

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

COLLISION OF LONG ISLAND RAIL ROAD \*  
(LIRR) TRAIN NO. 2817 WITH THE \*  
PLATFORM AT ATLANTIC TERMINAL, \*  
BROOKLYN, NEW YORK, JANUARY 4, 2017 \*

\* Accident No.: DCA17FR002

\* \* \* \* \*

Interview of: JOSEPH FRANK

LIRR Facilities  
Jamaica, New York

Thursday,  
Sunday 8, 2017

## APPEARANCES:

TOMAS TORRES, Rail Accident Investigator  
National Transportation Safety Board

ANNE GARCIA, Human Performance Investigator  
National Transportation Safety Board

JOSEPH MEADE, Operating Practice Inspector  
Federal Railroad Administration (FRA)

BOB TOMASZEWSKI, Operating Practices Inspector  
Federal Railroad Administration

MARK ELLIOTT, Director of Investigations & Analysis  
Long Island Rail Road (LIRR)

BRET BECKER, Superintendent of Engine Service  
Long Island Rail Road

DONALD HILL, Safety Task Force  
Brotherhood of Locomotive Engineers & Trainmen (BLET)

WILLIAM BATES  
SMART National Transportation Safety Team

WILLIAM NEARY  
SMART National Transportation Safety Team

DOMINIC AMENDOLARE  
SMART National Transportation Safety Team  
(Observer)

E.J. CHINO, Vice President  
SMART 645  
(On behalf of Mr. Frank)

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I N T E R V I E W

(10:39 a.m.)

1  
2  
3 MR. TORRES: Okay. It's 10:39 a.m. and we're going to start  
4 here with an interview with the assistant conductor. This is NTSB  
5 informal interview. My name is Tomas Torres, T-O-M-A-S,  
6 T-O-R-R-E-S. Today's date January 8th, 2017. And we are at  
7 Atlantic Terminal interviewing assistant conductor in connection  
8 with an accident that occurred at Atlantic Terminal on January  
9 4th, 2017. The NTSB accident number is DCA17FR002.

10 The purpose of the investigation is to increase safety, not  
11 to assign fault, blame or liability. NTSB cannot offer any  
12 guarantee of confidentiality or immunity from legal or certificate  
13 actions. A transcript or summary of the interview will go into  
14 the public docket.

15 The interviewee can have one representative of his choice.  
16 Do you have somebody?

17 MR. FRANK: Yes, sir. E.J. Chino.

18 MR. TORRES: Okay. Do you understand this interview is being  
19 recorded?

20 MR. FRANK: Yes.

21 MR. TORRES: Okay. Please state your name and spell it.

22 MR. FRANK: Joseph Frank, III. Joseph, J-O-S-E-P-H, Frank,  
23 F-R-A-N-K, III.

24 MS. GARCIA: Anne Garcia, G-A-R-C-I-A, I am a human  
25 performance investigator from the National Transportation Safety

1 Board.

2 MR. MEADE: Joe Meade, M-E-A-D-E, I'm an OP inspector,  
3 operating practices inspector, for the Federal Railroad  
4 Administration.

5 MR. TOMASZEWSKI: Bob Tomaszewski, T-O-M-A-S-Z-E-W-S-K-I,  
6 operating practices inspector for the FRA.

7 MR. HILL: Donald Hill, BLET Safety Task Force.

8 MR. ELLIOTT: Mark Elliott, E-L-L-I-O-T-T, director of  
9 investigations and analysis for the Long Island Railroad.

10 MR. BATES: William Bates, B-A-T-E-S, SMART National  
11 Transportation Safety Team.

12 MR. BECKER: Bret Becker, B-E-C-K-E-R, I'm the superintendent  
13 for engine service for the Long Island Railroad.

14 MR. NEARY: William Neary, N-E-A-R-Y, SMART Transportation  
15 Safety Team.

16 MR. AMENDOLARE: Dominic Amendolare, A-M-E-N-D-O-L-A-R-E,  
17 SMART Transportation Safety Team, observer.

18 MR. CHINO: E.J. Chino, C-H-I-N-O, vice president, SMART 645.

19 MR. TORRES: Tomas Torres with the NTSB.

20 Do you mind if we call you by your first name or last name?

21 MR. FRANK: Joe's fine.

22 MR. TORRES: Joseph, Joe?

23 MR. FRANK: Um-hum.

24 MR. TORRES: Okay.

25 INTERVIEW OF JOSEPH FRANK

1 BY MR. TORRES:

2 Q. Joe, could you please describe to us your work history here  
3 with the railroad?

4 A. My work history?

5 Q. Yes. When you hired out, what your duties are.

6 A. I hired on in '97 first as assistant conductor and then I  
7 qualified in 2000 as a conductor. Then I spent 1 year as a TSB  
8 which is transportation supervisor. I was there for a year. Then  
9 I went back to the trains as conductor.

10 Q. Okay. And what is your regular assignment?

11 A. The job number?

12 Q. Yes.

13 A. Job 85.

14 Q. What are the schedule days, workdays on that job?

15 A. My schedule workdays is from Tuesday through Saturday. My  
16 days off are Sunday and Monday.

17 Q. Okay. What are the hours on that job?

18 A. The report time is 12:16, the off time in the book is 10:15.

19 Q. Okay. And those are pretty consistent?

20 A. Yes.

21 Q. As assistant conductor, what are your duties?

22 A. My duty as the assistant conductor is to basically to set up  
23 the train, to make sure that the train is set up. What that means  
24 if we have 12-car train and we're going to whatever stop we're  
25 going to, I set it up 4 behind 2; 6 behind 2. I do the brake

1 test. I make sure that the mark is on and that the dogs are down.  
2 And also sometime I get the doors, meaning to operate the doors.  
3 When it's time for us to lay up the train, I get the switches and  
4 when it's time to tie down a train, I tie it down. Basically I'm  
5 there as the qualified man on the rear-end of the train. That's  
6 what I do.

7 Q. Okay. When you report to duty at 12:16 a.m., what takes  
8 place between you and the rest of the crew?

9 A. Well, 12:16 is our report time. There's a job briefing. My  
10 conductor gives a job briefing. And from there I go -- I would do  
11 my duties. I go and set up the train. That's what I do.

