



Survival Factors Investigation Attachment
Excerpts of the New York State Division of State Government
Accountability Audit on the
Operational Training and Medical Assessment of Train
Crews and the responses from the
Metropolitan Transportation Authority and
New York City Transit

Manhattan, NY #1

RRD24FR003

(17 pages)

Quizzes provide feedback to the instructors regarding how the training is being received by employees, allowing them to gauge employees' ability to understand the information. In the event they fail a quiz, or as the instructor deems necessary, employees may be offered tutoring sessions in specific subjects before or after class.

According to Transit's current Train Operator Induction Manual and Conductor Induction Manual (Manuals), all quizzes and tests will be retained in the employee's file for future reference. The Manuals also contain a Training Policy Memorandum, dated February 10, 2015, that states: "Any student that does not achieve a minimum score of 80 percent on the midterm or final exams, or other written exam, and/or fails any of the practical exams or receives an unsatisfactory performance review will fail the training course. This will result in the newly promoted employee being demoted to their former title or being terminated if hired from an Open Competitive list."

Train Operators and Conductors who pass the Induction Training are on probation for a year, which includes time spent in training, and thereafter become permanent employees. Subsequently, every three years, train crews must undergo Refresher Training. For both positions, the Refresher Training includes three days of classroom training, road training, and fire and evacuation training; Conductors receive an additional day of training in communications. Conductors and Train Operators must attend all Refresher Training and receive a passing grade (80 percent or higher) on the final test. Employees with a failing grade are allowed one retake; those who fail a second time return to the field and the supervisor is notified of the failing grade.

Employees new to these positions are also required to pass a medical assessment at a Medical Assessment Center (MAC) and periodic medical assessments thereafter: every two years for Train Operators and every five years for Conductors. Train crews are also referred to a MAC after an on-the-job injury or involvement in an incident, or for a return to work after an absence of 21 days or more. Revisits may be necessary as determined by MAC medical personnel. Federal regulations also require Conductors and Train Operators to have annual hearing tests. There are no medical assessment requirements for TSSs, who are subject to drug and alcohol screening only.

Notably, only one file contained time sheets verifying the employee's attendance during the entire eight-week training period. All other files were missing time sheets for large blocks of training time, including one that contained a single time sheet accounting for only two of the eight training weeks.

Without the required documentation, there is limited assurance that TSSs attended all required sessions and completed and passed all required exams.

Recommendations

1. Identify and prioritize ways to schedule all training to comply with Transit requirements.
2. Require all instructors to review the class files periodically during and at the end of training to ensure that all quizzes, tests, and examinations are documented, graded, and retained and that attendance sheets are placed in the file.
3. Clarify the requirements regarding retests, as established in the February 10, 2015 Training Policy Memorandum, that must be met for students to remain in the training program.
4. Evaluate the Refresher Training to determine the reason for the low passing rate and implement corrective action.

Medical Assessments

Transit's Policy Instruction on Medical Assessments of Applicants and Employees 4.28.2 (Policy Instruction) establishes medical assessment requirements for employees in safety-sensitive titles, including Train Operators and Conductors. Train crews are subject to a pre-employment physical examination, an annual hearing exam, as well as a full medical examination periodically (every two years for Train Operators and every five years for Conductors). Our review of records for 96 employees, including Train Operators and Conductors, indicated that medical examinations were not scheduled in compliance with the Policy Instruction.

Forty-four of the 96 Conductors and Train Operators in our sample were required to have at least one biennial medical examination during our audit scope period. As detailed in Table 3, these assessments were not performed as required.

Table 3 – Periodic Medical Examinations

Title	Sample		Medical Exams					No. Not Done
	Total	Requiring Exams	No. Required	No. Completed				
				Total	Early	On Time	Late	
Train Operators	49	33	36	31	13	2	16	5
Conductors	47	11	12	12	6	0	6	0
Totals	96	44	48	43	19	2	22	5

A total of 36 periodic medical examinations were required for the 33 Train Operators in our sample; 16 were done late, 2 were done on time, and 5 were not done. On average, periodic exams were performed 51 days later than required. A total of 12 exams were required for 11 Conductors in our sample. Six of the 12 exams were performed late by an average of 61 days.

