up on a couple of things
2 here.

3 MR. FLANIGON: And what's your name, sir?

4 MR. NARVELL: I'm sorry. My name is Rick Narvell, N-a-
5 r-v-e-l-l. Excuse me.

6 BY MR. NARVELL:

7 Q. You mentioned that these safety meetings now are kind of
8 structured where there's, I think the words were, manager talking
9 to manager and kind of -- and again, I don't want to put words in
10 your mouth, but kind of lamenting, if you will, that they don't
11 have more of employee involvement. Is that accurate?

12 A. Yeah. There are some of them where a shop steward
13 participates, but there are ones where I've had people tell me
14 that they've been told they can't attend the meetings, the
15 employees, and that's where the issue -- I have an issue with
16 that.

17 Q. Did there used to be that type of structure where there
18 was more employee involvement?

19 A. I can't honestly say. I did not participate in the
20 meetings at that level. When Mr. Catoe was the general manager
21 here and I was just an executive board member of the union, which
22 I've been -- this is my tenth year -- I used to go to those
23 meetings that Gerald Francis had and Kubicek would be there
24 sometimes and Alexis Samuel, the head of safety, was there, and we
25 would have discussions about things, and then they kind of faded

1 off. But I brought up issues, and I don't know whether I was no
2 longer participating because I raised issues or not.

3 Q. Okay. You gave us a little, kind of a flyover of some
4 of the close call reporting elements and I heard several that were
5 related to or actually indirectly or directly to the roadway
6 worker. Is that still -- is that an issue out there? Obviously,
7 it's still an issue. Is that -- is roadway worker a concern of
8 yours out there in the large scheme of things?

9 A. It's always a concern. Roadway workers are always a
10 concern, and if the environment is such that someone feels like
11 there's a problem with if they're escorting someone, that the
12 contractors are not following their directions -- I've been
13 involved with some of those issues on a personal side that's
14 excluding close call and we've gotten that resolved. I think with
15 roadway workers, you know, as long as it's defined that they're in
16 charge out there when they're in that environment and they
17 understand what their responsibilities are, I think that that is a
18 good environment. I'm not sure that that always exists. I want
19 to believe that it does, but I -- I'm not sure that that's always
20 the case.

21 Q. Okay. Is training adequate here or is it less than
22 adequate, or how would you characterize training here?

23 A. Well, roadway worker training takes place on a regular
24 basis. As far as training -- just safety training is what
25 you're --

1 Q. We'll start with that.

2 A. -- referencing?

3 Q. Yeah.

4 A. Safety training, I need to get back to what I said
5 originally, that training comes about when we discuss things and
6 we find out where the need is and where the deficiencies are, and
7 if a department is not doing what they're supposed to be doing and
8 repairing a piece of equipment, or third rail covers are missing
9 or lighting's not correct out there or there is water in a
10 location that needs to go away, you know, or somebody needs to
11 divert it somewhere. I mean, I guess that could be called
12 training, but it's -- reporting is really the issue.

13 Q. Okay. We talked a little bit about this new
14 disciplinary matrix. Just a couple of fundamental questions on
15 it. When did that come into existence, do you know?

16 A. I'm not 100 percent sure. I think it was October or
17 November. And then -- I take that back. I think it went live
18 January 1st.

19 Q. Of this year?

20 A. Of this year, yeah.

21 Q. So just a few months ago?

22 A. Yeah. And I think it went live in certain departments.
23 It was kind of staggered because some of them didn't -- hadn't
24 completed their infractions and how they were grouping them
25 together. So I think some of them may have brought it actually

1 live a little bit before, but it hasn't been long.

2 Q. Okay. But, roughly -- and this is more a point of an
3 education for me -- how many, I guess, departments or divisions
4 that there are -- make up WMATA, roughly, if you know.

5 A. Oh, my God. I'm going to be honest with you. I'm not
6 100 percent sure, to answer that question.

7 Q. Okay. Because it sounds like -- and the reason I'm
8 asking that is it sounds like there's variance of this thing,
9 there's been some variance.