12 Q. And can you describe what that job briefing consists of?

13 A. Sure. For instance, like on Train 802, normally you have --  
14 we get 12 cars. He tells us, okay, we've got 12 cars, we have  
15 to -- we're going out 4 behind 2, what the setup is. We are the  
16 normal crew, so what I'm saying is we basically know what the job  
17 is, but he goes through it and tells what the job briefing is: We  
18 got 12 cars, we're going to Long Beach; brake test, Joe; set up  
19 the train, take the hand brakes off. I do it from beginning  
20 train, I just pop up the hand brakes, walk back, set up the train;  
21 toggles in the third car, you know, so that the head two cars are  
22 toggled off, four cars open, toggle, hand brakes off, brake test.  
23 And just walk back up to the open car and be ready to go.

24 Q. Okay. You mentioned brake test. Can you describe the  
25 procedure for that?

1 A. Sure. The brake test, if you have the M7 equipment, I can  
2 run by -- four buzzers, he dumps the train. He charge back up, I  
3 give him four more buzzers, he goes release, back down again and  
4 then it dumps again. One, one, and so the brake test is over.

5 Q. Okay. So four --

6 A. Four buzzers to apply -- I'm sorry; I'm nervous -- to apply  
7 and or release brakes.

8 Q. Oh, okay.

9 A. Okay. And then after that he dumps the train. He pulls the  
10 dump cord. Charge back up, he goes release, back up again, I go  
11 four again. And then he does what he does and it dumps, and then  
12 I give him, you know what I'm saying, my buzzer, charge back up  
13 release, long, long.

14 Q. And when you're referring to dump, you mean the emergency  
15 brake application or what does that mean?

16 A. Yes, sir.

17 Q. Okay. And so how do you verify when the brakes apply and  
18 release? I mean, is it a visual inspection?

19 A. Yes, I'm watching the valves go up and down during the brake  
20 test.

21 Q. So valve, are you referring to a gauge?

22 A. Gauge, yes, sir.

23 Q. Okay. But you don't physically look at the brake application  
24 on the wheel or anything like that?

25 A. I'm watching the gauges.



1 Q. Okay. So decrease of pressure means -- I mean, tell me what  
2 the pressure changes mean. You know, how can you tell when it's  
3 applied or released? Like when you look at the gauge, how do you  
4 know it's applied?

5 A. Okay. Here we go. Before the brake test is done, the train  
6 had to be properly charged. Here's the charge, here's the -- it's  
7 properly charged. The brake pipe on the M7s is fully charged and  
8 the brake cylinder in between 70 PSIs. So it's fully charged.

9 I give him four, he dumps the train, pulls the brake cord.  
10 All right? And at that, I give him one to tell him that I got the  
11 dump in the back. He charges back up, the gauges go down again so  
12 that he's doing his -- I'm just saying what he does up front --  
13 apply and release, whatever. It goes back down, back up again, I  
14 give him four again. He dumps again, I give him one. Then he  
15 does it again, he just -- he charge back up, goes backing down, so  
16 I give him one long to let him know that the brakes have been  
17 applied at least on the rear car, and the same thing.

18 Q. When he dumps it, what does the gauge display? What does it  
19 read or what's the reading on it?

20 A. Once the brake test -- once it dumped?

21 Q. Yeah, when he dumps it.

22 A. The -- it goes down to zero.

23 Q. Okay. And when it's charged, what does that display?

24 A. That the brakes is applied.

25 Q. Yeah, well, what's the pressure reading or --

1 A. On the M7s, brake cylinder is between 70 pounds to 90 PSI and  
2 the -- again, I'm nervous -- I'm thinking. Because now I'm seeing  
3 gauges in my head. And the brake pipe is all the way up to 110,  
4 between 110 and 140.

5 Q. Okay.

6 A. That's for the charged train.

7 Q. Okay. Thank you. Can you describe your route? You know,  
8 where do you guys report for duty?

9 A. In West Side Yard.

10 Q. And that's located where?

11 A. West Side --

12 Q. Is there a station near there?

13 A. There's Penn Station and then I guess you would say east of  
14 Penn Station is West Side Yard, down there by the water. I don't  
15 know what it's called. The West Side Yard.

16 Q. Okay. So you guys depart from Penn Station?

17 A. We start out of West Side Yard. We do our brake test in West  
18 Side Yard and then we go to Penn Station to pick up passengers and  
19 then proceed to Long Beach.

20 Q. Long Beach?

21 A. Um-hum.

22 Q. Is there stops in between?

23 A. Yes, sir.

24 Q. Okay. Can you tell us what those stops are? Or whatever you  
25 can recall?

1 A. Okay. Train 802. First stop is Jamaica, Valley Stream,  
2 Lynbrook, and then all the stops to Long Beach. Lynbrook, Centre  
3 Avenue, East Rockaway, Oceanside, Island Park, Long Beach. We go  
4 to Long Beach, we arrive on track 4 at Long Beach. Track 4, we  
5 work to clear the train. After that we work apart, and then I tie  
6 down the train which is to apply like a minimum of two hand brake  
7 on each end. He does his hand brakes; I do mine.

8 Q. And after you do that, what happens? You do that, right, and  
9 then what do you next after you tie it down? After you secure it?

10 A. I go to my -- you know what I'm saying, my next train is 805.  
11 Usually it's on 9 track.

12 Q. And how long are you guys there at Long Beach?

13 A. At Long Beach, we're there approximately -- before we leave  
14 and go?

15 Q. Yeah.

16 A. Approximately about, I would say an hour and a half before we  
17 make the move from 9 track over to 6.

18 Q. And 6 is where your passengers board?

19 A. Yes, sir.

20 Q. Okay. Other than waiting, what do you guys do while there's  
21 that time? You know, you arrive; you go over to the other track,  
22 get on the other train. So what happens during that time?

23 A. What do I do?

24 Q. I mean or all the crew members.

25 A. I can't speak for everyone else but I know what I do.

1 Q. Okay.

2 A. What I do, we go over to 9 track. What I do sometime is do  
3 my timetable to make sure it's up to date. That's my downtime, so  
4 either I call my son -- he's in college in Virginia. So the same  
5 way, he works overnight, so I call him. Or if not that, I work  
6 out or just take a nap.

7 Q. Now do you take a nap every day?

8 A. No.

9 Q. It just depends?

10 A. It depends.

11 Q. Okay. And how about the other crew members?

12 A. I can't speak for them.

13 Q. You don't have any interaction with them when you arrive at  
14 Long Beach?

15 A. I see them. We go to the yard and then if I see them, he's  
16 in the head car, what's up? Then I just go in my car and just do  
17 what I do.

