

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

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SEPTA TRACK WORKER FATALITY \*

PHILADELPHIA, PENNSYLVANIA \*

Accident No.: RRD19FR009

JULY 8, 2019 \*

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Interview of: SEAN SHARPE, Trainer

SEPTA

SEPTA Headquarters  
Philadelphia, Pennsylvania

Wednesday,  
July 10, 2019

## APPEARANCES:

TROY LLOYD, Chairman, Track and Engineering Group  
National Transportation Safety Board

GEORGE GOOD, Accident Investigator  
Federal Transit Administration (FTA)

JOHN WEISGERBER, State Safety Oversight Representative  
Pennsylvania Department of Transportation (PennDOT)

JOSEPH WILSON, Operational Safety Officer  
Southeastern Pennsylvania Transportation Authority  
(SEPTA)

JIM FOX, Assistant General Manager of System Safety  
SEPTA

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I N T E R V I E W

1  
2 MR. LLOYD: Okay, we are on the record. We're here at SEPTA  
3 headquarters. My name is Troy Lloyd. Today's date is July 10th,  
4 2019, and we are at SEPTA headquarters located in Philadelphia,  
5 PA.

6 We are interviewing Mr. Sean Sharpe, who works as an  
7 instructor, preferably for this interview, an RWP training  
8 instructor for the Southeastern Pennsylvania Transportation  
9 Authority, SEPTA, S-E-P-T-A.

10 This interview is in connection with an accident that  
11 occurred on July 8th, 2019, where two track workers were struck by  
12 a train in Erie interlocking resulting in one fatality and one  
13 injury. The NTSB accident number is RRD19FR009; again, that's  
14 RRD19FR009.

15 The purpose of this interview is to increase safety not to  
16 assign, blame, fault, or liability. The NTSB cannot guarantee any  
17 confidentiality or immunity from legal or certificate actions. A  
18 transcript, which we -- which I talked to you early, a transcript  
19 or a summary of the interview will go in the public docket. Once  
20 you review it and give it back, all that stuff becomes available  
21 and will go in our public docket.

22 The interviewee can have one representative. He has chosen  
23 not to use any type of representation. The interviewee can have  
24 one representative of the interviewee's choice. Note, the  
25 representative may not testify for the interviewee.

1 Representative's comments should be limited.

2       So we're just going to skip all this stuff since we haven't  
3 chosen -- you have not chosen a legal representative. So you're  
4 good -- we're good. We're recording. This is informal NTSB  
5 interview that's is in connection with the accident that occurred  
6 at Erie interlocking.

7       MR. SHARPE: Yes, sir.

8       MR. LLOYD: Okay. So before we start this interview and  
9 questions, lets go around the table and introduce ourselves.  
10 Please spell your last name, who you are representing, and your  
11 work title. I would like to remind everybody to speak clearly so  
12 we can an accurate recording. I'll start off with myself and I'll  
13 pass it off to the right.

14       Again my name is Troy Lloyd. L-L-O-Y-D is the spelling of my  
15 last name. And I'm the NTSB investigator, group chairman for the  
16 track and engineering group.

17       MR. SHARPE: My name is Sean Sharpe, S-H-A-R-P-E. I'm a  
18 subway elevated instructor for Southeastern Pennsylvania  
19 Transportation Authority, SEPTA.

20       MR. GOOD: George Good, G-O-O-D, accident investigator,  
21 Federal Transit Administration.

22       MR. WEISGERBER: John Weisgerber, W-E-I-S-G-E-R-B-E-R. I'm  
23 the senior director, and I represent PennDOT SSO.

24       MR. WILSON: Joseph Wilson, W-I-L-S-O-N, with Southeastern  
25 Pennsylvania Transportation Authority. I work as an operational

1 safety officer for system safety.

2 MR. FOX: Jim Fox, F-O-X. I'm a SEPTA representative,  
3 assistant general manager of system safety.

4 MR. LLOYD: Is it cool to call you Sean?

5 MR. SHARPE: Yes, that's fine.

6 MR. LLOYD: First-name basis. Okay. So what we'll going to  
7 do is, first, we'll ask you some general questions in reference to  
8 the RWP training, how it's conducted, refreshers, you know, how  
9 the people's trained, trackmen versus foremans or EICs, things of  
10 that nature.

11 INTERVIEW OF SEAN SHARPE

12 BY MR. LLOYD:

13 Q. So let's go ahead and start off, Sean. Let's -- give us --  
14 give me a breakdown of your work history here at SEPTA from your  
15 hire date, how you were promoted up through the ranks, how you  
16 became an instructor and all that stuff.

17 A. Okay. My hire date, I started in -- I believe it was  
18 February of '96. I was hired as a trackless trolley operator.  
19 Started out at Frankford Transportation Center. After 6 months  
20 with the company, I was, I guess, laid off, but they offered us  
21 positions with Regional Rail. So I was assistant conductor for 9  
22 months for Regional Rail Division of SEPTA.

23 After a year with Regional Rail, I was re-transferred back  
24 over to the transportation side as a bus operator, trackless  
25 trolley operator. I spent 8 years on the street as a trackless

1 trolley operator, and after 8 years I transferred to the subway  
2 elevated division of Market-Frankford El, elevated trains.

3 From that point, I stayed with Market on the trains for 12  
4 years, and from that point on I transferred to the instruction  
5 department for subway elevated division training department. It's  
6 been 3 years now at the sub El training department.

7 Q. So now you're an instructor -- do you work for -- I guess do  
8 you work from system safety, is that who you work for or --

9 A. No. No, the training department.

10 Q. So you have a separate training department?

11 A. Yes.

12 Q. So as a training instructor what various classes do you  
13 instruct?

14 A. First off, we instruct operators, new hires on how to operate  
15 trains, both lines -- Broad Street Line and the Market-Frankford  
16 Line. We're involved with track safety as far as roadway workers,  
17 preparing track safety classes, QPE training, qualified protection  
18 employee training. We assist as needed.

19 Q. So talk to me about RWP. So what's your familiarization?  
20 Have you ever worked in any type of the field where you would have  
21 to do any kind of track outages, taking crews out, things of that  
22 nature?

23 A. I didn't -- no, didn't have any experience of that nature. I  
24 was trained, you know, on-the-job training when I was hired. So I  
25 never had any official track training, anything of that nature.

1 Q. So how does SEPTA go about training the various classes that  
2 you teach, whether it's operations, if it's RWP, things of that  
3 nature?

4 A. Can you be more specific? On how they go about --

5 Q. Yeah, so on the job -- so you said on-the-job training you  
6 were trained.

7 A. Um-hum.

8 Q. So how were you trained to teach --

9 A. They have course --

10 Q. -- RWP where --

11 A. There were course outlines.

12 Q. Okay.

13 A. And then, you know, I'd shadow an instructor, a more seasoned  
14 instructor who's been on the job for quite some time, someone  
15 who's -- was more aware of how things were done as far as the  
16 courses that outlined and how -- what particular craft it is. So  
17 we shadowed more seasoned instructors until we were able to branch  
18 out on our own and understand everything that, you know, we were  
19 taught or what was in the rulebook.

20 Q. Okay. Is there any type of field training --

21 A. Yes.

22 Q. -- within the (indiscernible)?

23 A. It was on-the-job training. It's like we were actually -- as  
24 far as a new hire, I was put in a class with actually people who  
25 were actually, you know, getting qualified for whatever it may be,



1 was it for operations or in the track, so --

2 Q. Okay.

3 A. We were pretty much trained along with the people who were  
4 starting out.

5 Q. Now what about students, if you're training students, are  
6 they getting any type of -- is it just a classroom environment or  
7 is it an outside visit (indiscernible)?

8 A. It's actually both, depending on what type of -- say,  
9 operations, we were training new operators, we go through a book  
10 of rules portion, then we go through equipment portion, and then  
11 we go to PC portion, then we actually train in train, and then we  
12 go to line training. So it's different phases that we go through.