10 A. There is.

11 Q. Okay. We'll go to -- as Mike said --

12 A. Yeah.

13 Q. -- get that from WMATA as well. Is the close call
14 reporting system, from your perspective, embraced by the troops?

15 A. Well, there's been apprehension about the
16 confidentiality of the program, and that's where the union has
17 been very instrumental in trying to communicate that to the
18 employees, that it is confidential and that we'd encourage the use
19 of the program, but there still is an apprehension about -- it's
20 just -- it's historical with WMATA that there's a sense of
21 distrust, that the employees don't feel comfortable that what
22 people tell them and what they do are the same thing. So, you
23 know, that barrier has to -- you know, we've got to break that
24 barrier down to where, you know, when you tell me something, you
25 mean it the way you tell me; you don't turn around 6 months later

1 and use it for some other reason.

2 Q. Okay. Last question for now. Mr. Flanigon asked you if
3 you were familiar with the Tri-state Oversight Committee, and I
4 think you answered yes. FTA, Federal Transit Administration, you
5 ever see them out on a property, in meetings?

6 A. I just saw them. At the last safety meeting I went to,
7 they were there, and I -- I know that they've been doing an audit
8 throughout the Metro system, but I have not participated in that
9 audit.

10 Q. Okay. All right, thank you. That's all I have for now.

11 BY DR. GROFF:

12 Q. Loren Groff, G-r-o-f-f, asking a couple of questions.
13 Now, Mr. Flanigon and Narvell touched on most of the big areas, so
14 I'm doing even more follow-up on a couple of these things.

15 But, just so I fully understand, the safety committee
16 meetings, did I hear you correctly that there's local, and then is
17 it district?

18 A. Divisional.

19 Q. Divisional, DSC --

20 A. Right.

21 Q. -- and then those feed into the --

22 A. The Executive Safety Committee.

23 Q. Executive? Is that sort of a clean line that things get
24 handled at one level and move upward if they aren't resolved? Or
25 how do things move from Local up to Executive Committee?

1 A. It's supposed to move in that fashion, from the LSC,
2 Local Safety Committee, to the DSC, the Divisional Safety
3 Committee, and to the Executive Safety Committee. That's supposed
4 to be the path. But what happens with -- from my perspective is,
5 because that communication is not conveyed to me on a regular
6 basis, if an issue has substance and I don't feel comfortable that
7 the issue has been addressed, I bring it right to the Executive
8 Safety Committee and I go to the department that is represented
9 there and I ask them the question.

10 Q. So, the agenda -- is there any sort of a formal
11 connection between the agenda of the local driving what gets
12 addressed in the agenda of the division and --

13 A. That's supposed to be, based on the minutes. But, like
14 I said before, the minutes are so poorly communicated, to me -- I
15 can say that, vouch for that myself, and I have requested them.
16 Being a representative for the union, I need -- all the ones that
17 are communicated to me, I read through those minutes and I look at
18 what the concerns are and what they're addressing, and, you know,
19 if there needs to be some more questions, I'll ask them. But,
20 they're so poorly communicated, it's -- I don't, you know, I don't
21 see it.

22 Q. So, it's kind of up to you -- in that case, it sounds
23 like it's up to you to be reviewing that and if you have
24 additional concerns, you can put that on the agenda for the
25 Executive?

1 A. Oh, I just ask --

2 Q. Yeah.

3 A. You know, they go through -- they have their agenda
4 there, but I just -- you know, we have new business, old business.
5 When they're addressing an issue, I take my opportunity to ask
6 questions.

7 Q. In practice, are those -- the local committee meetings,
8 are they held during normal work hours and how would a -- let's
9 say an employee wanted to go there to raise an issue. When do
10 they happen and are they --

11 A. Well, they're supposed to be on a regular basis and they
12 are held during work hours, but a work hour is depending on when
13 you're working. I mean --

14 Q. Sure.

15 A. -- if the committee meeting is held during the daytime
16 and you work evenings and midnights, I mean, you're not going to
17 have an opportunity. So, you're going to have to have some means
18 by which you communicate that information.