We also found that MAC requested a total of 129 revisits for 28 Train Operators in our sample; of these, 38 were late and 3 were not done (more than 180 days late). In addition, MAC requested a total of 166 MAC revisit requests for 27 Conductors; of these revisits, 52 were late and 9 were not done (more than 180 days late).

As detailed in Table 4, the required annual hearing tests were likewise not completed as required.

Table 4 – Annual Hearing Test Data

Title	Sample		Hearing Tests					No. Not Done
	Total	Requiring Tests	No. Required	No. Completed				
				Total	Early	On Time	Late	
Train Operators	49	34	75	66	34	2	30	9
Conductors	47	28	95	95	48	2	45	0
Totals	96	62	170	161	82	4	75	9

Of the 49 Train Operators, 34 were required to have between one and four annual hearing tests, for a total of 75 required tests. Of these 75 tests, 30 were late and 9 were not done. On average, late tests were 34 days overdue. In addition, 28 of the 47 Conductors were required to have a total of 95 hearing tests, 45 of which were late by an average of 18 days (ranging from 1 to 105 days).

TSS Medical Testing

According to Rapid Transit Operations personnel, employees in the TSS title are not subject to the medical testing that's required of Train Operators and Conductors. However, under the Notice

of Examination for the Promotion of Train Service Supervisors, TSS job requirements include maintaining train operating skills by operating trains on a regular basis. Since TSS personnel can be required to operate trains on a regular basis, it appears that for the purposes of section 35(c) (3) of the Rules and Regulations, a TSS should be subject to the same requirement of a medical examination every two years or at more frequent intervals as deemed necessary.

Recommendation

5. Develop a system that properly tracks and monitors employees' medical examinations, revisits, and hearing tests to ensure they are performed on time.

Audit Scope, Objectives, and Methodology

To determine whether the Metropolitan Transportation Authority's New York City Transit established and implemented training and retraining programs for train crews to ensure safe train operations; ensured that train crews are medically fit; and periodically monitored train crews for continued medical fitness. The audit period covered from January 1, 2013 to October 31, 2016.

To accomplish our objectives and evaluate the related internal controls, we interviewed Transit officials. We selected a random sample of 112 employees, including 50 Conductors, 56 Train Operators, and 6 TSSs, from a population of 2,217 employees who attended Induction Training during the three calendar years ended December 31, 2015.

For our examination of Refresher Training, we selected a random sample of 105 of 1,640 Transit employees (49 Train Operators, 47 Conductors, and 9 TSSs) to determine whether the Train Operators and Conductors attended Refresher Training from January 1, 2013 to October 31, 2016. For the total of 96 Train Operators and Conductors, we reviewed files for 45 employees, and for the remaining 51 employees we obtained information from Operations Support Training.

We used the same sampled employees to determine whether they received medical assessments. Our audit scope was from January 1, 2013 to October 31, 2016. We reviewed medical assessment files dating back to January 1, 2010 to find the preceding exam before our scope.

We compared Rail Control Center train incident logs of newly trained crews with our random sample of Train Operators and Conductors to determine if they were involved in any incidents.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained during our audit provides a reasonable basis for our findings and conclusions based on our audit objectives.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating

the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law.

Reporting Requirements

We provided a draft copy of this report to MTA officials for their review and formal comment. We considered their comments in preparing this final report and have attached them in their entirety at the end of it.

MTA officials disagreed with the findings and recommendations because they claim the auditors interpreted the training or medical assessment not being completed on the employee's exact anniversary date as meaning that the employee is out of compliance. They added that it was explained to the auditors that required training and medical assessments are done during the employee's birth month to avoid significant overtime costs that would be incurred if training and medical assessments were required to occur on the exact anniversary of the hire date. They also stated it is their practice to allow six months for scheduling Refresher Training. The rest of the response continues in a pattern of eliminating or lowering requirements in Transit's Policy Instruction and System Safety Program Plan regarding periodic medical assessments and Refresher Training. We question why the MTA chose to lower or change its standards instead of improving its performance. By doing so, the MTA weakens the safety features the requirements were intended to provide. Our rejoinders to certain MTA comments are included as part of the State Comptroller's Comments.