13 Same thing with roadway workers, there's -- it's a 2-week  
14 program. So it's -- the first week is book of rules, track  
15 safety, everything that, you know, related to the tracks, signs  
16 and different things of that nature. That's the first part is in  
17 -- first couple days is in the classroom and then we do OJT, on-  
18 the- job training in the field for a week, and the next week we go  
19 out and do physical characteristics to get to learn the lines.

20 Q. Okay. So the different lines -- and looking at Jim here to  
21 the left, and so the different lines, there's various ways of  
22 doing things in RWP protection, different speeds. I guess  
23 physical characteristics is a major player when it comes to RWP at  
24 SEPTA?

25 MR. FOX: It is, depending on the level of qualifications you

1 have. So everybody that's going to perform any type of work on  
2 the track has to go through a 1-day on-track safety class, where  
3 it's the state, my staff, you're going to do anything inspection,  
4 construction and maintenance, you have to start out by doing a 1-  
5 day. It's about 4 hours classroom, and you learn the operational  
6 characteristics, you also learn the levels of protection that you  
7 can afford by the way the rules are set up, foul time, train  
8 approach warning, those things.

9 And then after the classroom session is done, you take a test  
10 and then you go out in the afternoon and you actually go in the  
11 field and they take you through a couple different locations,  
12 because our city light rail, subways, all the rules are the same,  
13 and that class allows you to be qualified as an on-track person  
14 for those territories, commuter rail, subways and the light rail  
15 operations.

16 So when they take you out, they'll take you through a variety  
17 of locations. They'll take you up on the guideway, they'll take  
18 you down in the tunnel, they'll take you out on the trolley lines.  
19 And as part of that, not only are they showing you and giving you  
20 the exposure of what it's like to have to be around an active  
21 train track, in a tunnel or up on the guideway, but they will  
22 actually qualify you as a watchperson, where you will be taught  
23 how to physically watch, flag a train, if need be, stop a train,  
24 those types of things. But it's a 1-day, half in the classroom,  
25 half field application.

1           That just gives you the ability to be able to go on track,  
2 but when you're on track, you'll have to be protected by a  
3 qualified protection employee. That's the 2-week class that  
4 Sean's talking about.

5           MR. LLOYD: Right.

6           MR. FOX: That person has the jurisdiction of setting up the  
7 level of protection so that if you want to be -- if John or myself  
8 wants to go on the track, we would have to coordinate to have a  
9 qualified protection employee that has a higher level of training  
10 to help us establish the protection, and then we can do the job  
11 we're doing with the protection they set up.

12           That class is a 2-week class. That's the full book of rules,  
13 they learn their PCs, then they go out on-the-job applications of  
14 how to set up, you know, the time, the distance, the line of sight  
15 distances; we're setting up work zones, how to service track,  
16 coordinating with the control center. That's one person that has  
17 to kind of be the overall person in charge of the train crew. So  
18 in the railroad world, it's the SE, who is called the qualified  
19 protection employee. So that's a 2-week training.

20           BY MR. LLOYD:

21 Q.   Okay. So the RWP program is broken down from the guy that's  
22 just going out and driving spikes to the guy that's actually  
23 setting up the work zones?

24 A.   Right.

25 Q.   So it's separated. So I've got my tracking level, then I've

1 got my roadway worker in charge level.

2 A. Absolutely, right.

3 Q. Is that right?

4 A. Yes.

5 Q. And you teach both of those?

6 A. Yes.

7 MR. LLOYD: Okay, okay. All right. George, go ahead.

8 BY MR. GOOD:

9 Q. George Good, FTA. Just, Sean, I had a question, in the 3  
10 years you've been there has there been, say, due to -- say, like  
11 an accident, changes to the RWP program?

12 A. I can't think of any off the top of my head. Changes as far  
13 as when incidents happened and rules change?

14 Q. Right.

15 A. That type -- line of thing. I really can't think of  
16 anything. Actually there was -- you know, someone was injured and  
17 there was an added adjacent track protection. That's the one that  
18 I'm familiar with, that I can concretely say that something  
19 happened and the rules changed.

20 Q. Now --

21 A. So there was a change.

22 Q. -- in that case, do they involve training to have input in,  
23 you know, revising that rule?

24 A. It would more or less likely be the chief instructor, and the  
25 chief instructor would pass that information down to us.

1 MR. GOOD: Okay. Thank you.

2 BY MR. WEISGERBER:

3 Q. This is John Weisgerber. I believe I know the answer --  
4 there's only one QPE class, right, that covers all the lines?

5 A. Yes.

6 Q. All the transfer lines, and there's another QPE class for  
7 regional rail?

8 A. For -- exactly, yes.

9 MR. WEISGERBER: Yeah, okay. Having just done the audit on  
10 the RWP program, there's not much else I need to ask so I'll pass  
11 it on to Joe.

12 BY MR. WILSON:

13 Q. Joseph Wilson, system safety. With the QPE program you  
14 become a QPE, but you must be qualified on the physical  
15 characteristics of that particular territory to do QPE in that  
16 territory, right?

17 A. Yes.

18 Q. So you just can't be a QPE on any rail transit --

19 A. No, unless you're familiar with the physical characteristics  
20 of that territory.

21 Q. Okay.

22 A. That's it.

23 Q. All right. And the protection levels -- if you have  
24 employees out there that are working together outside of any type  
25 of out of service or work zone, what type of protection do they

1 normally have for that?

2 A. For that, working outside of it, normally they would have to  
3 talk with the person in charge of that out-of-service track. And  
4 if they want to set up a train approach warning outside of that,  
5 any type of level of protection that they can set up, they would  
6 have to work it out with each other before they actually set that  
7 up, and then they would determine what's, you know, the safest way  
8 to do so if they were going to work out there.

9 Q. Okay.

10 A. So it's not -- I don't think it's a determined level that  
11 they're going to work at unless they determine -- it depends on  
12 what type of work that they're doing.

13 Q. You mentioned train approach warning. As an instructor, when  
14 you teach that method of protection, how do you usually explain train  
15 approach warning?

16 A. Train approach warning is when we have a watchperson situated  
17 in the area where he could both see a train approaching and also  
18 be in earshot of the actual workers that are working in the area.  
19 And I would explain to them that you would have to give the  
20 roadway worker enough time to clear in the area in the event that  
21 a train is approaching. And so I would give them a warning at  
22 least 15 seconds in advance of that approaching train.

23 Q. Okay. How would the determination for that 15-second  
24 clearance be explained?

25 A. It would be explained -- you would have to explain the track

1 speeds of that territory. You have to figure out -- actually know  
2 what territory that you're in to actually clear it. So whatever  
3 territory that you're in, you factor in that 15 seconds in within  
4 the train's approaching, so you have to mark off some footage  
5 perhaps and have the person situated in the area where he can have  
6 enough warning to warn that person.

7 Q. What types of physical characteristics do you use to  
8 determine those footages or --

9 A. In my experience we've used span numbers, we've used  
10 insulators to cover out the footage and things of that nature,  
11 even vents at some point, but mostly it's been insulators.

12 Q. Okay. And insulators come with a certain footage?

13 A. Yes. The insulators, say, 10 feet apart.

14 Q. Okay.

15 A. That's what we -- again, we just situate the watchperson in  
16 the area where we know where -- see when do the track safety  
17 classes, we go to a predetermined area and we already know where  
18 it's situated, so we have it marked off for, you know, that  
19 situation. And we already know -- have the footage calculated  
20 already, so --

21 Q. Okay, and the footages, the determination and whatnot, they  
22 find those figures where?

23 A. We just --

24 Q. I mean --

25 A. We just know.

1 Q. -- is a chart or something like that (indiscernible)?

2 A. There's no, there's no -- well, we do have the -- in the  
3 rulebook, or even in the presentation that we have, we have the  
4 vent numbers, the span numbers, and trolley mileposts and, you  
5 know, markers and stuff like that, and they just -- so that's how  
6 we go about getting the --

7 Q. Is there some kind of maybe card or something you may give  
8 them to like how many vents is this amount of feet or anything  
9 like that?

