



Approved: December 15, 2023

Preliminary Report RRD24FR003

*This information is preliminary and subject to change.*

# New York City Transit Employee Fatality

Manhattan, New York

November 29, 2023

On November 29, 2023, about 12:13 a.m., northbound New York City Transit (NYCT) passenger train No. 2317-D struck and fatally injured an NYCT employee working as a flagger on a cleaning crew on track B2 of the D line near the 34th Street-Herald Square Station in Manhattan, New York.<sup>1</sup> (See figure 1.) As the train entered the cleaning crew's work zone, it experienced an uncommanded brakes-in-emergency (BIE) application.<sup>2</sup> When the operator exited the train to see what caused the BIE application, they saw that the employee was under the train and unresponsive. The employee was transported to a nearby hospital for treatment and pronounced dead. No other injuries were reported. The accident took place in an underground tunnel, visibility conditions were dark, and weather was not a factor.

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<sup>1</sup> (a) All times in this report are local times. (b) A *railroad flagger*, also known as a railroad flagman, is responsible for ensuring the safety of crews working on or near the railroad track.

<sup>2</sup> *BIE* is NYCT's term for an emergency braking application. An emergency braking application uses all available braking force to stop a train as quickly as possible.



**Figure 1.** Photograph of the tunnel looking northbound toward the accident location and the 34th Street-Herald Square Station.

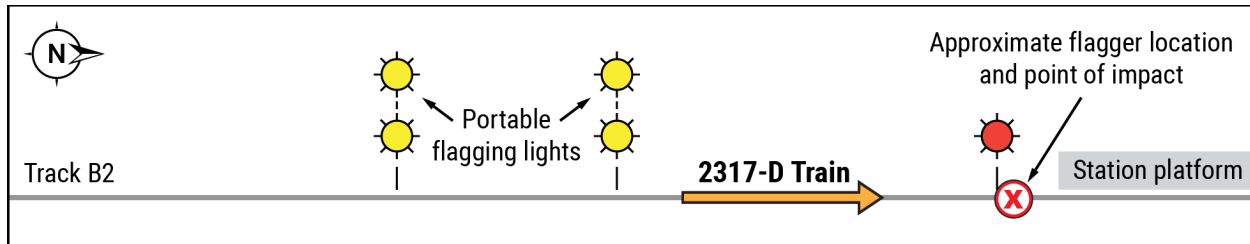
Train movements in the area of the accident are authorized by wayside signal indications and coordinated and controlled by the 34th street tower operator. The track is equipped with permanent trip blocks controlled and actuated by the signal system; these trip blocks trigger a BIE application if a train moves through a signal requiring a stop.<sup>3</sup>

The track cleanup crew consisted of 12 employees tasked with removing debris from track B2. The crew went on duty at 10:00 p.m. and set up portable yellow flagging lights and a portable trip block south of the work zone.<sup>4</sup> The flagger was equipped with a red light and positioned between the northernmost yellow flagging lights and the rest of the cleanup crew. (See figure 2.)

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<sup>3</sup> A *trip block* is a track-mounted safety device that causes a BIE application if a train traverses a trip block in the up position. A trip block works by actuating an external valve handle mounted on the underside a railcar, activating the train's brakes.

<sup>4</sup> *Portable yellow flagging lights* are used to notify train operators that they are approaching a location where they must stop unless they receive a signal to proceed. If a stop is required, NYCT rules require operators to stop no more than one railcar length from the red light held by the flagger.



**Figure 2.** Diagram of the accident scene.

Train No. 2317-D was composed of eight type R-68 railcars with no event recorders or cameras. Its crew consisted of an operator and a conductor who started their shifts at 4:10 p.m. on November 28, 2023, at Bedford Park Terminal. Based on witness statements and interviews with National Transportation Safety Board investigators, the train approached the work zone about 12:10 a.m. on the day of the accident, slowing and stopping short of the red light held by the flagger. The flagger signaled to the track foreman that a train needed authorization to traverse the work zone.<sup>5</sup> The foreman cleared the cleanup crew from the track and signaled to the flagger to let the train pass. The flagger extinguished the red light, removed the portable trip block, and signaled to the train to proceed.

While on scene, National Transportation Safety Board investigators inspected the accident train; reviewed security camera footage, audio recordings, and signal logs; conducted a reenactment of the accident; measured lighting at the accident scene; reviewed NYCT procedures related to worker protection; examined working conditions at the accident scene; and conducted interviews.

The National Transportation Safety Board's investigation is ongoing. Future investigative activity will focus on NYCT's internal oversight and worker protection procedures, and the external oversight of NYCT provided by the Federal Transit Administration and the New York Department of Transportation.

Parties to the investigation include the Federal Transit Administration, the New York Department of Transportation, the Metropolitan Transportation Authority, NYCT, and the Transport Workers Union Local 100.<sup>6</sup>

<sup>5</sup> The flagger and the foreman were using handheld flashlights to communicate.

<sup>6</sup> NYCT is a subsidiary of the Metropolitan Transportation Authority.