## UNITED STATES OF AMERICA

## NATIONAL TRANSPORTATION SAFETY BOARD

Interview of: JOSHUA IVERSON

Salina Yard Office Union Pacific Railroad Salina, Kansas

Thursday, July 18, 2013

The above-captioned matter convened, pursuant to notice.

BEFORE: TED T. TURPIN Accident Investigator

## **APPEARANCES:**

TED T. TURPIN Accident Investigator National Transportation Safety Board 1515 West 191st Street Gardena, California, 90248 turpint@ntsb.gov

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JOHN WYKER Chief Inspector Federal Railroad Administration (FRA)

STEVEN LORD General Director of Regional Operations Northern Region Union Pacific Railroad

CHAD HENTON Assistant Director Legislative Board, UTU (Representative on behalf of Mr. Iverson)

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1	<u>INTERVIEW</u>
2	MR. TURPIN: My name is Ted Turpin. Today is July 18th,
3	2013, at Salina, Kansas. We're interviewing the conductor from
4	the LDG89-15 in connection with an accident that occurred at Hays,
5	Kansas, July 16th, 2013. The NTSB accident number is DCA-03-FR-
6	008 [sic].
7	And do you understand this interview is being recorded?
8	MR. IVERSON: Yes.
9	MR. TURPIN: Thank you. Would you please state your
10	name and spell it?
11	MR. IVERSON: Joshua Iverson, J-o-s-h-u-a, I-v-e-r-s-o-
12	n.
13	MR. TURPIN: All right. Thank you. And we'll continue
14	around the room. State your name and title.
15	MR. HENTON: Chad Henton.
16	MR. TURPIN: Spell your name too please. I'm sorry.
17	MR. HENTON: C-h-a-d, H-e-n-t-o-n. I'm the union
18	representative for Mr. Iverson.
19	MR. TURPIN: Okay. Thank you.
20	MR. DRAGOO: Nile Dragoo, D-r-a-g-o-o, Chairman, UTU
21	Safety Team.
22	MR. FACKLAM: Steve Facklam, F-a-c-k-l-a-m, BLET Safety
23	Task Force.
24	MR. ZAGATA: Zack Zagata, Z-a-g-a-t-a, FRA.
25	MR. LORD: Steve Lord, L-o-r-d, Union Pacific, General

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1 Director Regional Operations, Northern Region.

2 MR. WYKER: John Wyker, W-y-k-e-r, FRA. 3 MR. SOUTHWORTH: Jim Southworth, S-o-u-t-h-w-o-r-t-h. 4 I'm the Investigator-in-Charge for this investigation in Hays, 5 Kansas. 6 MR. TURPIN: All right. Thank you. 7 INTERVIEW OF JOSHUA IVERSON BY MR. TURPIN: 8 9 Ο. Well, why don't you just tell us, Mr. Iverson, about your trip? Just start with when you went on duty and just give us 10 11 a -- give us a story. 12 Α. We went on duty on the 15th at 1300. We departed Salina Went to Bavaria and set out cars. Then went to 13 at 1750. 14 Went to Black Wolf and picked up Brookville and set out cars.

15 cars. Then we went west and stopped at Russell where we set out 16 and picked up. And then we went to Walker, and we had -- where a 17 car had derailed the week before. They rerailed it in the wrong 18 spot, so we moved it to a position between the Derails and then 19 proceeded west into Hays.

20 Q. Okay.

A. When we got to the east switch at Hays, the engineer, brakeman, and I had a job briefing of what we were going to do and who was going to do which job. And the brakeman climbed off the head end at the main line switch. He lined us into the -- I don't know what you're going to call that -- the pass tracks is what we

1 call it.

2 Q. Okay.

A. He lined the switch, and then he walked up and lined the Derail. We headed in to the pass track and stopped the head end at the clearance point on the Vine Street crossing. And that's where I got off the power at.

Once I got off the power, I had the engineer take them ahead to clear the east end of the Derail, where the -- we were going to leave the rear portion of our train for the next day. I of a red zone and tied the hand brakes and did a securement check on the cars that we were leaving on that end.