10 A. During the presentation we don't have any cards.

11 Q. Okay.

12 A. But there is a slide, and we talk about that slide. You  
13 know, not extensively, you know, but you'd be encouraged, you  
14 know, to write those numbers down.

15 BY MR. WEISGERBER:

16 Q. This is John Weisgerber. You said something about a 15-  
17 second warning. Is it a 15 second warning or is the rule that  
18 they're supposed to be clear of the track in 15 seconds?

19 A. 15 seconds ahead of the train's arrival. That's the minimum;  
20 we want to give them 15 seconds.

21 Q. Okay.

22 A. Yeah.

23 Q. So when you're calculating the distance, how do you do that?

24 A. We mark off the vents --

25 Q. But I mean --



1 A. -- in that specific area.

2 Q. So if the train's traveling at 30 miles an hour and you want  
3 to be clear of the track 15 seconds before the train arrives?

4 A. We would use a speed-distance table.

5 Q. Which is?

6 A. Oh, sorry. It determines the actual footage that you have to  
7 clear the track before the train arrives.

8 Q. So theoretically, that's got some time in there for the  
9 actual time to clear?

10 A. Yes, it does. It does.

11 Q. Okay. Do you know how much it's padded? I mean --

12 A. Not off the top of my head.

13 Q. Okay.

14 A. I would have to look at it.

15 Q. But you just have a table that's already pre-calculated?

16 A. Yes.

17 MR. WEISGERBER: So Jim, would you know how much time it's  
18 padded or is it just --

19 MR. FOX: I don't.

20 MR. WEISGERBER: Okay.

21 MR. FOX: I just know that when you set up the train approach  
22 warning to have that line of sight, that line of sight will enable  
23 you to be clear 15 seconds prior to the approach of the train.

24 MR. WEISGERBER: But it's going to make an assumption on how  
25 long it's going to take you to clear. I mean, if you say it's

1 1,000 feet --

2 MR. FOX: It does, which is why when you're clearing it  
3 should not be seconds of time.

4 MR. WEISGERBER: Right.

5 MR. FOX: It's relatively within a couple seconds of time  
6 added to clear. If you're doing anything beyond that point, then  
7 you might want to be thinking of a different level of protection.

8 MR. WEISGERBER: Okay.

9 MR. WILSON: Are you done, John?

10 MR. WEISGERBER: You may go.

11 MR. WILSON: If you got more, keep going.

12 BY MR. WILSON:

13 Q. Now you mentioned that the watchperson in train approach  
14 warning is to watch to give the worker enough time to clear within  
15 the 15 seconds. Are they watching for one particular direction?

16 A. Depending on that area that they're in you want to be in the  
17 situation where you're going to watch trains from both directions.

18 Q. Okay.

19 A. So that -- again, you would -- in this situation you're  
20 looking just strictly for trains in either direction.

21 Q. Now the train approach warning is that a protection that's  
22 taught where you're definitely supposed to be clear and not have  
23 to, say, stop a train unless it's an emergency?

24 A. That's correct. I can say that, yes. You want to be in the  
25 position where you don't want to be able to stop trains because

1 you want to be able to clear. That's train approach warning. You  
2 shouldn't be at in a situation where you're stopping trains.

3 Q. Okay. And the train approach warning type of protection, the  
4 workers that are involved, how do they know how to tell the person  
5 when to clear? What do they do --

6 A. Well --

7 Q. -- to get them to the point of knowing how that's supposed to  
8 work?

9 A. Well, the first thing, they should have a job briefing before  
10 they go out in the track area. That's the first thing. And like  
11 I say, you have to be familiar with the territory. You want to  
12 know where to clear in advance. I always say game plan before you  
13 go out in a track area. So that communication needs to be between  
14 that watchman and the worker beforehand.

15 MR. WILSON: That's all I've got for right now.

16 MR. LLOYD: Okay.

17 BY MR. WEISGERBER:

18 Q. I'm going to kind of backtrack and answer some questions to  
19 kind of frame out to help truly get a better understanding. So we  
20 identified there's two types of training to be provided for on-  
21 track protection. They have their 1-day and they have their QPE  
22 training.

23 The 1-day class -- let's focus on-track protection class.  
24 The initial training is a full 8 hours. What happens after you  
25 get that certification? Do you have to come back at any

1 frequency; is there a recertification?

2 A. There's a recertification annually for the track safety  
3 class. So they have to come back the next calendar year for that  
4 if they want to keep up their qualifications.

5 Q. And how about for QPE?

6 A. Same.

7 Q. It's on an annual basis?

8 A. It's on an annual basis, yes.

9 Q. Okay. When I have passed the class and have been deemed  
10 qualified in either on-track protection or in QPE, is there  
11 anything that I receive to verify or to be able to identify I am  
12 qualified?

13 A. You receive a new roadway workers card with updated date,  
14 that date that you completed the recertification.

15 Q. Okay. And it'll identify what level certification you have,  
16 whether it's it on-track protection or QPE?

17 A. It doesn't. It's just on track safety.

18 Q. Okay.

19 A. It doesn't give you -- we keep a record of all the QPE  
20 recertifications, but it doesn't show anything on the ID.

21 Q. Okay.

22 A. Just a date.

23 Q. On the rules and what you train as far as on-track  
24 protection, what are the different levels of on-track protection  
25 that can be incorporated for a work group?

1 A. There are eight levels of protection.

2 Q. Okay. Can you --

3 A. Yes.

4 Q. -- identify the eight levels?

5 A. Okay.

6 Q. And if you want to cheat, (indiscernible).

7 A. Yeah, I might have to cheat. Well, we go with the individual  
8 train detection, we have train approach warning, we have foul  
9 time, we have working on station platforms, we have work zones,  
10 using signs, removing tracks from service, location control, and  
11 other than the main, and then we don't use -- adjacent track  
12 protection is required when you have to remove a track from  
13 service or set up a work zone. I think that's eight.

14 Q. So, okay, real quick, without getting into super-big detail,  
15 let's walk through those eight levels of protection, just give a  
16 quick summary of kind of what it means.

17 A. Okay. Individual train detection, as the first one, that is  
18 when a roadway worker's responsible for his own safety when he's  
19 out there. He's able to detect approaching trains and able to  
20 clear the track 15 seconds before the train's arrival. So that  
21 person's responsible for himself when he's out there.

22 Q. Are there any work conditions where that's not an acceptable  
23 means of protection?

24 A. When you're working with more than one person and you're  
25 working in areas where you can't clear, things of that nature.

1 That's -- I think that would be it.

2 Q. Okay.

3 A. Yeah.

4 Q. Protection number two?

5 A. Train approach warning, is that what I used?

6 Q. Yeah.

7 A. Train approach warning is when you have a watchperson, and  
8 basically it's a watchperson is responsible for the safety of the  
9 worker, and that person is responsible for warning the workers  
10 when the train's arriving, you know, again, giving the workers  
11 enough time to clear before the train's arrival, which usually is  
12 a minimum of 15 seconds.

13 Q. And real quick, as an individual worker, what level of  
14 qualifications do you need to have in order to be classified a --

15 A. He has to be QPE qualified.

16 Q. Okay. How about for train approach warning?

17 A. Train approach warning is just track safety.

18 Q. Okay. Now the third level of protection?

19 A. Foul time, I believe.

20 Q. And the explanation of that?

21 A. Yeah, foul time is when you have to get permission from the  
22 train dispatcher to actually foul the track. And that, of course,  
23 the train dispatcher is not going to authorize foul time unless he  
24 determines that all traffic is halted in that area, either  
25 verbally or by radio.

1           Once a communication has been established and trains are  
2 stopped either by verbally -- verbal hold or a stop signal, then  
3 the train dispatcher will issue foul time for that worker to  
4 actually to go into the area he wishes to foul with no traffic in  
5 that area.