18 Q. Okay. And when you guys depart, where do you go from there  
19 when you depart Long Beach?

20 A. Go -- Train 805 goes to Brooklyn.

21 Q. Then from Brooklyn?

22 A. You want the rest of the job?

23 Q. Yeah, yeah, yeah. I mean, just --

24 A. Oh, I'm sorry.

25 Q. Yeah, describe your route.

1 A. Okay. 805 goes to Brooklyn. Usually lay up on track 1. We  
2 clear it, tie it down. Our train 2806 is usually off track 4 in  
3 Brooklyn. Usually it's six cars, most of the time. Set it up, go  
4 get some coffee. The conductor does the brake test on that one  
5 because I'm up front on that train and on that train I get the  
6 doors most of the time. I get the doors.

7 And we go out to Far Rockaway, brake test, I'm up reading my  
8 timetable. You know what I'm saying, like getting dressed,  
9 because now it's time for the suit. So, you know, I brush my  
10 teeth because it's been there all night. So I brush my teeth,  
11 wash my face. Once that train 2815 leaves, I pop my doors because  
12 now we are 2817. I think they leave at 7:11 or 7:10, whatever it  
13 is. I pop my doors as soon as they leave and we just ready to go  
14 to Brooklyn.

15 2817 usually arrive on track 6 in Brooklyn. I get the doors  
16 at East New York, Norstrand and Atlantic. At Atlantic, I walk up,  
17 throw the toggle, because it's -- have folk already at that  
18 platform at track 6, make my announcements, people walk up, pop  
19 the doors, exit the train, tie down sometime. But sometime the  
20 drill (indiscernible) takes it from us. And then we do our 1402.

21 1402 comes in off the road, use it as 6, 8, 10, depending on  
22 how many cars we get that day. We go to Jamaica and sometimes we  
23 have a layup in Jamaica, D Yard at Johnson or Hillside.

24 Q. Okay. Can you describe as the train comes into Atlantic  
25 Terminal? The train movement? Would you be able to describe to

1 us?

2 A. All the trains that come into Atlantic, you mean?

3 Q. Yeah. I mean, like how would you describe as that train  
4 comes into Atlantic on track 6? Would you be able to describe  
5 that to us?

6 A. The train movement?

7 Q. Yeah. You know, what do you see? What do you hear? Speed  
8 requirements, you know, whatever.

9 A. The speed requirement is restricted to 5 miles an hour. But  
10 what I see in the back is that the train is just rocking, it's  
11 just going to the station.

12 Q. Okay. Can you judge the speed more or less?

13 A. No, I can't judge the speed.

14 Q. (Indiscernible).

15 A. I mean, you know, he's going in slow.

16 Q. So as you're coming into the station, you're getting ready to  
17 open doors and do --

18 A. When we come into the station in Brooklyn, I'm already in the  
19 fourth car, because on track 6 it's ahead four cars. So I'm in  
20 the fourth car. I make my announcements. People are walking up  
21 because they know what track usually that they come in on. Track  
22 6 had four cars, so once the train dumps, he stops the train --  
23 dumps is when, you know, it just -- when it dumps, I pop the  
24 doors. I walk to the rear to make everyone, you know what I'm  
25 saying, get off and just make sure that the train's clear. Walk

1 to meet my conductor, and then we just go off, go to the train  
2 (indiscernible) --

3 Q. Okay. When you depart your origination station at Penn  
4 Station, is there any other test like a cab signal test?

5 A. I don't perform any other test other than the brake test.

6 MR. TORRES: Okay. Anne?

7 MS. GARCIA: Thank you.

8 BY MS. GARCIA:

9 Q. Anne Garcia. Thank you first of all for coming in today. I  
10 understand that you've been sick. And we really appreciate the  
11 effort for coming in. One of the reasons why I particularly  
12 wanted to ask questions is because you are an exemplar for me in  
13 understanding what the duties are, what the normal day-to-day  
14 operations and procedures are. Okay.

15 A. Um-hum.

16 Q. So you've got a lot of experience with the railroad and I  
17 want to draw on that in asking you some questions.

18 Okay. First, going back to your work history. You mentioned  
19 that you hired on as assistant conductor and then in 2000 you  
20 became conductor and then for a year you became transportation  
21 safety supervisor --

22 A. No, transportation supervisor.

23 Q. Okay. When was that?

24 A. From the year 2000 to like 2001 almost, that year.

25 Q. Okay. So in about 2001 you went back to being assistant

1 conductor?

2 A. No, conductor.

3 Q. To conductor, okay.

4 A. You can't go back to being an assistant conductor. Once  
5 you've qualified, you're qualified.

6 Q. Okay. So then you're -- you went back to being a conductor  
7 in 2001? And now your position is assistant conductor? Okay.  
8 Can you give us, just in a nutshell, why you went from being, you  
9 said, transportation safety supervisor --

10 A. Transportation supervisor.

11 Q. I'm not getting it correctly.

12 A. Basically it's a manager in training.

13 Q. Okay.

14 A. So I did that for a year. I didn't like it. I came back to  
15 the train.

16 Q. You didn't like it? Okay.

17 A. No.

18 Q. So you came back to being conductor?

19 A. Um-hum.

20 Q. Understood. And then so then you took this position as  
21 assistant conductor? So can you tell me why you took that  
22 position instead of --

23 A. What happened is, again, once you qualify, you always  
24 qualify.

25 Q. Right.



1 A. So I was running as the conductor -- I'm always a conductor.  
2 Always.

3 Q. Right. Right.

4 A. On this job now, I am the brakeman because he's older than  
5 me.

6 Q. Right.

7 A. In seniority.

8 Q. Seniority, okay.

9 A. So he trimmed me off the job, so I took it braking.

10 Q. Okay.

11 A. I'm still the qualified conductor.

12 Q. Right.

13 A. But just on this job now I'm the brakeman. That's all.

14 Q. Okay. Good. Then how long have you been in this particular  
15 job?

16 A. This job here?

17 Q. Yeah.

18 A. 85?

19 Q. Yes.

20 A. Almost like 2 years. Almost 2 years.

21 Q. Okay. And you mentioned the hours. You said the days are  
22 Tuesday through Saturday. Your hours 2:16 [sic] to 10:15. Is  
23 that just Tuesday through Friday --

24 A. 12:16. 12:15.

25 Q. 12?

1 A. 15. I'm sorry. 12:16 to 10:15 --

2 Q. To 10:15.

3 A. By the book. Um-hum.

4 Q. Okay. And which days is that?

5 A. I say my days off are Sunday/Monday. So from Tuesday through  
6 Saturday -- Tuesday through Friday we are from 10:15 -- sorry,  
7 10:16 to 12:16. Saturday, which is a different job because it's a  
8 weekend --