19 Q. Are they just -- you mentioned that some employees have
20 mentioned that they've kind of been told not to go. Is it
21 supposed to be an open --

22 A. Well, I'm aware that some employees have wanted to go
23 and have been told they can't go.

24 Q. Okay. Is it supposed to -- how is it supposed to work
25 for an employee -- if everything was working the way it was

1 supposed to, would they themselves go and raise the issue or would
2 they pass it on to some representative to speak at that meeting?

3 A. I honestly don't know. The way it, I believe, it's
4 supposed to happen is that if you're in maintenance, you know,
5 they're supposed to have a toolbox meeting before every shift,
6 that if there's a safety concern, they're supposed to raise it at
7 that time. And like I said, there's apprehension about raising
8 anything because people are fearful that something's going to
9 happen to them or they did something wrong or whatever, and then
10 there's accountability. So, if a manager doesn't feel like that
11 they want to become accountable for it, it's easier for them to
12 say to the employee, look, you know what, you weren't doing
13 something right or you should have been doing it this way, instead
14 of the having that conversation and dialogue to figure out what it
15 is that they need to do to make a corrective action plan. They --
16 the relationship is skewed there. It's not an open dialogue,
17 so -- did I answer the question?

18 Q. Yeah. And actually, you're kind of, you're leading me
19 to where I was interested in, is that sort of what the different
20 mechanisms would be or what -- if an employee sees something that
21 maybe they say, well, that shouldn't happen that way. And whether
22 it's a procedure that doesn't quite work for them or something
23 they observe happening, it sounds like they should be at the
24 beginning of a shift maybe sharing that as a group with their
25 closest, you know, level of, you know --

1 A. Management.

2 Q. -- employees and management --

3 A. Yeah, yeah.

4 Q. -- sharing that. And then maybe if that doesn't work
5 well, it sounds like the LSC or the safety committee process is
6 another option maybe, but they might be hesitant to do that
7 because that's totally out in the open. And then would it be fair
8 to say that close call reporting is sort of a third option then if
9 they've tried or they're afraid to use the more identifiable
10 version, they can take that close call.

11 A. Here's the typical dialogue that -- I don't want to say
12 always typical, but this is the typical discussion I have with an
13 employee that comes to raise an issue with me at the union. I've
14 got an issue, safety related. I brought it up. I say, well, why
15 didn't you report it, or have you reported it, or are you going to
16 report it? Well, I've talked about it before; others have talked
17 about it. Nobody does anything about it, so, therefore, they
18 don't care. And then there's -- I said, look, you've got to get
19 past the cynicism here. We've got to get somewhere focused where
20 we can get from point A to point B.

21 And once we get to that emotional side of things, the
22 first thing I do is resort to say you need to make a close call
23 because that -- whether the issue is covered in the close call or
24 not, if it's an unresolved safety issue, I think it falls under
25 the confines that it can be reported as a close call and

1 somebody's going to have to be accountable. At least if it gets
2 documented and it goes before the Peer Review Team and the Peer
3 Review Team hears the case, it has to go to the deputy general
4 manager and he's going to have to provide a response. So, that
5 way, all that middle stuff that, whatever goes on there -- I'm not
6 always aware of what goes on because they don't give me all the
7 information, we bypass all of that.

8 Just -- but then I've got to get to the point where I've
9 got to say to the person, because they want to remain confidential
10 -- I may know who you are or it may be something that you say to
11 me in confidence, and I assure them that I will keep their
12 confidentiality, you know, with them from me; I'm not going to
13 talk to anybody about it, but, it's something that I've got to
14 break down with the employees, and it's -- that's a battle.

15 And the union president can tell you that because I've
16 talked month after month after month at our union meetings to the
17 membership that attends the meetings about close call and the need
18 to report. And sometimes we will go through meetings -- months
19 were there aren't any close call reports and I'm thinking, well, I
20 know there's issue out there, you know. So we've got to get
21 better at that.

22 Q. But it sounds like the close call reporting system, they
23 get some form of feedback, whether it's not -- it shouldn't be
24 maybe directly to them because they'd be identified, but they at
25 least hear something has happened as a result of that and it went

1 to --

2 A. Right, in a general sense.

3 Q. Yeah. They can see --

4 A. So, like, if they reported something at a specific yard
5 or a specific shop, that shop will not be identified. It will be
6 put out in a general sense to say that all the shops need to pay
7 attention to this so that -- and, I mean, that has to preserve the
8 integrity of the program. That's paramount.