6 Q.   If I have on track protection training, I can request foul  
7 time?

8 A.   Not -- no. You need -- also need QPE.

9 Q.   Okay. Who has the right to request foul time?

10 A.   QPE.

11 Q.   Okay. Fourth level of protection? Help him out, Jim.

12 A.   Yeah where are we at?

13           MR. FOX: Protection by establishing a work zone.

14           MR. SHARPE: Oh, so work zone signs, yes. That's -- you set  
15 up a work zone when you need a little bit more time to actually  
16 vacate the area. That's when you're using heavier equipment that  
17 requires a little bit more time than 15 seconds to vacate, to  
18 clear the area. There's a series of signs that -- associated with  
19 the work zone that operators adhere to as they approach the work  
20 zone. It's usually -- like I said, it's usually set up just when  
21 you have a little bit more equipment to vacate the premises.

22           BY MR. WEISGERBER:

23 Q.   And how is the train prevented from going into the work zone?

24 A.   The train is prevented by a stop sign. The first sign they  
25 would see was -- would be an approach sign and operators, you

1 know, know how to operate. Should I go into how the signs work  
2 or --

3 Q. (No audible response.)

4 A. With the approach sign that's the first sign they would see,  
5 it's an end gate sign. It's yellow with a black A on it.  
6 Operators know to sound one long at that horn, begin reduction in  
7 their speed being prepared -- reduce their speed to 30 miles per  
8 hour being prepared to stop at the next sign, which could be a  
9 stop sign. Upon seeing that sign the operator would acknowledge  
10 that stop sign with two short blasts on the horn and then stop  
11 their train.

12 At that point where the stop sign is located, there's a flag  
13 person. The flag person radios -- who is radio equipped, calls to  
14 the people in the work area. Usually a foreman will have a radio  
15 and report to the flag person when they are clear. Once the flag  
16 person gets confirmation that the work crew work area is clear he  
17 will allow that train to proceed through the work area. Once he  
18 gets confirmation again, the flag person removes the stop sign,  
19 gives a hand signal to proceed to the operator. The hand signal  
20 is vertically, and in the response to that hand signal, the  
21 operator is going to sound two shorts on his horn and proceed  
22 through the work area, proceeding not exceeding 30 miles per hour.

23 He's going to pass through the work group not exceeding 30  
24 miles per hour until he reaches another sign, the work area  
25 "resume speed" sign. At that point, once the front end of the



1 train the vehicle reaches the work area "resume speed limit" sign,  
2 the train goes to normal -- back to normal speed, whatever speed  
3 it is in that territory. And after the train -- meant to say  
4 after the train passes the flagman, the flagman reestablishes  
5 protection waiting for the next train.

6 Q. What level of rules qualification must you have in order to  
7 establish a work zone?

8 A. QPE as well as SEPTA --

9 Q. Does the flag person have to be a QPE-qualified person?

10 A. It has to be a SEPTA employee.

11 Q. Right.

12 A. Yes.

13 Q. And fourth -- fifth, fifth level?

14 UNIDENTIFIED SPEAKER: You've got the book down there now,  
15 sir.

16 UNIDENTIFIED SPEAKER: Track out, track out of service.

17 BY MR. WEISGERBER:

18 Q. Track out.

19 A. Yeah, it's track out of service. It's when, you know, it's  
20 just take a track out of service. It has exclusive rights by  
21 employee in charge. Nobody can enter that track area unless he  
22 has permission from the employee in charge of that track.

23 Q. And number six?

24 A. Location control, that is when a maintainer takes over an  
25 interlocking and gives trains permission to pass that specific

1 area. They communicate with the train dispatcher and the train  
2 dispatcher gives authority to the maintainer to have --

3 Q. Control of the system.

4 A. -- control of the system, yeah.

5 Q. And then the last one is other than that?

6 A. Other than the main, that's when there's levels of protection  
7 that are set up in the yard that's not the main tracks, and that  
8 is usually controlled by -- not usually -- it's controlled by the  
9 yard foreman, the foreperson. And that level of protection they  
10 can set up any level of protection back there because it's not  
11 governed by the main line.

12 Q. Okay. Thank you. I just wanted to kind of use that as  
13 context.

14 UNIDENTIFIED SPEAKER: Station platform in that --

15 MR. SHARPE: Oh, yes, station platforms, yeah. That's --

16 UNIDENTIFIED SPEAKER: They're on site and all that  
17 (indiscernible) --

18 MR. SHARPE: Yeah, station platform is if you working 2 feet  
19 or less from the edge of the platform and you have to set up a  
20 level of protection. Usually you can use a watchperson or you can  
21 set up worker's portable warning signals, if you need to.

22 BY MR. FOX:

23 Q. From the training instruction department's standpoint, aside  
24 from doing the training and the qualification of the staff, the  
25 personnel, on these types of roadway worker protection classes, do

1 you ever go out and monitor and evaluate crews to determine how  
2 they're, you know, implementing what you've taught them or do you  
3 typically only see the staff in the classroom (indiscernible)?

4 A. Yeah, personally I have not gone out to monitor their  
5 progress, just classroom.

6 Q. And what would you say is your feel for as students come  
7 through the class under recertifications, how well do they grasp  
8 the initial concepts of what they were taught in, say, QPE class?  
9 When you come through in recertifications, what's your general  
10 sense for how well they really understand the rules and grasp the  
11 rules and retain the information the way you just explained it and  
12 have a comprehension of the topic (indiscernible)?

13 A. Well, me personally, for the most part I see that there's  
14 room for improvement, that some don't mostly retain everything  
15 that they get from that year. So that recertification is a big  
16 boost to them because, like you said, some of them forget.

17 I would say for the most part maybe 80 percent are really  
18 good about retaining and the other ones need that little push,  
19 that recertification to get them going again.

20 Q. Of the various levels of protection that are afforded to a  
21 worker, which one do you think the workers tend to be the most  
22 unsure about or maybe not apply it in the proper manner?

23 A. During the classroom time or --

24 Q. Well, yeah, or from what you're hearing and the way they're  
25 explaining it or as you're talking to them or anything, is there a

1 way you can even tell if there's one level of protection that the  
2 general masses just don't follow as much as others?

3 A. I believe probably removing tracks from service at some  
4 point, because they get confused with the limits at points.

5 Q. Okay.

6 A. Yeah.

7 Q. And then my last question and I'll turn it back over to Troy,  
8 under train approach warning levels of protection, is there any --  
9 we talked about as a lone worker, individual protection, is there  
10 any work environments or conditions where a train approach warning  
11 would not be warranted?

12 A. In areas where there is no clearance. That's the biggest one  
13 for me.

14 UNIDENTIFIED SPEAKER: I defer to you, sir.

15 MR. LLOYD: Yeah, man. So this is Troy again, Troy Lloyd, L-  
16 L-O-Y-D, NTSB.

17 BY MR. LLOYD:

18 Q. So just recapping on what everybody went through, that's sort  
19 of how I come up with my second set of questions. So you  
20 explained five or six types of RWP protection that a qualified  
21 protection employee can choose from if he is allowed to perform  
22 that certain type of protection according to hotspots, clearances,  
23 all that stuff.

24 A. Right.

25 Q. Sight distance and all that stuff?

1 A. Uh-huh.

2 Q. The first two are unique. What's the difference between the  
3 first two out of everything else?

4 A. Individual training detection and train approach warning?

5 Q. Yeah, what's the unique difference between everything else?

6 A. Unique between -- well, train approach warning doesn't have  
7 the training that an individual person has using individual train  
8 detection. They are not -- they can be not QPE qualified as train  
9 approach warning, so they wouldn't be able to, you know, look for  
10 specific things that an individual person using an individual  
11 train detection is looking for. I don't think they would be  
12 versed in that.

13 Q. Think of if you're out there, what's the unique thing that  
14 either individual train detection or train approach warning,  
15 what's the unique difference between foul time, exclusive track  
16 (indiscernible) what's really foul time, local control, all that  
17 stuff falls under, inaccessible track which is in non-control  
18 tracks, what's the unique difference between the first two?  
19 There's a big unique difference.

20 A. Is it the movement of the trains?

21 Q. Yeah.

22 A. Yeah.

23 Q. So those two I have -- I'm in an environment where I have to  
24 get out of the way, I have to make sure I have a sight line of  
25 distance; I have a proper line of sight, I have a qualified QPE

1 person that's giving me the proper instruction.