Within 90 days after the final release of this report, as required by Section 170 of the Executive Law, the Chairman and Chief Executive Officer of the Metropolitan Transportation Authority shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees advising what steps were taken to implement the recommendations contained herein, and where the recommendations were not implemented, the reasons why.

Memorandum



Date December 22, 2017
To Joseph Lhota, Chairman, MTA
From Phillip Eng, Acting President, NYC Transit
Re New York State Comptroller Report #2016-S-26: Operational Training and Medical Assessments of Train Crews

This information is being provided in response to the New York State Comptroller's audit report on operations training and medical assessments of train crews. The purpose of the audit was to determine whether NYCT established and implemented training and retraining programs for train crews to ensure safe operations, and ensured that train crews are medically fit and periodically monitored for continued medical fitness.

*
 Comment 1

NYCT strongly disagrees with the findings and recommendations contained in this report. The Auditors are interpreting any training or medical assessment not completed on the employee's exact anniversary date as meaning that the employee is out of compliance. In other words, if an employee received a periodic medical exam one day before their date-of-hire anniversary, the Auditors considered the employee out of compliance. As explained to the Auditors, however, train crews receive required training and medicals during their birth month to avoid significant overtime costs that would be incurred if training and medical assessments were required to occur on the exact anniversary of the hire date. Since hourly employees are on-boarded in large groups (generally 30-70 per class), 10-12 times per year, pulling them from service for training and medicals on their exact anniversary date would necessitate large groups removed from picked work jobs simultaneously. Using the birth month smooths out the scheduling over the course of the year and minimizes the impact upon employee availability and service to our ridership. This long-standing practice is supported by the NYC Transit Office of System Safety.

*
 Comment 2

*
 Comment 3

Furthermore, in almost every single instance in which the Auditors claimed that training or medicals were not done, NYCT provided time-keeping documentation to show that the employees in question were not in service at the time due to separation, long-term sick leave, workers compensation, leave of absence, or suspension and that training or medicals for employees who returned to work were all rescheduled. The Auditors rejected this documentation stating that it was derived from a time-keeping system that they had not audited, even though the system has been audited by MTA's external auditors. The Auditors instead relied on PeopleSoft records, which is not intended to track absences.

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 Comment 4

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 Comment 5

* See State Comptroller's Comments, page 19.

State Comptroller's Comments

1. In its response, the MTA focuses on one issue – the use of birth dates rather than anniversary dates – in determining when training and medical assessments are due. The overall findings, which the MTA does not significantly address, raise concerns about how the MTA monitors training and retraining for train crews as well as medical fitness.
2. Rather than disagreeing with the audit finding, the agency is disagreeing with its own policies. The Policy Instruction governing the medical assessments of Transit employees is stated in Policy 4.28.2. This policy was in effect during the audit period. There is no reference to a date of birth rule in the policy or any mention of an acceptable grace period ([the policy is attached](#)). Similarly, the training policy also does not mention either. In its response, the MTA states that it schedules medical examinations and Refresher Training based on birth date – not hire date – and it is flexible with the date (adding a grace period of six months). However, that is not in compliance with the policies that are in effect as of the MTA's response. It is the agency's responsibility to set policies and procedures to meet the agency's goals. If, because of the cost, the agency deemed it necessary to change its policies, then that is within its discretion. However, the MTA did not do that. By failing to follow its own policies, it creates risk for the agency.
3. Transit's policies do not mention the employee's birth month or give the agency flexibility to schedule Refresher Training when convenient. Instead, they state the time period between events as three years. Transit's current practice does not comply with its current policy, and if the Office of System Safety supports the current practice, it should change the current policy so that it agrees with the MTA's current practice. Moreover, this practice should be accurately disclosed in the MTA's annual System Safety Plan that is filed with the Public Transportation Safety Board.
4. Transit's response that the auditors would not accept timekeeping records is incorrect. In the instances where the information provided was sufficient to support a change in the initial results, the results were adjusted. For instance, where Transit officials stated they had records to support the reasons why employees did not attend Refresher Training and/or report for a medical assessment, we reviewed the "Payroll Schedule of Employee's Terminal Allowance" printed by the Transit Payroll Department. Our initial results were revised to reflect the new information where it supported that the employee was not at work. However, most of the additional information was insufficient to support a change in the findings. For instance, the MTA provided screenshots of training-related information as evidence that employees' medical appointments were rescheduled. However, without the required documents that show the medical assessment was done and the employee was found medically fit for duty, that evidence was insufficient.