9 Q. Right.

10 A. -- we do 12:34 to 8:34. That's -- but that's our Saturday  
11 job.

12 Q. Okay. Thanks for clarifying that.

13 A. No problem.

14 Q. How did you come to get this job, 85? Was it something you  
15 selected?

16 A. Yes.

17 Q. Or was it assigned to you?

18 A. No, I picked it.

19 Q. Okay. You picked it. What went through your mind in picking  
20 this particular one versus something else?

21 A. The hours. And just, quite frankly, the money on the job.

22 Q. Okay.

23 A. Um-hum.

24 Q. This one involves more money than some other job would?

25 A. The job in the book is like a day 2, which is like almost

1 like 8 hours and basically like almost 2 hours overtime on the  
2 job. See the hours, 12:16 --

3 Q. Right.

4 A. -- to 10:15, is almost 2 hours overtime on the job.

5 Q. Okay.

6 A. Per day. Except on Saturday.

7 Q. Right. Okay. And so that is a regular supplement and so  
8 that's one reason why you selected this one?

9 A. I have kids, yeah.

10 Q. Yeah.

11 A. I have bills, yeah.

12 Q. Right. Okay. Thank you. That helps quite a bit.

13 Tomas was going over your schedule and this is very helpful  
14 to us but I would like just to narrow it down, and I'm sorry if  
15 I'm asking you to repeat things.

16 A. No problem.

17 Q. But what would you consider you to be your normal hours every  
18 day for going to bed and getting up?

19 A. Going to bed for me, well --

20 Q. Each day of the week.

21 A. Each day of the week? I go to bed as soon as I get home from  
22 work. After I work out, I go to bed. So for me, it's like I work  
23 out for about an hour, 2 hours a day, and I go to bed until the  
24 kids come home from school.

25 Q. Okay.

- 1 A. So I make sure I'm down from like 11:00 to like 3:30, 4:00.
- 2 Q. Okay. 11:00 --
- 3 A. A.M. 11 a.m., 12, it depending on the workout that I did
- 4 that day.
- 5 Q. Right. So 11 a.m. or noon?
- 6 A. Um-hum.
- 7 Q. You go to bed. And then you wake up what time?
- 8 A. 3:30, 4:00.
- 9 Q. Okay.
- 10 A. It's depending on the kids and the bus schedule of the kids.
- 11 Q. Okay. And that would be which days?
- 12 A. Tuesday, Wednesday, Thursday, Friday.
- 13 Q. Okay. And then when do you -- do you pick up naps during
- 14 your day?
- 15 A. While I'm working?
- 16 Q. On those days? Tuesday through Friday? Right. You have --
- 17 A. After that, we -- after that the kids come home, talk about
- 18 their day, homework everything. We eat dinner around let's say
- 19 5:00, 6:00. Then I shut it down. Then I got to sleep again.
- 20 Q. Okay. From when to when?
- 21 A. From like 6:00 until 9:30.
- 22 Q. Okay. p.m.?
- 23 A. 9:30 p.m.
- 24 Q. Okay. And then what time do you set your alarm to get up?
- 25 9:30?

1 A. Um-hum.

2 Q. Okay. And what time do you head out the door?

3 A. I have to catch the 10:50 train out of Amityville.

4 Q. Okay. And you drive there?

5 A. I drive to Amityville, yes.

6 Q. Okay. So what time do you leave home? Roughly.

7 A. About 10:15, 10:20. Because it's not that far from my house.

8 Q. Okay. And how does this -- that's Tuesday through Friday?

9 A. Um-hum.

10 Q. Okay. And then what time did you say you get home?

11 A. It depends on what time that we, you know, get off. But I'm

12 home around 10, I believe; 10 because it's like --

13 Q. Okay.

14 A. 9:30, 10:00. I'm sorry, like 10:00, yeah. Because the --

15 yeah, 10:00 is good. About 10:00.

16 Q. Okay. And how does that vary on Saturdays?

17 A. Saturdays? Meaning what? The hours?

18 Q. Your sleep schedule is what I'm really looking for.

19 A. Oh. Well, Friday night is when I sleep for Saturday. Friday

20 night I don't work out. So basically that's my off day.

21 Q. Okay. So from then, once I shut it down -- like I'm sorry --

22 I'll go to sleep after work on Friday.

23 Q. Okay.

24 A. Again, 10:00, 11:00, that's my off day. I sleep that whole

25 time until the kids come home from school.

1 Q. Um-hum. And then it's the same thing again, they get home  
2 from school, homework, dinner, back to bed. My train that I catch  
3 from Huntington, it leaves at 11- -- I'm sorry, 10:55 or 56, going  
4 to Penn Station.

5 Q. Is this -- this is on Friday?

6 A. Um-hum. Because --

7 Q. Okay. That's a regular work --

8 A. Friday -- okay, again, Friday night for me is my Saturday.  
9 So from Friday night, that's what I do going to my Saturday.

10 Q. Okay. And then on Saturday you have a shorter day?

11 A. Um-hum.

12 Q. Okay. So what time do you get home then?

13 A. The job -- we get to Huntington around 6:30. Somewhere say  
14 like 6:30. After we clear the trains, get all the drunks off the  
15 train, I'm home around 7-ish. 7:15, 7:00.

16 Q. Okay. And what do you do then?

17 A. Sleep.

18 Q. About what time do you go to sleep?

19 A. I eat first.

20 Q. Okay.

21 A. And talk to the wife. Talk to the wife about stuff. About  
22 9:00 I go to sleep.

23 Q. Okay.

24 A. So then I'm off Sunday, so I sleep until --

25 Q. And by 9 -- that's 9:00 p.m.?

- 1 A. 9:00 a.m.
- 2 Q. A.M.?
- 3 A. Um-hum.
- 4 Q. Okay. And when do you wake? So that's on Saturday, 9 --
- 5 A. Saturday morning, right, 9:00 a.m. I go to sleep.
- 6 Q. Okay. And what time do you wake up?
- 7 A. Whenever I feel like getting up. Because Sunday I'm off.
- 8 Q. Right.
- 9 A. So I sleep until whenever.
- 10 Q. Okay. And generally when do you get up then?
- 11 A. When she wakes me up, 3, 3:00.
- 12 Q. Okay.
- 13 A. It depends on her plans what she got done that day.
- 14 Q. Sure. 3:00 p.m. Okay. And then what time do you go to
- 15 sleep after that? That would be -- that's 3:00 p.m. Saturday.
- 16 A. My off day's Sunday.
- 17 Q. Your off day's Sunday?
- 18 A. You mean like Saturday night? What time do I go to bed?
- 19 Q. Yeah.
- 20 A. I'm off. I -- it depends. I don't know. Because I go to
- 21 church on Sunday. So it depends. I get home from whatever's
- 22 planned that day with the wife. There's no set time in going to
- 23 sleep on a Saturday.
- 24 Q. Okay.
- 25 A. So I can't tell you what time; it varies. Let's say 10:00,

1 10, 11:00 at night.