2 A. Right.

3 Q. So I'm having to move out of the way of that missile.

4 A. Right.

5 Q. You know, the other ones, foul time, authority is giving to  
6 me from the ROC, right?

7 A. Right.

8 Q. Track out of service, authority's given to me from the ROC,  
9 even with inaccessible track, level of control, level of control  
10 is given to C&S?

11 A. Right.

12 Q. They take out the signals, and they can either give them 241,  
13 you know, permission to stop signals, things of that nature so  
14 that's just unique. And that's one of the things where I've been  
15 a lot of RWP classes, do you guys hit on -- that's the ones that  
16 get you; they're the ones that get you, the lone workers, the  
17 train approach warning stuff. Now I'm relying on someone to  
18 protect me in an environment that it's hard to be in in the first  
19 place. So do you hit them hard on those two, especially 329,  
20 train approach warning, do you hit them hard on that one?

21 A. Uh-huh. More than likely, because that class is centered on  
22 that, that's to say, from a track safety point of view, we'll hit  
23 on the train approach warning because we need your undivided  
24 attention at that point so you won't get discouraged --  
25 distracted.

1 Q. And what's probably the most utilized track protection around  
2 here? Probably 329?

3 A. Work zone.

4 MR. FOX: I would say work zones actually.

5 MR. SHARPE: Work zone.

6 MR. LLOYD: Work zones because it's -- okay.

7 MR. FOX: Yeah. Aside from the track inspectors and some  
8 station work that might use train approach warning --

9 MR. LLOYD: Okay.

10 MR. FOX: -- we are doing so much maintenance and repair work  
11 that work zones pop up a lot.

12 MR. LLOYD: Gotcha.

13 MR. FOX: Fair, Joe?

14 MR. WILSON: That's like the most utilized type of  
15 protection?

16 MR. FOX: Yeah.

17 MR. WILSON: Yeah.

18 MR. LLOYD: Just because that's where the general maintenance  
19 is taking place but --

20 MR. FOX: And the nature of the work.

21 MR. LLOYD: Yeah. But the everyday stuff, the track walkers  
22 are out there, it's going to be train approach warning and all  
23 that stuff, right?

24 MR. SHARPE: Yes.

25 MR. FOX: Yeah.

1 BY MR. LLOYD:

2 Q. Unless they get to a hotspot, then what happens, what happens  
3 when I get to a hotspot area?

4 A. I'd have to rethink what I have to do. Job briefing, we have  
5 to rethink something.

6 Q. Okay.

7 A. Maybe the protection might have to change, definitely.

8 Q. Okay. How is -- how does an instructor teach what's a  
9 hotspot, what's not a hotspot; what determines it to be a hotspot  
10 and what do I do when I come into a hotspot area? Besides the job  
11 safety briefing --

12 A. Right.

13 Q. -- is there any other rules or procedures that apply that I  
14 can, I cannot do?

15 A. If you have less -- the rule of thumb is if you have 4 feet  
16 or less from the running rail, then that's a hotspot to me. You  
17 have no clearance areas, and the rulebook there are areas where it  
18 says no clearance. And like I say, you have to be familiar with  
19 the territory that you're in. Four feet or more from the running  
20 rail provides me areas away from that hotspot, so I want to  
21 identify those areas. Again, if I don't have those -- that 4 feet  
22 or more then I'm in a hotspot, then I have to rethink some things.

23 UNIDENTIFIED SPEAKER: Troy, can I jump in?

24 MR. LLOYD: Absolutely, absolutely.

25 BY UNIDENTIFIED SPEAKER:



1 Q. The term hotspot, is that something you typically use or  
2 reference as instruction, have you heard that term?

3 A. No, but I just kind of figured it would be like no clearance.

4 Q. Are you aware that the track department has identified  
5 specific locations on the Market-Frankford and Broad Street Line  
6 and has classified them as hotspots in which they would then  
7 trigger an advance watchperson?

8 A. And I haven't used -- like I say, I haven't heard the term  
9 hotspots, so I haven't been out there, you know, to actually  
10 witness them saying things like that, but, you know, areas like  
11 City Hall.

12 Q. For point of reference, the hotspot thing was the track  
13 department driven process.

14 MR. LLOYD: Internal policy type of thing?

15 UNIDENTIFIED SPEAKER: For their inspection programs that --

16 MR. LLOYD: So it's not a universal thing, it may not exist  
17 on this line or --

18 UNIDENTIFIED SPEAKER: Obviously not or it's other --

19 UNIDENTIFIED SPEAKER: And is not being taught. And it's not  
20 being --

21 MR. SHARPE: Right. No, it's not being taught by us.

22 MR. LLOYD: So that means power department may not use it,  
23 track department is, so -- okay.

24 UNIDENTIFIED SPEAKER: So you don't have the hotspot list?

25 MR. SHARPE: No, I don't.

1 UNIDENTIFIED SPEAKER: And the list they showed you was not  
2 labeled hotspots, it was areas of concern or something like that  
3 is what the pages said on it, and the QPE had the copy of it in  
4 his bag?

5 UNIDENTIFIED SPEAKER: So that may be something that's given  
6 out afterwards, or the (indiscernible) --

7 MR. SHARPE: Yeah, once they go back to the location.

8 UNIDENTIFIED SPEAKER: -- from the track department, would  
9 have got --

10 UNIDENTIFIED SPEAKER: He was from the track department.

11 UNIDENTIFIED SPEAKER: That QPE is from (indiscernible).

12 Okay. And this is just resonating. Years ago when we started the  
13 hotspot stuff with the track department, they didn't realize it.

14 UNIDENTIFIED SPEAKER: He thought it went --

15 UNIDENTIFIED SPEAKER: Didn't realize it didn't migrate up to  
16 the train department.

17 MR. SHARPE: Right.

18 UNIDENTIFIED SPEAKER: Where it was -- I thought it was  
19 systemwide, I thought -- (indiscernible) was a hotspot A, B, C  
20 employee.

21 UNIDENTIFIED SPEAKER: It was a designation triggered by  
22 assessments of us with the track department to help them because  
23 they had the more vulnerable staff typically down there, but it  
24 has not migrated beyond.

25 BY MR. LLOYD:

1 Q. Explain the term predetermined place of safety to me?

2 A. Predetermined place of safety.

3 Q. And how is that identified?

4 A. Again, it would be clearance areas. We have to identify that  
5 before you go out in the track area. That's find those spots for  
6 me in the rulebook. Not all clearance -- no clearance areas are  
7 marked, but there are parts that are. Again, for me to determine  
8 that I always -- my method was always 4 feet or more from the  
9 running rail and have, you know, an area where I can clear to that  
10 is predetermined for me.

11 Q. And, I guess, predetermined place --

12 UNIDENTIFIED SPEAKER: Energy conservation, closing down all  
13 the lights in the building (indiscernible).

14 UNIDENTIFIED SPEAKER: Go green, (indiscernible) go green.

15 UNIDENTIFIED SPEAKER: Yeah. And PECO (indiscernible) that.

16 BY MR. LLOYD:

17 Q. So, yeah. So predetermined places of safety, I guess,  
18 they're determined through one physical characteristic is that guy  
19 knowing the lay of the land?

20 A. Exactly.

21 Q. That's discussed -- what I'm going to get further, that's  
22 discussed on the job safety briefing?

23 A. Yes.

24 Q. So let's get into that. What are the major things you see in  
25 accident investigations is communication, communication,

1 communication and lack of. If it's quality, whatever, or if I'm  
2 just pencil whipping something.

3 A. Uh-huh.

4 Q. How are on-track job safety briefings taught to qualify  
5 protection employees so I can explain everything to my employees  
6 that they're totally protected and my limits are correct, my type  
7 of protection that I'm choosing is correct, that I don't get  
8 involved in some type of good-faith challenge? So how do you  
9 teach people how to do on-track job safety briefings?

10 A. Well, we teach it by determining what type of work is going  
11 to be done first, not -- we don't teach, you know, what they do  
12 but we teach if you have -- for me it's just depending on what  
13 type of work that you're doing. If I need more work that needs  
14 more time to clear the track so I need to tracks out of service, I  
15 determine that beforehand.