12 When I got ready to make the cut, I looked up towards the head end and saw there were two -- I'm guessing they were both 13 14 I don't really know anything other than that. Two people male. 15 had crossed through the train and they were climbing down on the 16 other side when I looked up. So I waited a couple seconds, and 17 when they got a distance away where I felt like there wasn't 18 anybody else behind them, I told the engineer to take them ahead 19 to clear the other end of the crossing.

20 When I cut away, the brakeman had said that the main 21 line switch and the Derail had both been restored for the proper 22 movement. After I cut away, I went into the yard office at Hays 23 to start doing the paperwork and the GUI. And I talked to the 24 engineer about releasing the warrant when I went into the depot or 25 the yard office, and that was -- after that, the brakeman walked

1 up and secured the remainder of the train on the west end of the 2 crossing. And the engineer and him did their securement check and 3 then they came into the yard office and tied up. We went to the 4 hotel.

5 Q. Okay. All right. So when you pulled down and the job 6 briefing, do you remember the highlights of the job briefing when 7 you stopped at the switch at the east end?

A. Yes. We had talked the brakeman was get off at the 9 switch, line the switch and Derail. I would go in and make the 10 cut to clear both sides of the crossing. And he would line 11 behind, and I would go in, do the GUI report and all the paperwork 12 and release the warrant from the depot.

Q. Okay. When the brakeman got it lined up and you pulled in, who made the -- who did the first stop? Who asked for the train to stop the first time?

16 A. I did.

17 Q. You did?

18 A. Yes. I --

19 Q. How did you know the rear was clear?

20 A. Well, it wasn't yet.

21 Q. Okay.

A. I stopped, and then we pulled the train the rest of the way in after I climbed off at the clearance point to make the proper cut.

25 Q. Because you have to have -- everything has to be stopped

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1 when you get off?

2 A. Yes.

3 Q. You can't get off moving equipment?

4 A. Yes.

Q. Okay. So you were off at the crossing to make the cut.Who made the next stop?

7 A. The brakeman did once he saw the rear end clear the8 Derail.

9 Q. Okay. Do you remember what he said?

A. He just said, you're clear of the Derail, anywhere inthere will do when you get them stopped.

Q. Okay. And then you asked for a red zone, made your cut?
A. I made the securement check first and then --

14 Q. Okay.

A. And then once that was all set and we were comfortable they weren't going to go anywhere, I started to make the cut when I saw the two people climbing off the south end of the cars.

18 Q. Was the brakeman tying brakes same time you were?

A. No. He was -- I'm guessing he was lining the switch and Derail. Because after I cut away and started walking in towards the office, he told me everything was lined back properly.

Q. Okay. You were working from the engineer's side, correct?

A. No. I was on the conductor side. I was on the south side.

Q. You were on the south side when you made the cut?
 A. Yes.

3 Q. Okay. And then once -- once the crossing was separated, 4 then you walked by over to the yard office?

5 A. Yes. And the yard office is also to the south. I just 6 went straight back to the --

7 Q. Okay. Did you hear from the brakeman anymore after 8 that?

9 A. No, I didn't. I went inside and started doing work. I 10 didn't see him again until after they came to the depot to tie up. 11 Q. Okay. Did you release the track warrant almost the

12 first thing you did when you went in?

13 A. Yes.

MR. TURPIN: Okay. We usually go around the room and let other people ask questions as well. So right now it's about the tie down the train right now. We'll do some background stuff later. Nile?

18 MR. DRAGOO: Josh, Nile Dragoo, UTU.

19 BY MR. DRAGOO:

20 Q. How long have you worked this job?

A. I came over here I want to say it was June 4th of this year, but I worked it the entire summer last year also.

23 Q. Okay. So you're familiar with the job?

24 A. Yes.

25 Q. How long have you worked with the brakeman?

A. With him? That was the time I had ever worked with him.
 There regular brakeman took the day off.

3 Q. Okay. Were you headed in there -- I guess it's the east 4 end of the pass, is that correct, what you call it?

5 A. Yes.

6

Q. Was there sufficient lighting there?

A. Honestly, I don't think there's any lighting over there, just from the surrounding buildings. There's a guy that runs a steel business right next to the track where we spot his industry. I think the closest light's probably 50 feet away, at least.