9 Q. Right, sure.

10 A. Yeah.

11 Q. But the benefit then is at least where, if they're
12 complaining that -- or their perception is I say it and I've said
13 it before and nothing happens, here at least they kind of know
14 that it's moved through maybe if it's not -- they're not going to
15 be identified personally and don't want to be, but they can kind
16 of see that issue --

17 A. Right.

18 Q. -- show up somewhere.

19 A. And I also wanted to say you want to get past the point
20 to where you don't want to have that be a cop-out for somebody to
21 say that, okay, because I've done this or I've been here 15 years
22 and I've tried this and done this, that that's the reason that I
23 don't need to do anything further. That's when we have accidents
24 and that's when I try to turn on the light to say, no, there needs
25 to be responsibility here. So we need to find an avenue by which

1 somebody can be responsible. Whether it's you as the employee or
2 the manager or the system collectively, we've got to find some
3 level of responsibility.

4 Q. Slightly different, but related, you mentioned how the
5 Executive Safety Committee meetings have made a shift toward
6 measuring some metrics and you're hearing about sort of risks and
7 counting things rather than a conversation. Could you just maybe
8 say a little more about that?

9 A. Well, I mean, every meeting is graph after graph after
10 graph. I mean, that tells the story right there.

11 Q. Okay. So not so much conversation about what's behind
12 it and maybe why or --

13 A. Yeah, we have -- no, that discussion is not real
14 lengthy.

15 Q. Yeah. Okay. Just count how we're doing and it's --

16 A. That's right.

17 Q. -- projected on the wall that --

18 A. And how did we do compared to last month and compared to
19 last year and how many NTSB recommendations did we close out and
20 that kind of thing. But it's not the manager and the employee
21 talking with each other about what we can do to make it a safer
22 organization; it's those metrics. And, I mean, those are
23 important, I guess, you know, in the bigger scheme of things where
24 people look at the success, but they don't open the dialogue, you
25 know?

1 Q. And is your perception that that's been since Fort
2 Totten that that change has happened or it is more recent?

3 A. You mean reporting all that?

4 Q. Well, that focus. Has it been --

5 A. I haven't participated in all those meetings since then.

6 Q. Okay. All right.

7 A. I mean, I've participated in the Executive Safety
8 Committee meetings now for about 2 years.

9 Q. Okay. And has that always been your perception there or
10 your experience there or has it increased or changed?

11 A. No, it's very consistent.

12 Q. No. Just one other area of questions here related to
13 the disciplinary matrix. You said that went live just in January
14 of this year. Was that driven by particular interest or events or
15 something that you might know led to that?

16 A. I don't know where it began. I do know that the
17 argument was that they wanted some consistency across the board
18 for discipline enforcement and accountability. That was the
19 argument, but I don't -- I'm not saying that we don't need to have
20 accountability. People need to be accountable for what they do; I
21 recognize that, but when you're trying to send a message out to
22 your employees that we want to talk about what's going on to make
23 the system safer, and then you have them afraid all the time about
24 whatever they do is going to result in them being disciplined or
25 possibly terminated, how are we going to open that dialogue? I

1 mean, I just don't get it.

2 Q. Yeah. So was there some suggestion that there was not
3 enough discipline or that it was not being applied in a uniform
4 way?

5 A. I think the argument may have been that it wasn't across
6 the board. But even now, with the disciplinary matrix, the
7 enforcement for the infractions is not across the board.

8 Q. Is not consistent. Okay.

9 DR. GROFF: Go ahead.

10 BY MR. GORDON:

11 Q. Joe Gordon with the NTSB. Earlier on in the interview,
12 there was some discussion about on-time performance with trains
13 and keeping on schedule. To your knowledge -- I know you worked
14 out in the field and conversation with the employees. Can you
15 point to any specific risks that have become acceptable in order
16 to keep things running on time? I mean, do you know of anything
17 in particular, any risks in particular that have just become kind
18 of practice?