16 Q. So how do I know if a foreman's coming out of a class or are  
17 qualified, are they taught how to do job safety briefings, are  
18 they taught what questions to ask?

19 A. Yes.

20 Q. Are they taught how to fill out the sheet?

21 A. Yes, yes. There is a presentation on -- well, a slide on the  
22 presentation, a slide or two that asks general questions you would  
23 ask during the job briefing: who's providing our safety and so on  
24 and so forth, where will we clear in advance, what type of work  
25 are we going to be doing, those questions that --

1 Q. What about in-class tabletops, where I would be the so-called  
2 QPE and we're working so and so; Troy, I want you to give a job  
3 safety briefing; is that -- knowing that these guys are coming out  
4 and they're knowing that the job safety briefing is probably one  
5 of the most important things when it comes to RWP --

6 A. Right.

7 Q. -- is communicating that process?

8 A. Yeah, we'll do one scenario. It's not -- you know, we don't  
9 go around the table one by one.

10 Q. Gotcha.

11 A. They have a job briefing sheet up on the board and then, you  
12 know, a series of questions after that. And then actually when we  
13 do go out into the field, we'll select different students to do a  
14 job briefing, to be QPE, so they get that on-the-job feel to see  
15 how it goes.

16 We do the work zone every day, and that person would go out  
17 -- switch it up, person would be a QPE, person would be a flagman,  
18 you know, person's taking out the Form W's, until all -- so all of  
19 them have that experience. So that's how we -- you know, it's not  
20 really done in the classroom but we go over it and then we  
21 practice it once we go out in the field.

22 Q. So you don't hear it come up much, but how are they taught to  
23 handle good-faith challenges?

24 A. The way we tell them, we tell them there's three levels. If  
25 you don't feel like your safety is being provided correctly, then,

1 you know, we are not going to start work until we get that, and we  
2 tell them there's three levels that we go through. It's usually  
3 between the workers and managers at that point, who actually is  
4 doing the work, and then it goes through rules compliance, I'm not  
5 sure, and then there's another level that goes beyond that. And I  
6 haven't heard of any situation where it goes beyond like the third  
7 level; it's usually hammered on maybe the first level.

8 Q. So it's usually tried to be hashed out at the first, which is  
9 the guy, showing some rules --

10 A. Right.

11 Q. -- showing some books --

12 A. Exactly.

13 Q. -- here's -- we have the proper speed; we have the proper  
14 sight distance?

15 A. Yes.

16 Q. Are good-faith challenges recorded and are they investigated?

17 A. I'm not sure.

18 Q. Yeah.

19 A. Okay.

20 Q. Okay. What about supplemental shunting devices? Is that  
21 available to a qualified protection employee to add that  
22 redundancy?

23 A. Not through our training.

24 Q. Okay.

25 A. That would go through their department.

1 Q. That would go through who?

2 A. Their department, I would imagine.

3 Q. Okay.

4 A. It's not through the training department.

5 Q. Okay. So you don't teach them how to do the shunts?

6 A. No.

7 MR. LLOYD: I'm good. George?

8 MR. GOOD: George Good, FTA, just a couple questions.

9 BY MR. GOOD:

10 Q. So on the testing, to make sure that the students have, you  
11 know, absorbed the information that you're teaching, does your  
12 testing have, you know, like 100 percent criteria or a pass/fail  
13 or is there a part of it for the critical parts that has that?

14 A. There is a pass/fail. You need 85 percent or more to pass.  
15 During the training we have a series of quizzes at the end of the  
16 training. Like QPE, the training is 2 weeks. At the end of the  
17 first week, during that second when we have the book of rules and  
18 QPE stuff, they have an examination at the end.

19 If they fail the first time, then they're given a retest  
20 after they review a little bit more. If they fail the retest,  
21 then they can't continue on. They have to report back to their  
22 location to get reschedule for another class.

23 Q. So there's no section of the test that you have to know  
24 that's critical, you have to pass every one of these questions 100  
25 percent?

1 A. Right.

2 Q. There's no section like that?

3 A. No, there's no section, not for that, not for QPE.

4 Q. Just one other question, the responsibility for documenting  
5 and tracking and the training, is that with the training  
6 department or the individual departments?

7 A. Training, yeah, everything that's done.

8 Q. So when someone goes over to do their training would you know  
9 about it?

10 A. I wouldn't know about it personally, but if I had to look it  
11 up I would have to -- we have a file.

12 Q. I mean, there's no automatic system that let's somebody know  
13 that this person's overdue their training?

14 A. No, yearly, they come back with recertification and then --

15 Q. So it's up to the --

16 A. Up to the department.

17 Q. -- the person in the field to make sure everybody's  
18 qualified?

19 A. Right.

20 MR. FOX: Yeah. This is Jim Fox, just for clarification to  
21 help George. They put the attendance information into a learning  
22 management system, but it's an old system. We're literally in the  
23 process of trying to go out on the street to get an HR suite,  
24 which is going to have a very robust learning management system  
25 which will be able to calculate when you're due and shoot the



1 person an email as a reminder and their supervisor.

2 That's not done today, so if you go past your due date you,  
3 and only you, know and unless somebody happens to catch it. But  
4 they can check very quickly if you're due and if you're overdue.

5 MR. SHARPE: Right.

6 MR. GOOD: Yeah, as part of the job safety briefing they're  
7 required to check.

8 MR. FOX: And when we talked earlier again, Jim Fox speaking,  
9 the card that they get issued, that's the verification that the  
10 person giving the job briefing will check. Because sometimes it's  
11 internal employees and sometimes it's contractors, so they will  
12 check to verify your card; you have it on your person, look on the  
13 back and see if it's current.

14 MR. GOOD: Thank you. That's all.

15 MR. LLOYD: Okay. Did you ever go -- so what happens if I'm  
16 going around doing my checks and the guy's card is expired?

17 MR. FOX: He gets kicked off the job.

18 MR. LLOYD: He gets sent home, time stopped?

19 MR. FOX: Kicked off and he has to go to class before he can  
20 resume.

21 MR. LLOYD: Okay. Thank you for that.

22 MR. FOX: And the supervisor should be notified at that  
23 point.

24 MR. LLOYD: Yeah. Thank you for that.

25 MR. WEISGERBER: Okay, I have one more question. This is

1 John Weisgerber.

2 BY MR. WEISGERBER:

3 Q. Concerning the recertification, so you attend a class via  
4 their request, and then you come back to recertification. How  
5 many times can you do the recertification class before you have to  
6 repeat the whole class?

7 A. Once again, the recertification class, you watch a module --

8 Q. Right.

9 A. -- then you take a test afterwards. If you pass the test you  
10 get recertified.

11 Q. Right.

12 A. If you fail, you get a second chance to take it. If you fail  
13 that, then you get rescheduled for another class.

14 Q. But if you pass it one year, can you come back the next year  
15 and take the recertification class the next year?

16 A. Yes.

17 Q. And you can keep repeating the recertification class?

18 A. Keep repeating.

19 Q. You don't ever have to come back and take the whole class all  
20 over again?

21 A. No, unless --

22 Q. Unless you failed recertification class?

23 A. Exactly, yes.

24 MR. WILSON: Joseph Wilson, system safety.

25 BY MR. WILSON:

1 Q. You mentioned there's a roadway worker card to identify that  
2 you've gone through the course and whatnot. Is there something  
3 special for this qualified protection employee that you're talking  
4 about? How do I know that they're current and up-to-date?

5 A. Once they do the recertification process, the day that they  
6 come for their recertification, we get that date on there. So  
7 that's how we know that they're recertified.