2 Q. At night?

3 A. Yes.

4 Q. Okay. That would be --

5 A. Saturday night.

6 Q. -- Saturday night?

7 A. Right.

8 Q. The real Saturday night? Not your --

9 A. The real Saturday. Right, right.

10 Q. Did you say 10:00?

11 A. Yes.

12 Q. Okay.

13 A. 10:00, 11:00, that window.

14 Q. Okay. And then Sunday morning --

15 A. Church.

16 Q. Church. What time do you go -- roughly?

17 A. Church starts at 11:00.

18 Q. 11:00 a.m.?

19 A. Yes.

20 Q. Okay. And then Sunday you go to bed --

21 A. After football highlights, 10:00.

22 Q. Okay. And then Monday is your workday? No?

23 A. I'm off Sunday, Monday.

24 Q. Right. So Monday, what time do you get up?

25 A. I'm off. So whenever I feel like it. I'll be honest with



1 you, on Monday it's just -- because that's my off day.

2 Q. Right.

3 A. So it's whenever.

4 Q. Okay. So you don't have something like, you get up, see the  
5 kids off to school on Monday or -- you just sleep in as long as  
6 you want?

7 A. I sleep, um-hum.

8 Q. Okay. Roughly how many hours of sleep do you like to get  
9 then?

10 A. Eight to 10 hours.

11 Q. Okay. Okay. And then how do you supplement that? You take  
12 naps at different times of the day on your workdays or whatever.  
13 And Tomas has already gone over some of this. I just want to  
14 capture it all together. On your breaks during the workdays, do  
15 you nap? Do you talk with other people?

16 A. During the work schedule you're talking about?

17 Q. Right, right. You have breaks between --

18 A. Right. Train 802, our first break is once we get into Long  
19 Beach and then we go to track 9, so that break's about an hour and  
20 a half. As I said, sometime I do my timetable, workout, I'll call  
21 my son. Then that hour and a half, I sleep sometimes.

22 Q. Okay.

23 A. In Far Rockaway we have like another hour -- in Far Rockaway.  
24 So just sometime on that train also I'll rest sometime.

25 Q. Okay. So on those two big breaks during your regular

1 workdays, you sleep sometimes and you do other things as well?

2 A. Um-hum.

3 Q. No regular times when you want to go to sleep, you set your  
4 alarm, make sure you get up?

5 A. It's always set. I say, my alarm is set for -- in Long Beach  
6 my alarm is set for 3:25 or 28 because the move is done around  
7 3:30.

8 Q. Okay.

9 A. And then in Far Rockaway, my alarm is set for 6:58 -- I'm  
10 sorry. Yeah, like 6:58, 7:00.

11 Q. Okay.

12 A. Because the train is out at 7:18. And the other train leaves  
13 around 7:10, 7:11. So once that train leaves, I pop open the  
14 doors.

15 Q. Okay. Good. This is helpful. Thank you.

16 A. You're welcome.

17 Q. I just want to take a look at my notes for a moment. Since  
18 you have -- what shift is this called? Is this called the night  
19 shift? What shift is this called that you work?

20 A. A.M.'s.

21 Q. It's called A.M.'s?

22 A. Um-hum.

23 Q. Okay. Have you talked with other members of your crew or  
24 other people you might know at the railroad about working these  
25 hours and how to work out your sleep schedule?

1 A. No.

2 Q. What they do?

3 A. No.

4 Q. Okay.

5 A. I do what's best for me.

6 Q. Okay. Have you received any training on how to manage  
7 fatigue?

8 A. Training -- there's a little pamphlet or something that went  
9 out about sleep and they have things on the railroad about getting  
10 sleep and your rest.

11 Q. Right.

12 A. Things like that. But, you know what I'm saying, we're all  
13 grown here so you know how to handle your business.

14 Q. Right, right. Okay. So have they -- have you gotten any  
15 information or training on how to recognize if you are fatigued or  
16 if it's to the point where it impacts how you do things?

17 A. Again, there was like little flyers or pamphlets that they  
18 have and like little Post-Its that they have in the trainman's  
19 room and things of that nature. But actually training about  
20 sleep, I don't recall getting trained on sleep. If so, I mean,  
21 it's sleep. I mean --

22 Q. Yeah.

23 A. Just go to sleep and your sleeping. That's it.

24 Q. Okay. Another question about training. Well, first, I want  
25 to kind of set why I'm asking the question. So when you go to

1 work, and right now you have your specific engineer and conductor  
2 that you work with as a crew, as a team. How can you tell if  
3 someone that you're about to work on the train with if they are  
4 not fit for duty? Are you familiar with that term, fit for duty?

5 A. No.

6 Q. Okay. If someone is not -- if in your assessment, when you  
7 see them, you have face-to-face, right, you see them every day  
8 when you start, right?

9 A. Um-hum.

10 Q. Face-to-face, you talk with them. The conductor's doing the  
11 job brief, if there's something in their demeanor that you might  
12 think I don't know if this guy's really up for doing his job today  
13 -- an example, an obvious example would be if someone would show  
14 up intoxicated, okay.

15 A. Um-hum.

16 Q. You recognize symptoms of intoxication, you know, when  
17 someone's slurring a word, can't get their balance, that type of  
18 thing. But there's other things also. Can you think of anything  
19 else that might give you an indicator, a little red flag would go  
20 off saying, I don't know if this person's up for duty?

21 A. My crew --

22 Q. Anybody.

23 A. -- in particular?

24 Q. No, anybody. I'm not talking about specific people.

25 A. Yeah, I mean, if someone comes to work drunk, you can smell

1 it.

2 Q. Right.

3 A. Right. But honestly at that time of the day, you know, I say  
4 good morning to my crew, job briefing, I do my job. So, you know,  
5 I see you, but then I really don't even pay attention to how you  
6 look per se. Like, you know, if you're woozy or -- I mean --

7 Q. Okay. You're doing your --

8 A. I'm doing --

9 Q. You're focused on your job?

10 A. I'm doing my job.

11 Q. Okay.

12 A. Doing what I have to do.

13 Q. Okay.

14 A. You know, I talk to the crew; hey guys, what's up? Job  
15 briefing, I'm gone.

16 Q. Okay. So have you received any training then as part of  
17 your -- and this is for the record -- have you received training  
18 as part of your starting your job for the day on doing a fitness  
19 for duty --

20 (Interruption at the door)

21 BY MS. GARCIA:

22 Q. -- doing a fitness-for-duty assessment on your peers? A  
23 fitness-for-duty assessment, any checklist that you have on your  
24 peers?