11 Q. Okay. So it's kind of hard to see around there?12 A. Yes.

13 Did anyone call you in regards to what happened? Ο. 14 I got a phone call from the crew caller who Α. Yes. 15 informed me that the corridor manager wanted me to call Brian 16 Weeks on the phone. This was, I think, between 2 and 2:15 that 17 same morning. And when I called him, he said that somebody would 18 be down to speak with me. He never told me what time. He just 19 said that we'd want to be down in the lobby. So I called and got 20 my engineer and my brakeman down to the lobby. And I sat there 21 till almost 9:00 that morning, maybe a little bit later, when I 22 had sent the engineer and the brakeman to go and try and get some sleep. I just figured I'd stay down, being the foreman on the 23 24 job, just kind of what I felt was right.

25 Q. Did anyone ever show up?

Α.

1

Nobody showed up until almost 11:30.

2 How did you guys get back home? Ο.

3 Α. They put us in a van after we talked to everybody, and 4 as far -- we never were told to tie up or anything. We were never 5 put on duty.

6 Ο. Do you feel like if you get any pressure from, like, 7 getting the work done on this job?

8 No. I just -- I like to make sure that everything's Α. 9 done and done the right way so that it makes it easier for everybody. And I take this very seriously. I -- I mean, I've 10 11 never had any issues before.

12 MR. DRAGOO: Okay. That's all I have for now. Thank 13 you, Josh.

14 Steve Facklam, BLET. MR. FACKLAM:

15 BY MR. FACKLAM:

16 When you stopped at the switch on the main line to pass Ο. 17 track and the brakeman get off, do you recall if he had his 18 lantern?

19 Α. Yes, he did.

He had his lantern. Was there any discussion, because 20 Q. it seems like you were pushing up against your hours of service 21 time, did you feel any kind of pressure or rush from a dispatcher 22 23 or anything to -- or amongst yourselves to get the train in before 24 your time expired?

25 No. They normally give us plenty of time. Α. If I

1 remember properly, we had almost 40 minutes Monday to get 2 everything in the clear and tied down. The only pressure you feel 3 at all is, when you're going they like to roll your train up to 4 keep the other train moving, which isn't that -- I mean, that's 5 just standard.

Q. You pull into Hays you felt you had enough amount of
7 time to get the --

8 A. Yes, we had --

9 Q. -- what you need to get secured down?

10 A. -- plenty of time.

11 Q. Okay. When you got off at Vine Street, looking back 12 east, could you see the brakeman at all?

A. No, I could not. When we pulled in, I lost him after we cleared the Derail, because he made -- just like we always do, as soon as he lined the Derail, he headed back towards the main line switch.

17 Q. So --

18 A. That way once you get clear of that, then he stops you,19 he's right there to get everything lined properly.

20 Q. So all your communications with him after that, you 21 could say it was all done by radio?

22 A. Yes.

23 MR. FACKLAM: That's all I have for right now.

24 MR. ZAGATA: Zack Zagata, FRA.

25 BY MR. ZAGATA:

Do you feel like you're going down (indiscernible)? 1 Q. Yes. That was probably one of the best days I've had 2 Α. over here -- well, obviously up until the incident, that I can 3 4 recall. I mean, he was right there the whole day everywhere I needed him to be. It was probably the smoothest switching I've 5 6 done all year. 7 Ο. Okay.