19 A. The only thing that I can definitely say that I was
20 aware of, in my experiences, were that if there was a delay, let's
21 get the trains moving; let's find a way to get the trains moving.
22 And I personally heard on the radio myself at times where it was
23 -- the ATC folks would be out in the interlockings and they would
24 be told to hurry up, to get moving. And sometimes it's a
25 logistical thing because there's a distance between one of the

1 interlocking and the other and a person can't just, you know, just
2 be from one point to the other, and I -- my suggestion was that
3 all the folks that were working at ROCC be required in their
4 training to go out into the interlocking while there was train
5 movement and while the ATC folks were working in the interlocking
6 on the trouble during revenue to see exactly what happens, so that
7 they would have firsthand experience when they're talking to
8 someone on the radio as to what's going on out there. Because I
9 think sometimes they don't always know that, and I think that
10 that's how you get them to think together, the workers and the
11 people running the show down at ROCC, you know. They both know
12 what each other is doing.

13 Q. Okay, thank you for that. And as far as -- we talked a
14 little bit before about the -- empowered. Do you feel like the
15 employees will -- do they feel empowered to take the safe course
16 and do you feel like they have the adequate training to take the
17 safe course when they're out there performing their daily routine?

18 A. I mean, it's an individual thing. I think, that's kind
19 of like one of us driving our car, knowing that we shouldn't be
20 talking on the cell phone and we know what's the best course of
21 action for our own personal safety, but, inadvertently, the phone
22 rings and your first inclination is to reach down, and you've got
23 to have the wherewithal to stop yourself and say I'm not going to
24 do that because I know it's a risk.

25 If you can communicate to folks why they're doing

1 something and help them to understand it instead of just making a
2 rule to say this is a rule, this is what we do, then if they
3 understand why the rule is there or why you're doing it that way,
4 then they have a working knowledge as to -- their thought process
5 is clearer on how they react. They're not reacting based on a
6 rule; they're reacting because they're using common sense and they
7 understand that. That's the part of the communication that has to
8 occur.

9 Q. Right.

10 A. That's part of the training that has to exist. But if
11 you look at WMATA, I mean, you all have seen the rulebook. I
12 mean, there's a rule for everything, and then if you do this rule,
13 then there's another rule for that and another rule for that and
14 it's like, damn, you know -- excuse me -- but teach me, you know,
15 why.

16 Q. Right.

17 A. Tell me why. Help me understand why, you know.

18 Q. Right. And kind of to that same thing, Mike spoke
19 earlier about peer to peer. Is there official training on like
20 tapping your fellow employee on the shoulder to confront an unsafe
21 act for -- I mean, do they do any training on that?

22 A. Well, they teach that in the RWP, some of that. I mean,
23 they -- the RWP training is good. It is good. It makes you
24 think. I still think that we have to be inclusive of learning why
25 we're doing stuff and being able to communicate that to each other

1 no matter who we are, what ethnic background we come from, what
2 languages, whether English is our first language or not. We have
3 to have a means by which we can communicate with each other
4 because that's the only way we're going to stay safe.

5 Q. Absolutely. Thank you for that. I have nothing further
6 right now.

7 BY MR. FLANIGON:

8 Q. I just had one thing to ask you about, Jim. You
9 mentioned a safety reporting line as one of the avenues people
10 could make an anonymous complaint, or I guess they could put their
11 name on there too. Is that like a --

12 A. They have a safety hotline.

13 Q. -- like an 800 line you'd call and say, hey, I just saw
14 this or --

15 A. Yeah, they can call the Safety Department directly.

16 Q. -- or I -- you've got a tripping hazard or you've got,
17 you know, something?

18 A. Right.

19 Q. Do you know anything about how that system works?

20 A. That would be best answered by the Safety Department.

21 Q. Okay. Do you see any reports or --

22 A. They tell me that they get reports, but I'm just going
23 to go back a little bit with the history of how I tried to get
24 that conversation going. There was a safety guy here that, back a
25 few years ago, I -- when he first came on board, I suggested that

1 we go talk with the employees so he could get a feel for what it
2 was like and what their positions were as far as how they felt
3 about safety.