25 A. No.

1 Q. That was --

2 A. No. I don't remember any training about to check for my  
3 peers, no.

4 Q. Okay. If you were to think that one of the crew members on a  
5 train that you were getting on to operate, if you were to think  
6 that someone was not fit for duty, perhaps they are appearing very  
7 fatigued, you know, very tired, sleepy, the eyes look glazed,  
8 whatever -- what would you do? If you really thought this person  
9 might not be ready to work today, what would you do?

10 A. As the brakeman, if I see someone in my crew is not fit for  
11 duty, tired or whatever, what would I do?

12 Q. Um-hum.

13 A. I would tell my conductor.

14 Q. Okay.

15 A. Because he's in charge of the train.

16 Q. Okay. And you would leave it for his decision?

17 A. The conductor is in charge of the train, so it's my duty as  
18 the brakeman if I see someone, I would tell my conductor.

19 Q. Okay. And if it was the conductor that you thought was  
20 not -- you had questioned whether they were fit for duty, who  
21 would you talk to?

22 A. My engineer.

23 Q. Okay.

24 A. Part of the crew, yeah, I would talk to my engineer.

25 Q. Okay. And if the discussions with the conductor and the

1 engineer, if they said looks good to me, we're ready to go, and  
2 you still had reservations about it, what would you do?

3 A. It's rough. I told my conductor, told the engineer, and if I  
4 still feel that in my judgement that someone is not fit for duty,  
5 that's a rough call. Geez, I really don't know. I would tell my  
6 crew who's in charge of the train, the conductor and the engineer,  
7 and if they feel as though that person is fit for duty and that we  
8 can go -- I told the crew. I told my conductor, he's in charge of  
9 the train.

10 Q. Okay. And have you received any training or any procedures  
11 that would instruct you on what to do in these situations, from  
12 the railroad?

13 A. Not that I recall.

14 Q. Okay.

15 A. So not that I recall.

16 Q. Okay. Good. So just to clarify, you don't -- it would not  
17 be something that you would do to take it to someone who's not on  
18 the train, to call someone else?

19 A. To call like a supervisor?

20 Q. Um-hum.

21 A. I mean, if the person is drunk. But if someone looked glazed  
22 -- honestly, because that could be someone -- just how they look  
23 in the morning. So (indiscernible) say something, but who am I to  
24 say that he or she is not fit for duty because they look groggy or  
25 just whatever. Because sometime in the morning we all look like,

1 I'm here, and you was probably just worn out tired but you're  
2 going to work. So what I'm saying is just one person may not look  
3 right to me but he or she may be right. So you know what I'm  
4 saying, but that's a hard call to make to go and say he's not fit  
5 for duty because his eyes look -- it's a hard call to make.

6 Q. Yes. Thank you. Is your position a safety-sensitive  
7 position?

8 A. Yes.

9 Q. Okay. And so the railroad hasn't provided you any guidance  
10 on assessing levels of fatigue in other employees, peer to peer?

11 A. Again, there's flyers and things posted in the trainman's  
12 room and things we put in our pouch and our timetable about if  
13 you're tired, you rest and you see things all around. But to  
14 assessing my co-worker, no, just what I've told you about what I'm  
15 saying.

16 Q. And so it's on yourself?

17 A. Um-hum.

18 MS. GARCIA: Okay. Thank you, that's all for right now.

19 BY MR. MEADE:

20 Q. Joe Meade, FRA. You say you've been on this job for about 2  
21 years?

22 A. Yes.

23 Q. And you've worked with the same engineer, Mike, for those 2  
24 years?

25 A. Yes.



1 Q. Have you ever had the opportunity to ride the head end with  
2 him?

3 A. Yeah.

4 Q. Yes?

5 A. Yes.

6 Q. Can you tell me where or where you rode the head end? More  
7 specifically have you ever ridden into Atlantic Avenue with Mike?

8 A. No. Because on that train, on the head end on Brooklyn, I'm  
9 on the rear of the train.

10 Q. Understood.

11 You say at certain times during the night, yourself and your  
12 crew get an opportunity to rest or, you know, take a nap. Have  
13 you ever had to wake up any of your crew members after these  
14 periods of time?

15 A. No.

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

17 A. Thank you.

18 MR. TOMASZEWSKI: No questions.

19 BY MR. HILL:

20 Q. Hi. Donald Hill, BLET Safety Task Force. I just want to try  
21 to clear some things up that you referenced earlier. I want to  
22 focus just a tad on the brake test. I think I followed you. You  
23 said you are able to determine whether the brakes are applied or  
24 released by looking at the gauges?

25 A. Yes, sir. During the brake test.

1 Q. That's correct. And is -- on most railroad's equipment the  
2 gauges have needles. Is that accurate with what -- you would be  
3 looking at needles as well?

4 A. Yes, sir.

5 Q. And the needles would point to numbers that's associated  
6 inside the gauge; is that correct as well?

7 A. Yes.

8 Q. And they go from the lowest being a zero?

9 A. Right.

10 Q. All right. So if it -- if the gauge that is for the brakes,  
11 if it is on zero, that would mean release?

12 A. Okay. Again now, it's in my head how I'm seeing it because,  
13 as I say, when my hand is crossed, I'm seeing the actual  
14 application of the brakes. When I'm seeing it in the back of the  
15 train, that the train is fully applied, when it's fully applied  
16 the brake pipe white needle between 70 and 90. The red needle,  
17 which is the brake cylinder. is up to between, what was it, 40,  
18 30. Like I say between 30 and 40 up to 70. So, and then when we  
19 set the brakes right, the brake test, once the train is fully  
20 applied. Fully charged.

21 Q. And so the red needle represents the brakes being --

22 A. Cylinder.

23 Q. -- on or off?

24 A. Um-hum.

25 Q. Okay. So if it's at 40 or 30, as you just referenced, that

1 means the brakes are on?

2 A. When he goes for relief, because I give him four once it's  
3 charged, right? Once it's charged, I give him reply. I'm sorry.  
4 I give him four. I give him four shorts on the buzzers.