Specifically, the MTA's Policies and Instructions state that a form G-46 "Request for Medical Examination" must be provided to the employee and has to be presented at the MAC. When the medical assessment is completed, the physician completes the G-46

and enters a progress note in "MedGate." The employee must present the completed G-46 to his/her supervisor upon reporting for work. The G-46 has the date when the employee is required to return to the medical center for a revisit. In its response, Transit, despite requiring the employee to return the G-46 with the actual results, argues that the auditors should accept an entry in the electronic record as sufficient evidence the medical examination was done, rather than the required supporting documentation that the MTA's policy requires. Moreover, if the MTA is accepting payroll records instead of a signed assessment as evidence that the actual assessment was completed by a physician, that would constitute a serious control issue.

5. Transit officials also introduced the work done by its external auditor as evidence that its records are reliable and should be accepted by the State auditors. However, the documentation was not accepted because it did not adequately address the finding, not because of issues with reliability.
6. As stated above, we audited against Transit's official policy and found that Transit was not always in compliance with its requirements.
7. Transit's official policies do not mention the "allowable tolerance of approximately six months" that the MTA states it provides. Such a grace period, coupled with using the birth date instead of the hire date, could cause significant delays. For example, an employee born in December and hired in January who was scheduled for training or a medical assessment every two years could be "in compliance" with the MTA practice and still not receive training or a medical assessment for almost three and a half years. As this is a safety issue, change to the formal time between training events should be assessed based on risk, and properly documented in Transit's System Safety Program Plan and reported to the Public Transportation Safety Board.
8. Transit did not provide documentation to support the information regarding the 22 employees despite repeated requests to provide any relevant information. It is therefore unclear if the conditions the MTA mentioned existed when training was due under the policy or existed in the grace period that the MTA used, which grants significant leeway (up to 17 months) to scheduling required appointments. The "17 months" is calculated as follows: Using the example in Comment 7, an employee born in December and hired in January should be given Refresher Training the following December (11 months from when hired). Then the MTA allows a "six-month" grace period, which could allow employees up to 17 months for the Refresher Training.
9. The training manual requires the documents to be retained in the students' files. Whether Transit keeps these files electronically or in paper is not relevant. What is relevant is that Transit did not have records to support that all training was done for 57 percent of the Conductors and Train Operators.
10. Based on the documents within training files, both quizzes and tests are given. A "Conductor Refresher Quiz" and a "T/O Refresher Quiz" with 20 questions are both given, as well as

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Patrick J. Foye
Chairman and Chief Executive Officer



Metropolitan Transportation Authority

State of New York

January 15, 2020

Ms. Carmen Maldonado
Audit Director
The Office of the State Comptroller
Division of State Government Accountability
59 Maiden Lane, 21st Floor
New York, NY 10038

Re: Final Report #2019-F-17 (Operational Training and Medical Assessments of Train Crews)

Dear Ms. Maldonado:

This is in reply to your letter requesting a response to the above-referenced final report.

I have attached for your information the comments of Andy Byford, President, MTA NYC Transit, which address this report.

Sincerely,

A large black rectangular redaction box covering the signature of Patrick J. Foye.