4 So we went out unannounced to interlockings with the ATC
5 folks, and when we got out there, I said I'm not going to say
6 anything other than we're here and we want to talk to you about
7 safety. So we walked around out there and the one -- first crew
8 said, yeah, you know, I've been trying to get these lights fixed
9 over here for 6 or 8 months and this issue over here is a problem
10 in there. And so, it was good. There was some dialogue going on
11 and these were things that the people were saying, man, I've been
12 talking about this stuff for a long time. So then we go to the
13 next interlocking, and the same kind of scenario, but, you know,
14 just different issues in their work location.

15 So, we came back and I said to the guy, I said, look, I
16 said, if you go out there and you just deliver on some of those
17 things, then you're going to start to build that confidence with
18 the employees. I believe he genuinely cared and went out and put
19 some corrective actions in place, but that process stopped.
20 That's a process that needs to be ongoing every day. Somehow, it
21 needs to continue because that's how we find out what's going on.
22 We don't find out going and I'm sitting down with somebody saying,
23 hey, you know, do you know of something unsafe in your work
24 location? I've got to go out there where they're working, get
25 into their stuff, and have them feel comfortable with talking to

1 me, and then we find out. And I know I've referenced ATC a lot,
2 but those are the guys that are really out there a lot, the ATC
3 and Track Department, and --

4 Q. Yeah.

5 A. So --

6 Q. Okay. Do you know if reports to this safety hotline
7 feed into the safety committee structure?

8 A. You mean like the ESC meetings?

9 Q. Yeah. Or -- well, at any level. I mean --

10 A. They've never talked about it.

11 Q. So, if somebody -- you know, if I call up to the hotline
12 and say, hey, the lighting is bad at --

13 A. There's no report --

14 Q. -- this interlocking, does that go to the safety
15 committee?

16 A. There's no report given at the Executive Safety
17 Committee on reports to the safety hotline.

18 Q. Okay, at the executive level. There may or may not be
19 at lower levels?

20 A. Could be; I don't know.

21 Q. Okay. All right.

22 A. But there's no report shared with the union, and you
23 would think that that communication should exist also.

24 Q. Okay. So, you don't see any information off that line?

25 A. Nope.

1 BY MR. NARVELL:

2 Q. Okay, just a couple, Jim. This is Rick Narvell again.
3 Any idea why this dialogue with these two -- you mentioned
4 specifically these two interlocking groups, why that went away or
5 stopped?

6 A. I don't know. I want to -- I can see, equally, it's the
7 fault of both me being involved with the union, not continuing to
8 pursue it, and also Safety Department not contacting me or me
9 getting set up with them to go back out there. I'm sure you're
10 aware that in your job, you probably have a million and one things
11 to do, so you go out and you start something and -- you know, it
12 has to be routine. You've got to set it up in a structured
13 environment to where it happens regularly.

14 Q. And so it sounded like positive endeavor --

15 A. Oh yeah, it's really positive.

16 Q. -- I would think, and I did kind of -- and again, I
17 don't want to put words in your mouth, but it kind of just went by
18 the wayside for whatever reason?

19 A. It did, it did. And the employees that we went out to
20 visit with for both those locations --

21 Q. Right.

22 A. -- they were very appreciative. They called me to tell
23 me that they were appreciative.

24 Q. Okay. My last area here is that I -- we've talked a lot
25 here in the last, you know, almost an hour, but I want to come

1 back to something, and I wrote this down, what you said a minute
2 ago, people are fearful something will happen to them.

3 A. Right.

4 Q. How do you fix that? That's a pretty bold statement.

5 A. Yeah.

6 Q. How do you -- do you have any ideas on how to address
7 that?

8 A. I mean, they're fearful that -- I'm implying that
9 they're fearful that they'll be disciplined. That's what I'm
10 referring to. You've got to make me feel comfortable in wanting
11 to talk to you. And I'm not saying that we shouldn't have
12 accountability, but when we want to have a conversation with each
13 other, I can't be thinking in the back of my mind whatever I say
14 you're going to turn around and use it against me in a
15 disciplinary action. That's not going to help me want to talk to
16 you, and that's where I think that conversation has to get better
17 from both sides. From the employees need to -- I mean, we're, you
18 know, trying very hard at communicating to people that we need to
19 report unsafe conditions, but there's still a level of cynicism
20 that exists with the employees that they're apprehensive to
21 report. And that close call program, you know, I thought when it
22 went online that we would be flooded with reports and that hasn't
23 been the case.