8 Q. But does the card say I'm a QPE?

9 A. No, it doesn't.

10 Q. So then how do I know that that person --

11 A. How you distinguish between --

12 Q. Then that --

13 A. We go by the records. We have to go by the records at that  
14 point.

15 Q. How do I know in the field if I'm going to check someone?

16 UNIDENTIFIED SPEAKER: If he decides to check the QPE.

17 MR. WILSON: How do I know?

18 UNIDENTIFIED SPEAKER: That's a good -- there has to be --

19 MR. SHARPE: Yes.

20 BY MR. WILSON:

21 Q. How do I know?

22 A. Oh, okay, yeah. Through the on-track safety manual, their  
23 rulebook, that's how you would know.

24 Q. So this is going to tell me somewhere that --

25 A. It's going to be signed in the back of their book saying that

1 they came from recertification, yes.

2 UNIDENTIFIED SPEAKER: You're trying to talk to  
3 (indiscernible).

4 MR. SHARPE: Along with the date.

5 MR. LLOYD: Yeah, the thing is but just --

6 MR. SHARPE: Yes, yeah.

7 MR. LLOYD: -- you know, that's a good question.

8 MR. SHARPE: Yeah, it was, right.

9 MR. LLOYD: Would it be easier maybe -- like in my day, they  
10 broke down --

11 MR. SHARPE: Yeah.

12 MR. LLOYD: -- and gave different colored cards.

13 UNIDENTIFIED SPEAKER: Right, right.

14 MR. SHARPE: The QPE is required to have the book with them  
15 on their, on location.

16 MR. LLOYD: Yeah, the green was roadway worker protection and  
17 blue was -- they're not allowed to (indiscernible), you know --  
18 because that's an awful big book to be carrying around --

19 MR. SHARPE: Yeah.

20 MR. FOX: But they have to have it with them.

21 MR. LLOYD: -- in your hip pocket.

22 MR. FOX: It's required that they carry them.

23 MR. LLOYD: Yes.

24 MR. FOX: So then by default, the signature on the backend of  
25 the --

1 MR. LLOYD: Right. Well, the book of rules I'm sure needs to  
2 be signed off as well.

3 MR. GOOD: George Good.

4 BY MR. GOOD:

5 Q. The question, if I'm getting the briefing, how do I know that  
6 that -- do you expect everybody in a briefing to ask the guy show  
7 me your book that you're qualified?

8 A. They're supposed to have it with them.

9 Q. Yeah, but I'm just saying that. I mean, I know like we did  
10 one the other -- last night. I don't see anybody saying let me  
11 see your book so I know that you're qualified. But it seems like  
12 -- I don't know, I just --

13 UNIDENTIFIED SPEAKER: There's nobody checking on him.

14 BY MR. GOOD:

15 Q. Right. How do you know that that guy's still qualified  
16 currently to (indiscernible) --

17 A. I don't know. We had this (indiscernible).

18 Q. Why don't you ask him?

19 UNIDENTIFIED SPEAKER: You can ask him and he's supposed to  
20 show you the signed off rulebook.

21 MR. SHARPE: Exactly.

22 UNIDENTIFIED SPEAKER: If he doesn't then you can challenge  
23 it. Will most people do that?

24 MR. SHARPE: No.

25 UNIDENTIFIED SPEAKER: They also know who most of the QPEs

1 are just over time, you know, you're going to accept that certain  
2 people are and certain people aren't.

3 MR. GOOD: But you don't know if they've gone over  
4 certification.

5 UNIDENTIFIED SPEAKER: You don't know if they've gone past  
6 their certification.

7 MR. WILSON: Mr. Sharpe. Joe Wilson, system safety again.

8 BY MR. WILSON:

9 Q. Do you see any problems or issues with any of the methods of  
10 protection?

11 A. No, not as long as you use them properly. None whatsoever.

12 MR. LLOYD: What was your question?

13 MR. WILSON: Does he see any issues with the methods of  
14 protection of how they're currently implemented in the rulebook?

15 MR. LLOYD: Well, let me play devil's advocate on that then.

16 BY MR. LLOYD:

17 Q. We're investigating an accident on improper protection. It  
18 was established accordingly, I guess. I guess. So just because  
19 it's written doesn't mean it's being carried out 365 days a year,  
20 so -- and that's a -- because it's written, I mean, we've got a  
21 lot of humans out there that's -- I mean, that's a devil's  
22 advocate question and I'll play -- we're here, and I told you why  
23 we're here, it all comes back when was protection set up  
24 accordingly, was it done right?

25 (Cross-talk.)

1 MR. SHARPE: Yeah, I said as long as it was done properly.

2 MR. LLOYD: As long as it's properly established.

3 MR. FOX: And I was going to -- this is Jim Fox. I was  
4 actually going to ask him to expand that thought process.

5 MR. LLOYD: Yeah. Right.

6 BY MR. FOX:

7 Q. When you say as long as it's -- do you -- kind of repeats a  
8 little bit of the question I asked before -- do you feel that  
9 there are situations where you know of more consistent situations  
10 where things aren't followed correctly?

11 A. Not off firsthand. Not offhand, because I'm not out there  
12 and I can't, you know, speak on it. Only what we do in class.

13 Q. Let's talk -- this is Jim Fox again -- train approach  
14 warning. As the watchperson, do I have any responsibility to  
15 bring any other equipment other than myself out to assist me in my  
16 abilities to help protect the workers on the train approach  
17 warning?

18 A. Yes, you can. You can use an advance watchperson to assist,  
19 especially if you're in a curved area or if you needed someone to  
20 watch from a different end other than, you know, the watchperson,  
21 if the curve was on the opposite end of the workers. Or you can  
22 use the worker's portable warning signal along with the  
23 watchperson.

24 Q. What is a worker's portable warning signal?

25 A. It's a signal that flashes, it's a light, or you can use a

1 sign, white background black W. When operators see it they sound  
2 one long on the horn as another warning for the operator -- I  
3 mean, to workers to clear.

4 Q. The use of the portable warning light or warning sign that's  
5 optional?

6 A. Optional, yes.

7 Q. How about to conduct my watchperson function, is there any  
8 equipment or --

9 A. No.

10 Q. -- devices that I use to perform that function?

11 A. It would be a watchman's kit. But the watchperson's kit,  
12 what they call, use white light, whistle or air horn.

13 Q. Okay. Can you quickly explain or explain how those pieces of  
14 equipment are utilized in conjunction with the train approach  
15 warning process?

16 A. I'll start with the whistle. We don't use radios basically  
17 because of the fact that the frequency might be jammed, so whistle  
18 or air horn is a way to warn a worker quickly -- quicker than any  
19 other means. The mitt, we only use the mitt in areas where you  
20 have areas to clear. If we don't have an area to clear, you can't  
21 use the mitt. I guess, imagine that the white light, that's just  
22 last resort if you want to stop the train. So those are my  
23 options.

24 Q. If I'm a worker and the watchperson activates their whistle  
25 or air horn, what does that mean to me?



1 A. That's a warning that a train is on approach, and it is  
2 predetermined how you're going to use the -- you know, what method  
3 are you going to use to clear. I'm going to have that job  
4 briefing before I go out on the track. Let's say, for instance,  
5 we're going to sound one long when the train is on approach,  
6 whistle or air horn, we do it one long.

7 We stand clear, that's your indication to get out of the  
8 track area. We stand clear until the equipment passes. And we  
9 also discuss in the work -- I mean, the job briefing when to go  
10 back to work. So we establish a signal to go back to work, which  
11 is usually two shorts for us. Once we observe the equipment pass  
12 and the watchperson determines that there's no more traffic,  
13 following movements, and the train is clear of the work area,  
14 we'll give the all clear to come back to work, which is two shorts  
15 on the horn. Once they hear the two shorts, they can come back to  
16 work along with -- if the mitt is being used, we would point back  
17 to the work area.

18 MR. FOX: Anyone else has another question? I just -- I lost  
19 my next question.

20 MR. LLOYD: Standing location?

21 MR. FOX: I'll have to defer. You can go around if you want  
22 to.

23 MR. LLOYD: I gotcha.

24 MR. FOX: It will come back to me.

25 MR. LLOYD: Okay.

1 BY MR. LLOYD:

2 Q. So this is Troy Lloyd from the NTSB. So how is a watchman  
3 taught to be positioned? So if I'm the watchman and I'm standing  
4 in an interlocking, am I taught to stand to the best sight of  
5 vision so I can get the sight distance in both ways, but how am I  
6 -- how is the watchman -- how are the watchmen taught to position  
7 themselves?