Patrick J. Foye
Chairman and Chief Executive Officer

c: Anni Zhu, Acting MTA Chief of Staff
Michele Woods, Acting Auditor General, MTA Audit Services

Memorandum



Date January 14, 2020
To Patrick Foye, Chairman, MTA
From Andy Byford, President, New York City Transit
Re **New York State Comptroller Report #2019-F-17 (Follow-Up Report)– Operational Training and Medical Assessments of Train Crews**

This information is being provided in response to the State Comptroller's final audit report on Operational Training and Medical Assessments of Train Crews (2019-F-17). The stated purpose of this follow-up audit was to assess the extent of implementation, as of October 17, 2019, of the five recommendations included in their initial report (2016-S-26, issued May 31, 2018).

*Comptroller Recommendation #1: Identify and prioritize ways to schedule all training to comply with Transit requirements.
Status per Comptroller: Partially Implemented*

Status per NYCT: Implemented

NYCT Response: The report identifies several Conductors and Train Operators who did not receive refresher training within NYCT's established time frames. Because NYCT had unprecedented numbers of additional hires in 2016 and 2017, refresher training was postponed so that NYCT could complete induction training for the new hires. Our policies now provide that all employees receive refresher training within 90 days of the anniversary date of their induction training or their last refresher training (whichever is most recent).

*Comptroller Recommendation #2: Require all instructors to review the class files periodically during and at the end of training to ensure that all quizzes, tests, and examinations are documented, graded, and retained, and that attendance sheets are placed in the file.
Status per Comptroller: Implemented*

Status per NYCT: Implemented

NYCT Response: In 2017, NYCT created a system to track class files and instituted an internal control to ensure that periodic file reviews are conducted.

*Comptroller Recommendation #3: Clarify the requirements regarding retests, as established in the February 10, 2015 Training Policy Memorandum, that must be met for students to remain in the training program.
Status per Comptroller: Implemented*

New York State Comptroller Report #2019-F-17
Operational Training and Medical Assessments of Train Crews
January 14, 2020

Status per NYCT: Implemented

NYCT Response: NYCT clarified its requirements regarding retests in a Training Policy Memorandum issued January 4, 2016.

Comptroller Recommendation #4: Evaluate the Refresher Training to determine the reason for the low passing rate and implement corrective action.

Status per Comptroller: Not Implemented

Status per NYCT: NYCT continues to disagree with this recommendation

NYCT Response: Refresher training does not include testing, so there are no grades. The “test” the auditors refer to is merely a skill assessment administered to trainees *before* the refresher course to give the instructor a snapshot of the participant’s current understanding of certain topics. This assessment is not used as a determinant of the employee’s ability to perform his/her job. However, at the conclusion of refresher training, the instructor evaluates demonstrated competency in all assigned topics.

Comptroller Recommendation #5: Develop a system that properly tracks and monitors employees’ medical examinations, revisits, and hearing tests to ensure they are performed on time.

Status per Comptroller: Partially Implemented

Status per NYCT: Full Implementation expected by March 31, 2020.

NYCT Response: The report found that medical records were not always maintained according to requirements. As a result, refresher training will be provided to all medical staff on the new medical software system (Cority) and on proper procedures. All G46 (request for medical examination) forms will be scanned into Cority for each visit. In addition, medical transmittal sheets and medical qualification forms for all pre-employment/promotional candidates will be scanned into Cority and placed in the medical charts at the time of the visit. The report references nine employees who the auditors claim did not have their required medical assessments. However, when asked to provide the names of these employees, the auditors provided a spreadsheet with eight employees who, upon investigation, all received their medicals within the appropriate timeframe.

THOMAS P. DINAPOLI
COMPTROLLER



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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

November 19, 2019

Mr. Patrick J. Foye
Chairman and Chief Executive Officer
Metropolitan Transportation Authority
2 Broadway
New York, NY 10004

Re: Operational Training and Medical
Assessments of Train Crews
Report 2019-F-17

Dear Mr. Foye:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law, we have followed up on the actions taken by officials of Metropolitan Transportation Authority – New York City Transit to implement the recommendations contained in our audit report, *Operational Training and Medical Assessments of Train Crews* (Report 2016-S-26).