8 MR. LORD: Josh, Steve Lord, UP.

9 BY MR. LORD:

10 Q. What time was it that you tied up?

11 A. I tied up at 1:08, I believe.

12 Q. What time do you recall that you got to leave then, 13 approximately?

A. My engineer tied up at I believe it was 1:15. And as soon as he tied up, we were out the door and in the van.

16 Q. You went directly to the hotel?

A. No. We stopped and grabbed food at Burger King throughthe drive-thru on the way there.

19 Q. What time was that when you got to Burger King?

A. I'd say we were through Burger King before 1:30,

21 Q. You left Burger King about 1:30?

22 A. Yes.

23 Q. So you got to the hotel shortly after?

A. Yes. I'd say we arrived at the hotel between 1:35 and 1:40.

Q. During that time when you left Burger King for the hotel
 was there anything going on that you were aware of?

3 Α. We made notice of four cop cars turned left right next 4 to Burger King and headed down towards the tracks. We weren't sure -- they all stopped about two blocks short like they would --5 6 and they were driving with their lights on, the spotlights, like 7 they were looking for people, so we didn't think anything about And we were only -- we weren't even four blocks from the 8 it. 9 depot and we didn't hear or see anything.

10 Q. At what time do you think it was when you were aware of 11 something had happened?

A. I became aware of it when after I called Weeks and he asked me if we made sure that everything was lined back. And I said -- I just told him that my brakeman told me that everything was lined properly. And he said, well, they think they ran into the back of your train. And that was when he informed me that I needed to be down in the lobby.

18 UNIDENTIFIED SPEAKER: You're doing fine. Okay. Take a 19 deep breath. Want some water? Stand up and move around a little 20 bit if you want.

21

BY UNIDENTIFIED SPEAKER:

Q. I'm going to -- I want you to try and think a little bit about what the brakeman told you. Did he tell you that he had tied up the main line switch or did he just say he tied up a switch on the Derail?

What he told me was that the main line switch and Derail 1 Α. 2 were restored. So he named the main line switch? 3 Ο. 4 Α. Yes. 5 UNIDENTIFIED SPEAKER: That's all I have right now. 6 BY MR. TURPIN: 7 You said you hadn't worked with him on this job. You Q. meant you hadn't ever worked with him before? 8 9 Α. I've never worked with him prior. 10 Thanks. Did you have to take a tox test? Q. Okay. 11 Α. No. 12 Q. Had you made this move before at Hays? 13 Α. Oh, we make that -- almost exactly the same move every 14 Monday and Wednesday since I've been on this job. Okay. We did interview the engineer earlier and he said 15 Ο. 16 you'd had to run some work because you were running out of time. 17 Α. Oh. You made a decision to --18 Ο. 19 We ended up not doing work because we didn't want Α. Yes. 20 to go dead on the main line. 21 Ο. Okay. And the plan was to do that work the day on the 22 way back? 23 Α. Yes. 24 Q. Were you okay with that? 25 Α. Yes.

1	Q.	Made sense?
2	Α.	That's normally how we do.
3	Q.	Okay. All right, let's go back into history a little
4	bit now.	When did you hire out?
5	Α.	2007.
6	Q.	And what position?
7	Α.	Conductor.
8	Q.	Conductor. Do you know what your actual date is?
9	Α.	I believe it was February 17th, right in that area.
10	Q.	And was that here?
11	Α.	In Herington.
12	Q.	In Herington? So you were working Herington
13	Α.	I worked Herington up until I took promotion to an
14	engineer	and then I trained over here as an engineer.
15	Q.	Okay. When was that?
16	Α.	2008.
17	Q.	What's your engineer's date?
18	Α.	I honestly don't know. I can't remember when I
19	Q.	Okay. When's the last time you had a certification?
20	Α.	I worked in August as an engineer, and then I've had one
21	or two ch	eck rides recently. I worked as a like on a training
22	board as	an engineer the month of May, out of Herington.
23	Q.	Okay. You ever worked up on this end as an engineer?
24	Α.	Yes. I worked over here as a pool turn engineer for a
25	week and	a half in August.

1

Q. Almost a year ago?

2 A. Yes.

3 Q. Okay. Do you get to run when you're -- as a conductor, 4 do they let you run?

5 A. They leave it up -- on this job?

6 Q. Yeah.

A. No. On this job, I don't run because we have to work
8 almost everywhere, so I just try and take care of --

9 Q. Through trains?

10 A. It's normally up to the engineer. I don't push it11 either way.

12 Q. Okay.

A. I mean, I understand the more practice you get the better you are when you're marked up, but I have my own job to worry about also.