5 He dumps the train. The train dumps, meaning that the brake  
6 pipe, because he pulls it, it dumps. And then I give him one to  
7 tell him that I got it fully from the front to the back. So I  
8 give him one.

9 He charges the train back up. Then he goes for release, back  
10 up again. I give him -- see, I'm getting nervous. Then dumps it,  
11 then I give him -- yeah, I give him four. He apply, then release,  
12 then he dumps it. And then I give him one, charge it back up. He  
13 goes for release again, back up. One long from him, one long from  
14 me.

15 Q. But the bottom line is you are able to determine the  
16 application and the release by just looking at those gauges,  
17 right?

18 A. Yes, sir.

19 Q. Okay. All right. And there was a conversation with you with  
20 regards as to why you were working as an AC. Isn't it true that  
21 you pick your jobs based on seniority?

22 A. Um-hum.

23 Q. And the only reason why you're working as an assistant  
24 conductor is because you don't have enough seniority to work as a  
25 conductor on this particular job?

1 A. That's correct.

2 Q. Okay.

3 A. That's correct.

4 Q. Okay. That's all I have.

5 A. Okay.

6 MR. HILL: I just wanted to clear up those points. Thanks.

7 MR. ELLIOTT: Mark Elliott, nothing. Thanks.

8 BY MR. BECKER:

9 Q. Bret Becker, just real quick. I'm sorry. Real quick. You  
10 said you worked with Mike Bakalo for a long time?

11 A. Yes.

12 Q. And that time that you worked with him, have you ever seen  
13 the engineer display any erratic behavior or operate erratically  
14 or unprofessionally?

15 A. No, sir.

16 MR. BECKER: Thank you very much, that's all I have.

17 MR. NEARY: Bill Neary. No further questions, but thank you.

18 MR. FRANK: Thanks.

19 BY MS. GARCIA:

20 Q. Anne Garcia. I have just a couple of additional questions.  
21 You receive physicals -- you have a requirement to have  
22 physicals --

23 A. Yeah.

24 Q. -- a physical done? How often?

25 A. Once a year. Physical is done annually on our birthday. You

1 know, that's done. And then when it's time for our 2-year book,  
2 we go and just do our physical also.

3 Q. Okay. And that's done by who?

4 A. The railroad.

5 Q. The railroad has a physician or a place that you go to?

6 A. Yes. Mineola.

7 Q. Okay. What's covered in that?

8 A. The physical?

9 Q. Um-hum.

10 A. Okay, the physical we do the eye exam, we do the hearing, and  
11 they check your heart and stuff. They put little things -- you  
12 know, they just check you out. Put the things on your --

13 Q. They check your heart?

14 A. Do they check your heart on the physical? I'm thinking. I  
15 know they check our eyes, they check our ears. Yeah. I'm sorry.  
16 Yes, they do. Because they lay us down on the bench that they put  
17 the things on your stomach and check you out. Yes, they do.

18 Q. Okay. Good. And how have your health assessments been?

19 A. Me?

20 Q. What kind of shape are you in?

21 A. I'm in good shape.

22 Q. Yeah, good. You're wearing glasses so you've got vision?

23 Yeah. How about hearing?

24 A. My hearing is -- it's good.

25 Q. Okay. Any medications you take regularly?

1 A. For? No.

2 Q. For anything, yeah.

3 A. No, no. Just vitamins, that's it.

4 Q. Okay.

5 A. My hearing, I had surgery in my ear 2003 and the railroad  
6 knows about it. So I had surgery in my left ear.

7 Q. Okay. Good. So if you were to be diagnosed with something,  
8 do you notify the railroad every time something happens? If you  
9 have a sinus infection, if you have whatever, when do you need to  
10 notify the railroad that you're taking a particular medication or  
11 going to see your personal doctor?

12 A. Well, as per the rules, if there are any kind of medication  
13 that is -- that we have a question about, we ought to call the  
14 company medical.

15 Q. Okay.

16 A. So if I go to the doctor for a sinus infection and that  
17 medication may affect my alertness, then I'd call medical.

18 Q. Okay.

19 A. But if I'm calling -- if I have a fever and they say take a  
20 Tylenol, I don't have to call medical on that.

21 Q. Okay. Do you refer to a list of medicines that you have  
22 to -- if you are prescribed a medication or you're taking  
23 something over the counter, do you have a list that you can look  
24 at to see if --

25 A. No, they say anything according to the rule book, anything

1 that may affect your alertness. So if I -- if there's some  
2 medication that may affect me drowsy, sleepy, whatever, and I'm  
3 not sure if I can take it, I'll call medical.

4 Q. Okay. And so that's for you to decide and then you make the  
5 call?

6 A. Yeah.

7 Q. Yeah. Okay. Do you get a certain amount of sick leave that  
8 you can take every year?

9 A. I believe we get 12 sick days a year, I believe.

10 Q. Okay. Good. And so what's your procedure then if you feel  
11 you're too sick to come into work?

12 A. Like I have recently?

13 Q. Um-hum.

14 A. I would call the crew dispatcher and say J. Frank, I'm not  
15 feeling well, please put me on the sick list.

16 Q. Okay. Good. And do you notify your supervisor?

17 A. No.

18 Q. Okay. Who is your supervisor?

19 A. Anyone in that terminal who's like a manager, (indiscernible)  
20 them a supervisor. Brett, it depends on where I'm at.

21 Q. Okay.

22 A. So in Penn Station, the stationmaster and the TM, meaning the  
23 terminal station manager, they are my supervisor. In Brooklyn,  
24 it's Ralph and Frankie. If I'm in someplace else, it's whoever is  
25 in charge of that area, they're my supervisors.

1 Q. Okay. And who is it that does -- do you have a regular  
2 performance assessment that's done? Like an annual performance  
3 review?

4 A. Personal?

5 Q. Personal, for you. Does a supervisor do an annual  
6 performance review for you?

7 A. I've never heard of that before, no.

8 Q. Okay. Thank you. As part of your physical -- jumping back  
9 to that -- you mentioned the various things that they go through.  
10 Have you ever been -- have a doctor do an assessment of sleep  
11 apnea for you?