Background, Scope, and Objective

The Metropolitan Transportation Authority (MTA) is a public benefit corporation that operates North America's largest transportation network. One of six MTA constituent agencies, New York City Transit (Transit) operates bus and subway service within the City. Transit's 27 subway lines are divided into two divisions: A Division (the numbered lines and 42nd St. Shuttle) and B Division (the lettered lines and the 7 line).

Train crews consist of two members: a Train Operator (TO) and a Conductor – both of whom have direct responsibility for the safe, timely, and proper operation of Transit trains. Transit also has Train Service Supervisors (TSSs) who, among other duties, supervise the day-to-day operations of TOs and Conductors; evaluate and monitor train service personnel for fitness of duty; are prepared to operate trains; and respond to and investigate operational incidents and take corrective action if necessary.

Employees new to the TO and Conductor positions must go through Induction Training, where they learn how to operate trains in revenue and non-revenue road service in a yard or terminal; prepare trains for road service and switch cars in the yards; and learn the components of a train and gain familiarity with operating procedures, including how to deal with emergency situations.

Depending on the job or assignment the inductee is training for, the curriculum and length of the training varies, as shown in the following table.

Title	Assignment	Length of Induction Training
Conductor	A Division	32 days
	B Division	35 days
Train Operator	A Division	85 days
	B Division	110 days
Train Service Supervisor	A & B Divisions	40 days

Training for all positions is conducted both in the classroom and in various train yards. Training for Conductors and TOs also includes “posting,” where the inductee works alongside a permanent employee to use the skills taught in class. Learning is assessed through a variety of learning indicators, including quizzes, tests, and final written and practical tests. The YX program is roughly a two-month-long program where the TO gets practical experience operating the train in the yards.

Quizzes provide feedback to the instructors regarding how the training is being received by employees, allowing them to gauge employees’ ability to understand the information. In the event they fail a quiz, or as the instructor deems necessary, employees may be offered tutoring sessions in specific subjects before or after class.

TOs and Conductors who complete Induction Training are on probation for a year, which includes time spent in training, and thereafter become permanent employees. Subsequently, every three years, train crews must undergo Refresher Training. For both positions, the Refresher Training includes three days of classroom training, road training, and fire and evacuation training; Conductors receive an additional day of training in communications.

Employees new to these positions are required to pass a medical assessment at a Medical Assessment Center (MAC) and periodic medical assessments thereafter (every two years for TOs and every five years for Conductors). Revisits may be necessary as determined by MAC medical personnel. Federal regulations also require Conductors and TOs to have annual hearing tests. There are no medical assessment requirements for TSSs, who are subject to drug and alcohol screening only.

We issued our initial audit report on March 1, 2018. We found that Transit was not in compliance with the requirements of the Induction Training curriculum established for its train crews, and that TOs and Conductors did not always meet or complete Refresher Training requirements. Our review of training files for 45 employees showed that only 16 employees (36 percent) received a passing grade of 80 or higher on the final test, while 23 employees (51 percent) failed the test and returned to work; for the remaining 6 employees, tests were missing from the files. Furthermore, annual hearing tests were not always administered as required.

Transit was also not in compliance with medical assessment requirements for train

crews. For example, of 36 medical assessments that were required for 33 TOs during our audit scope period, based on the information available, we could determine that only 2 were performed on time; 16 were performed late; 13 were performed early; and 5 were not done at the time of the employee's last day worked prior to retirement.

The objective of our follow-up was to assess the extent of implementation, as of October 17, 2019, of the five recommendations included in our initial audit report.

Summary Conclusions and Status of Audit Recommendations

MTA—Transit officials made some progress in addressing the problems we identified in the initial audit report. Of the initial report's five audit recommendations, two were implemented, two were partially implemented, and one was not implemented.

Follow-Up Observations

Recommendation 1

Identify and prioritize ways to schedule all training to comply with Transit requirements.