8 A. I want to be in position -- they're taught to be in a  
9 position where they can see the train and they can see the  
10 workers. That's how we're taught. In the area where -- of course  
11 you want to be in the area of clearance when they -- and that's  
12 how, you know, I teach.

13 Q. Is that side by side one another or is that maybe a watchman  
14 should -- let me ask the question. Should a watchmen be standing  
15 in a predetermined place of safety already?

16 A. Yes.

17 Q. Okay. So I'm going to position my watchman already in a  
18 predetermined place of safety to give me the best advantage for  
19 the approaching trains and equipment?

20 A. Yes.

21 Q. Okay. And that's taught in your class?

22 A. Yes. I'm going to have a line on the sight between  
23 approaching trains and I want to be able to see the workers, and I  
24 want to be able to be in a position to warn the workers when  
25 trains are approaching.

1 Q. Are you familiar with the accident site at Erie interlocking?

2 A. I'm familiar with it; I have not seen it, the video, but  
3 hearsay.

4 Q. Okay. So within an interlocking limits within the signals,  
5 how would a watchman be positioned in an active two-track number 8  
6 double crossover?

7 A. I would have to look at the scenario. Once again, I have to  
8 look at the area, the interlocking, before I determine where I'm  
9 going to be positioned, whether that be the platform or in the  
10 track area. There's no way I can answer that unless I actually  
11 see the position, you know, know the physical characteristics at  
12 that territory, where am I going to clear, so on and so forth.

13 Q. Are watchmen allowed to stand in a live, active track?

14 A. From my perspective, no.

15 Q. No. So any -- so when they're walking, so when they're  
16 walking with a track walker, what do they do?

17 A. Well, they're actually in the live track.

18 Q. Are they up ahead in the direction of traffic?

19 A. They're usually in advance of the workers.

20 Q. Okay. And my last thing and I'll be done because that was  
21 the last go-around question. The cheat sheet's cool, I like that,  
22 breaks it down. That's an awful big cheat sheet right there.

23 A. Yeah.

24 Q. So is there something that's given, like a pocket card to the  
25 guys, like a note 75 mile an hour -- pull it out of my wallet,

1 here, I've got that, or do they have to open that big book up  
2 again?

3 A. They open the book up. If they're not sure of something, not  
4 sure of a rule, we go in the book.

5 Q. The cheat sheet's like a little TV pocket card --

6 A. Yeah, yeah.

7 Q. -- to make it a little more easier on the guys?

8 A. Uh-huh. But they have a specific section where they need to  
9 go to. This book has special instructions, special instructions  
10 pertaining to each line, Market and Broad Street, if you're  
11 working those particular lines. So I want to know something  
12 specific to those lines, then I can refer to that, that section.

13 MR. FOX: I remembered my -- this is Jim Fox speaking again.  
14 I remembered my last question.

15 BY MR. FOX:

16 Q. As a watchperson, when I direct a work crew to clear for an  
17 approaching train, do I have the option to tell them to clear to  
18 another track?

19 A. No.

20 Q. How is that taught or what is the emphasis taught about the  
21 option of clearing to another track?

22 A. Well, we don't teach them to clear to another track just  
23 because of the fact there might be an approaching train, so we  
24 want to work on our area clearance first.

25 Q. And if I want to apply a train approach warning and my only

1 option for safe clearing is an adjacent track, should I continue  
2 to use that means of protection?

3 A. Perhaps try another level --

4 Q. Okay.

5 A. -- if I'm not sure.

6 MR. FOX: I don't have anything else.

7 MR. LLOYD: George, anything around the table?

8 MR. GOOD: I can't think of anything right offhand.

9 MR. LLOYD: No?

10 MR. WEISGERBER: No.

11 MR. LLOYD: Joe?

12 MR. WILSON: Joe Wilson, system safety.

13 BY MR. WILSON:

14 Q. Going back to something you said earlier when you talked  
15 about train approach warning, you said that that level didn't  
16 necessarily include a QPE, it could have non-QPEs using that  
17 protection; is that correct, what you said?

18 A. That's what I said. I could be wrong on that. That would be  
19 the QPE.

20 Q. Now, well, let me ask you this question. In those eight  
21 protections you named, must those protections include or have a  
22 QPE to determine which of those methods of protections are used?

23 A. That's what the QPEs for, yes.

24 Q. So all the protections that were named there, must be a QPE  
25 involved in the determination of which type of protection to use?

1 A. Correct, correct.

2 MR. WILSON: That's all I have.

3 MR. LLOYD: Okay. George --

4 MR. GOOD: George Good. One last question.

5 BY MR. GOOD:

6 Q. With the amount of structures that you have it's been  
7 adequate to make sure everybody always stays trained, you've never  
8 run into a situation where you've had more students that you  
9 couldn't get them done before they lost their qualification?

10 A. No, it's usually everybody's covered.

11 Q. It's never been an issue?

12 A. Yeah, it's never been an issue with those things.

13 MR. GOOD: Thank you.

14 MR. SHARPE: Uh-huh.

15 BY MR. LLOYD:

16 Q. So I'd just like to end things up. It's -- we're here for a  
17 tragic event and we don't ever want to do this, we don't like to  
18 do this, but I always like to end an interview on what can be  
19 changed to make it better. So as you as an instructor, we had a  
20 train accident that involved a train approach warning and an  
21 interlocking, okay, at Eric interlocking.

22 I don't know if you know too much about the accident and  
23 stuff, but as an instructor I hope you take something out of the  
24 interview, the stuff that we talked about, and immediately right  
25 off your head if you would teach a class tomorrow, how would you

1 change, what could you change to make the class better, to make  
2 sure that you're getting buy-in from these people that, you know  
3 -- you know, people are dying on train approach warning, I mean,  
4 it's happened.

5 A. Right. I have to be more diligent in the level of protection  
6 that I use, that's in a nutshell. And if it's not safe, then it's  
7 rethink this. It's going to get done at some point; there's point  
8 in trying to rush and get things done. The best way you can do it  
9 is do it safely. And for me personally, if I don't have a way  
10 out, you know, I got to go back to the rulebook and get -- find  
11 another level.

12 Q. But you as an instructor, you're that voice, you're that  
13 voice that they first hear; you're either going to make them or  
14 break them when they go through your class. How do you get that  
15 point across?

16 A. I tell them that --

17 Q. And what this is, this ain't a rule, this is a way of life.  
18 This -- I always look at RWP since it went into existence in April  
19 1997, that's a way of life.

20 A. Right.

21 Q. If you don't know that --

22 A. Right.

23 Q. -- it's a hard environment to work in.

24 A. And I tell them, you know, it's life or death. You have to  
25 actually look at the book, not carry it around; you've got to know

1 what's in it. It's not a game out there. I tell them it's a  
2 difference from looking at the train from the platform and then  
3 being in the track area.

4 Trainees, you know, make light of it, but I tell them the  
5 trains get a touchdown every time, touchdown on first time. So I  
6 tell them it's not a game. I still keep my head in a swivel out  
7 there every time I'm out. I'm still nervous every time I go out  
8 on the track area. I want them to have that same -- not fear but,  
9 you know, awareness of being in a track area, that you can't be  
10 lax out there at any point, any point.

11 MR. LLOYD: Anything to add, Jim?

12 MR. FOX: No.

13 MR. LLOYD: John?

14 MR. WEISGERBER: No.

15 MR. LLOYD: Sean, thank you very much for your time.

16 MR. SHARPE: You're welcome.

17 MR. LLOYD: Appreciate it and we are off the record. Thank  
18 you.

19 MR. SHARPE: All right.

20 (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: SEPTA TRACK WORKER FATALITY  
PHILADELPHIA, PENNSYLVANIA  
JULY 8, 2019  
Interview of Sean Sharpe

ACCIDENT NO.: RRD19FR009

PLACE: Philadelphia, Pennsylvania

DATE: July 10, 2019

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.

  
Wade Donovan  
Transcriber