12 A. For me?

13 Q. For you, personally.

14 A. Never. Never.

15 Q. Okay. Have you heard of sleep apnea?

16 A. Um-hum. Yes, I've heard of it.

17 Q. Okay. Do you know of any co-workers who have had a formal  
18 medical assessment of sleep apnea?

19 A. No.

20 Q. Okay. All right. Thank you. That's all I have.

21 A. Okay.

22 UNIDENTIFIED SPEAKER: No questions, thank you.

23 UNIDENTIFIED SPEAKER: No questions.

24 UNIDENTIFIED SPEAKER: I have no more questions.

25 MR. ELLIOTT: Mark Elliott, no questions, thanks.



1 UNIDENTIFIED SPEAKER: No further questions.

2 UNIDENTIFIED SPEAKER: He has a question.

3 BY MR. BATES:

4 Q. One question. Bates, SMART. Joseph, the only question I  
5 have for you is have you ever worked with a member that was unfit  
6 for duty, in your opinion?

7 A. That was unfit for duty?

8 Q. Um-hum.

9 A. No, sir.

10 MR. BATES: That's all I got.

11 MS. GARCIA: Oh, I do have one more question.

12 BY MS. GARCIA:

13 Q. Were you -- your work position on your train, where are the  
14 emergency brakes located that you have access to?

15 A. Where are the emergency brakes located?

16 Q. Um-hum.

17 A. It depends on what equipment. In the M7s, the emergency  
18 brakes -- again, I'm seeing the train in my head -- is right by  
19 the back of the train where I'm stationed, right by the back door,  
20 you know, the train door. It's inside the cab. If you walk  
21 further on the train, it's inside the train also. So there are a  
22 few locations where it's located.

23 Q. Okay.

24 A. On the M3s, same basically.

25 Q. Okay. And those are what you have access to?

1 A. Yes, ma'am.

2 Q. Okay. Under what conditions would you pull the emergency  
3 brake?

4 A. Would I?

5 Q. Um-hum.

6 A. Anything that feels unsafe.

7 Q. Okay. Examples?

8 A. Okay. Let's say we're making a move, meaning I'm backing the  
9 train up and we're doing our buzzers and it's a two-car safety  
10 stop. I give them two to stop, meaning that two-car safety --  
11 because I'm backing up to a bumper block. And he stops the train  
12 but then I give him three to "let's go back further." And if he  
13 or she doesn't stop when I give them -- you know what I'm saying,  
14 because now I'm talking to one car before the block and engine.  
15 So he or she would acknowledge it, one car. And now say  
16 (indiscernible) now it's half a car. So like, you know what I'm  
17 saying, I tell him half a car. If the speed I feel as though --  
18 because it's on my end -- is too fast, I'm dumping it.

19 Q. Okay. Good. Any other situations you can think of where you  
20 might have to?

21 A. Yeah. If I feel as though, like say for instance someone --  
22 we're getting the doors -- I'm sorry -- we made a stop, and  
23 someone happened to fall on the platform between the gaps.

24 Q. Right.

25 A. And the platform is crowded, my conductor up front can't see

1 the whole train because it's crowded, I would dump the train. So  
2 I'm saying that now the train can't move, so then I would do my  
3 job.

4 Q. Okay. Good. Have you ever in all your times on the railroad  
5 at different jobs, have you ever had cause to pull the emergency  
6 brake?

7 A. Yeah. The situation I told you with the -- it was a person  
8 on Hicksville Station -- I don't know how long ago, a long time  
9 ago -- a lady, older woman, happened to slip in the gap. I pulled  
10 the train -- I'm sorry -- pulled the dump cord. Helped her up.  
11 Asked her, you know what I'm saying, does she want medical  
12 assistance. She said no. Pull back up, go on our way.

13 Q. Okay. And you don't know how long ago that was? More than a  
14 year?

15 A. More than a year. That was a long --

16 Q. Okay. More than 5 years?

17 A. Yeah, that was a long time ago.

18 Q. Okay. And did you report that in to anybody?

19 A. I told my -- no, yeah, I told the crew. Because obviously I  
20 had the train dumped so my engineer asked what was going on.

21 Q. Right.

22 A. I told the crew.

23 Q. Right.

24 A. I told them what was going on. But since that lady didn't  
25 want no assistance, why should I call a 204? We wasn't delayed.

1 She didn't want no assistance. She felt embarrassed basically.  
2 So she got up and left.

3 Q. Um-hum. Okay. And do you know if anyone on the train, the  
4 conductor or the engineer is required by rules or procedures to  
5 report if the emergency brake is ever pulled?

6 A. Required by rules to report?

7 Q. Are they required to report to management to someone else?

8 A. For a dump cord?

9 Q. Um-hum.

10 A. No.

11 Q. Okay.

12 A. No.

13 Q. Good. Thanks. That's all I have.

14 A. No problem.

15 UNIDENTIFIED SPEAKER: No questions. Thanks, Joe.

16 MR. FRANK: Thank you, sir.

17 UNIDENTIFIED SPEAKER: No questions. Thank you.

18 UNIDENTIFIED SPEAKER: No questions.

19 UNIDENTIFIED SPEAKER: No questions. Thank you.

20 MR. BECKER: Joe, if I --

21 MS. GARCIA: Name.

22 BY MR. BECKER:

23 Q. Brett Becker, Long Island. You had mentioned about the --  
24 there's no specific rule for having to notify somebody in  
25 reference to the emergency dump cord, correct?

1 A. Um-hum.

2 Q. However you do know, unnecessarily delaying the train, if  
3 there's some -- if there's some delay, that's not -- that you're  
4 unaware of -- not that you're unaware of -- that is not because of  
5 you or it's going to be delayed, you would notify 204, correct?

6 A. 204, right.

7 Q. And be guided by their instructions?

8 A. Yes, sir.

9 Q. Also if there was anything that you would consider emergency,  
10 that you would notify 204 or the Movement Bureau of what that  
11 particular emergency was and be guided by their instructions,  
12 correct?

13 A. Yes, sir.

14 MR. BECKER: Okay. Nothing further.

15 MS. GARCIA: Thank you.

16 MR. TORRES: Tomas Torres with NTSB, if there's no more  
17 questions, this will conclude the interview at 11:39 a.m. And  
18 thank you.

19 MR. FRANK: Thank you, sir. Thank you, ma'am.

20 MS. GARCIA: Thanks so much.

21 MR. FRANK: Thank you.

22 (Whereupon, 11:39 a.m., the interview was concluded.)  
23  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:                COLLISION OF LONG ISLAND RAIL ROAD  
   (LIRR) TRAIN NO. 2817 WITH THE  
   PLATFORM AT ATLANTIC TERMINAL,  
   BROOKLYN, NEW YORK, JANUARY 4, 2017  
   Interview of Joseph Frank

ACCIDENT NUMBER:                DCA17FR002

PLACE:                                Jamaica, NY

DATE:                                 January 8, 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.

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Tracy L. Meyer  
Transcriber