Status – Partially Implemented

Agency Action – We found that 14 of 20 Conductors (70 percent) and 9 of 16 TOs (56 percent) sampled for our follow-up failed to meet this requirement. For example, one Conductor should have attended Refresher Training in May 2017, but did not attend until January 2019. A TO should have attended Refresher Training in July 2017, but did not attend until October 2018. According to the updated Safety Promotion section of Transit's Public Transportation Agency Safety Plan, which is in its final revision stage, employees must be scheduled for Refresher Training every three years within 90 days of the anniversary date of completing Induction Training or Refresher Training, whichever is most recent. Prior to March 2, 2018, Transit did not have a grace period.

Recommendation 2

Require all instructors to review the class files periodically during and at the end of training to ensure that all quizzes, tests, and examinations are documented, graded, and retained and that attendance sheets are placed in the file.

Status – Implemented

Agency Action – Transit has assigned two employees to review TO and Conductor Induction Training files. It also established a process for random audits of the Induction Training files three or four times each year. We were provided copies of the three audits done in 2018; no audits have been done for 2019 (as of August). We also found that 6 out of 19 Conductor files in our Induction Training sample contained incomplete documents (e.g., forms and tests that were not signed, graded, or dated). From the 21 TO files reviewed, we found nine incomplete documents. After reviewing the attendance sheets for the Conductor Induction Training classes

in our sample, we found that, on average, 9 percent of attendance sheets were missing from the files. Out of the 21 TO files, about 10 percent of the attendance sheets were missing. While Transit has taken steps to ensure that class files are complete, there is opportunity to strengthen its controls.

Recommendation 3

Clarify the requirements regarding retests, as established in the February 10, 2015 Training Policy Memorandum, that must be met for students to remain in the training program.

Status – Implemented

Agency Action – Transit's training manuals contain a new Training Policy Memorandum (as of January 4, 2016) that clarifies requirements on retests.

Recommendation 4

Evaluate the Refresher Training to determine the reason for the low passing rate and implement corrective action.

Status – Not Implemented

Agency Action – Transit did not evaluate the low passing rate on Refresher Training tests. We were advised that the participants are assessed to determine the areas where they need to be updated (or reminded) of the requirements. At the closing conference, Transit officials advised us that the assessment forms were not maintained in each employee's file; instead, they are kept together. Officials said they would provide us with the forms. For Conductors, we received forms for only 2 of the 16 months (January and February 2019); for TOs, we received a list of assessment results from January 13, 2019 to October 9, 2019. According to these sources, 108 of the 186 (58 percent) forms for Conductors showed scores lower than 80. We also noted that 27 Conductors had scores of 60 or lower. For the 465 TO scores received, 375 were below 80 and 177 were 60 or lower. Thus, the scores on the assessments indicate that TOs' and Conductors' "Knowledge and Awareness" need significant improvement.

Recommendation 5

Develop a system that properly tracks and monitors employees' medical examinations, revisits, and hearing tests to ensure they are performed on time.

Status – Partially Implemented

Agency Action – We found that medical records were not always maintained according to Transit's requirements. A copy of the G-46 "Request for Medical Examination" form for promotion staff and a copy of the Medical Transmittal sheet for pre-employment candidates must be in the medical chart, along with a copy of the

Medical Qualification form. Our review of a sample of 21 TO medical records revealed that 4 did not have documents to show they met the pre-employment or promotion requirement in their chart.

In addition, we found that 9 of 26 employees (2 TOs and 7 Conductors) did not have all of the required periodic medical assessments. Also, the MAC personnel had a difficult time tracking the employees' medical files in their new system. For example, locations were incorrect, and some employees had multiple files in different MACs. Therefore, we can conclude that although Transit has developed a new system, it does not properly track and monitor employees' medical exams.

Major contributors to this report were Robert Mehrhoff, Anthony Belgrave, Jim Cherian, Susan Gordon, and Netash Phull.

We would appreciate your response to this report within 30 days, indicating any actions planned to address the unresolved issues discussed in this report. We thank the management and staff of MTA–Transit for the courtesies and cooperation extended to our auditors during this review.

Very truly yours,

A solid black rectangular redaction box covering the signature of Carmen Maldonado.

Carmen Maldonado
Audit Director

cc: D. Jurgens, MTA
M. Woods, MTA
Division of the Budget