24 Q. Okay. Right.

25 A. We need to get better at it.

1 Q. Okay, thank you. That's all I have.

2 BY DR. GROFF:

3 Q. Loren Groff again. Just one question. When you
4 mentioned the -- your thought that there should be some
5 ability for the ROCC folks to actually get out and see what's
6 happening, a larger question from that, is there a mechanism for
7 communication between, let's say, track folks and the ROCC or
8 track and operators or whatever it may be? Is there any mechanism
9 for them to share concerns with each other at those points where
10 they interact? Do they have any --

11 A. Well, under the RWP program that exists. You have a
12 roadway worker in charge, and then if there's a concern, then they
13 go to that person. Like, the Track Department may be supporting
14 -- or, actually, the opposite. The ATC Department would be
15 supporting the Track Department for, you know, whatever they're
16 doing out there that night, replacing rail or ties or, you know --
17 or, the Power Department may be supporting the ATC Department when
18 they're working on an interlocking. So you have a roadway worker
19 in charge, so if there is a concern that exists, then they can
20 make a good-faith challenge for anything that would be, you know,
21 imminent. But, other than that, you're pretty much relying on
22 them communicating with each other.

23 Q. So that sounds like dealing with a safety issue sort of
24 right as it's -- during the whole time as it's happening. Is
25 there a mechanism or a process, or whatever it may be, if there

1 are issues that they would want to share with each other to
2 resolve?

3 A. You'd have to ask them about that.

4 Q. Okay, okay.

5 A. I mean, I would hope that they talk about that, but I
6 can't say for sure.

7 Q. Okay, it was just a question. Great. Well, that's all
8 I have then.

9 BY MR. GORDON:

10 Q. Joe Gordon, NTSB; one final question. You spoke about
11 the site visit safety inspection that would be joint between the
12 union and a WMATA Safety Department employee. Would the -- not to
13 put you on the spot, but do you think the union would be up to
14 taking that task on again and --

15 A. I think we would. It's always a staffing issue, how
16 many bodies we have available to do the amount of work that we do.
17 And that's one of the main reasons we probably didn't continue to
18 pursue that is because there's so much stuff that we're
19 responsible for, but we need to do that.

20 Q. And you answered my second question, was the resource
21 there, so I appreciate that. I have nothing further.

22 MR. FLANIGON: Okay, anything you want to add before
23 wrap up?

24 MR. MADARAS: No. Thank you for taking the time to
25 allow me to express my concerns and listen to what, you know, I

1 have to say about what goes on.

2 UNIDENTIFIED SPEAKER: Thank you.

3 MR. FLANIGON: Yeah --

4 MR. MADARAS: I care deeply about what happens at this
5 company. I love this company. I've invested a career here and I
6 think that Metro is -- I've always used the analogy that the D.C.
7 Metropolitan Area is like a big human body and Metro is the
8 circulatory system that keeps the body alive. If Metro were to
9 ever cease to exist, then the body couldn't really function. So
10 we really are vital to this region and I think that we have a
11 responsibility to the employees and the patrons and to everybody
12 else out here to make this system safe. So --

13 MR. NARVELL: Great.

14 MR. FLANIGON: Okay. Well --

15 MR. MADARAS: That's what I believe.

16 MR. FLANIGON: I want to thank you for your time.

17 MR. McDOWELL: Yep.

18 MR. FLANIGON: We're going to turn this off.

19 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: WMATA INCIDENT AT L'ENFANT PLAZA
STATION, WASHINGTON, D.C.
JANUARY 12, 2015
Interview of James Madaras

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was held according to the record, and that this is the original,
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Karen M. Galvez
Transcriber