Q. Okay. Did you have Saturday and Sunday off?A. Yes.

Q. Do you remember what you did for the weekend?
A. I played golf on Saturday and played softball Sunday
afternoon.

Q. Okay. Sleep during the night both nights?A. Yes.

23 Q. Feel rested on Monday when you went to work?

A. (No audible response.)

25 Q. How early did you get up Monday morning?

I got up at 9:00 Monday morning, because our normal 1 Α. start time is at 11 and it takes me an hour and a half to drive. 2 3 Ο. So they gave you a call and say you're going to be late 4 that day? 5 No. About two week ago, they said every Monday and Α. 6 Wednesday until the tie gang is gone we'll be starting at 1300. 7 Ο. Oh, okay. Okay. So it was already pushed back? It 8 was --9 Α. Yes. 10 -- it was set? Okay, okay. And you felt rested on Q. 11 Monday? 12 Α. Yes. 13 Ο. Long shift. You feel good at the end of the shift? 14 Yeah. Α. 15 Q. Okay. You take any prescription drugs? 16 Α. No. 17 Q. Nonprescription, like Claritin or Nyquil or anything like that? 18 19 Α. (No audible response.) 20 Q. Wear eyeglasses? Contacts? 21 Α. No. I do have glasses for up-close reading, but that's 22 -- they're not mandatory. 23 Okay. And you don't wear them while you're working? Q. 24 Not even for the switch list? 25 (No audible response.) Α.

1 Okay. You know the last time you were efficiency tested Q. 2 or FTX? 3 Α. It could have been the beginning -- or probably middle of -- middle of June, end of late June, I was stop-tested at Terra 4 5 Cotta. 6 Ο. Were you running or are you conductor? 7 No. I was conductor. Α. And how did you know you were tested? 8 Ο. Okay. 9 Α. There was a red board in the middle of the track. 10 Okay. Did the supervisor come on board and talk to you Q. 11 after you had stopped or? 12 Α. Yes. 13 Okay. So far, with the conductor and engineer training, Ο. you feel well prepared to do the job? 14 15 Α. Yes. 16 During this tour of duty did you use your cell phone Ο. 17 while you were on duty? 18 Α. No. As soon as I get to the yard office, my phone gets 19 shut off. 20 Q. Okay. 21 Α. Oh, wait. That's -- let me correct. Sorry. 22 Q. Okay. 23 I got a -- the dispatcher came on as we were leaving Α. 24 Black Wolf and requested that we stop the train and give Brian 25 Weeks a call. So we stopped. I had a job briefing with the crew.

I called him in regards to the move we made that I explained at
 Walker. He told us that the car had been rerailed and he asked us
 to move it.

4 Q. And he was just confirming that you had taken care of 5 the business?

A. No, he was -- that was him -- it wasn't on our work
7 order.

8 Q. Oh, okay.

9 A. It was just a move that he requested we do because the 10 dispatchers and everybody felt that it was unsafe to have the car 11 straddling the Derail.

Q. Okay. So it was the upcoming move, and he wanted -A. Yes.

14 Q. -- to give you kind of a briefing on it? Okay. Okay.
15 So he asked the dispatcher to get a hold of you and to contact him
16 by cell phone?

17 A. Yes.

18 Q. You had the full instructions, so then you -- okay --19 stopped the train. Okay.

20 MR. TURPIN: All right. We're going to go around the 21 room again. Nile?

- 22 MR. DRAGOO:
- BY MR. DRAGOO:

Q. Josh -- UTU -- I'm assuming the brakemen come off the extra board?

Yes. He came off the XC board, which is the conductor 1 Α. 2 board. Normally, they come off the XK board, but the XK was 3 exhausted, so they pulled him off that board to cover. 4 Ο. Was he maybe upset he got set up as a brakeman? Or did 5 he mention it? 6 Α. No. He was just happy to go to work. 7 MR. DRAGOO: All right. That's all I have. 8 BY MR. FACKLAM: 9 Q. A little background. Steve Facklam, BLET. Just a 10 little background. On this local, what's your average hours of 11 service on it per day? Is it --12 Α. Since I've been on it this year, it's been almost 12 13 hours, if not --14 Twelve hours a day? Ο. 15 Α. -- more, every day. 16 Twelve plus some every -- okay. Q. 17 MR. FACKLAM: That's all I have. 18 MR. TURPIN: Steve? Okav. 19 BY MR. LORD: So Saturday you played golf. What time did you get to 20 Q. 21 bed? 22 I was in bed, I'd say, around 2:00 Sunday morning. Α. 23 Okay. And what time did you get up Sunday? Q. 24 I got up Sunday just a little bit before 1:00 in the Α. 25 afternoon.

1 Played -- and then you played softball? Q. 2 Yes. I played softball from -- the game stated at 3. Α. Ι 3 was back home at 7. And then what time did you go to bed Sunday night? 4 Ο. 5 I was in bed Sunday night at 10:00. Α. 6 Ο. I think Monday you said you were up by 9? 7 Yes. I was up at 9:00 Monday morning. Α. Okay. Did you win the game? 8 Q. 9 Α. One of them. MR. LORD: That's all I have. 10 11 MR. TURPIN: All right. 12 BY MR. TURPIN: It is safe to work here at the UP Salina? 13 Ο. 14 Oh, I love it. I mean, I -- sometimes it gets kind of Α. 15 rough with the hours, but I mean, I wouldn't rather do anything 16 else. I just enjoy coming to work and dealing with these people. 17 Q. What makes it a safe place to work? 18 Α. Just everybody looks out for one another here -- here, 19 Herington, everywhere that I've been at. Everybody just wants everybody to be safe so nothing -- you know, have to have the 20 21 problems with possibly hurting somebody else. 22 You ever reported an unsafe condition around the Q. 23 railroad? 24 Α. No. 25 Is there a method to do that if you needed to? Q.

A. Yeah. There's a -- on every motor I've been on, there's a blue bag that has like the unsafe motorist, and there's the option on the computer to also report if there's something going on.

5 Q. You're aware of the total safety culture program?6 A. Yes.

7 Q. Explain that to me.

8 A. I don't really know anything about it other than who's9 in charge of it in Salina.

10 Q. Okay.

A. I mean, I know it's supposed to be if you see somebody doing something unsafe to let them know that that's not the proper way of doing it. And that's -- I mean, that's pretty much the only thing I've been instructed on.

Q. Okay. Have you ever had another crew member say they want to observe you while you're working?

- 17 A. No.
- 18 Q. Okay. Anything you'd like to add?

19 A. (No audible response.)

- 20 Q. We're good?
- 21 MR. TURPIN: Yes, John?
- 22 BY MR. WYKER:

Q. So, of the two individuals climbing through the train when you looked and (indiscernible) so you waited till they were off. Then once they were gone, you let the engineer pull ahead.

1 At any time while you were in Hays did you see any other people 2 around?

3	A. We had taken notice to a black SUV at Toulon, which I
4	believe is 285, KP-285. He had turned and was maintaining the
5	same speed that we were all the way up until Hays. And then after
6	I climbed off at Vine Street, I never saw the vehicle or anybody
7	after that. The brakeman and I were actually talking about it
8	when we after we had stopped and job briefed at the switch,
9	just kind of just one of those weird scenarios where we'd noted
10	taken notice of the same thing.
11	Q. And you didn't see any other people?
12	A. No.
13	MR. WYKER: Thank you very much.
14	MR. TURPIN: Okay. All right. That completes our
15	interview. Thank you.
16	(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: UNION PACIFIC COLLISION HAYS, KANSAS JULY 16, 2013 Interview of Joshua Iverson

DOCKET NUMBER: DCA-13-FR-008

PLACE: Salina, Kansas

DATE: July 18, 2013

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.

Derick Marx Rawls Transcriber