

**Los Angeles County
Metropolitan Transportation Authority
Office of the Inspector General**

**Bus Operator Safety and
Compliance Checks for the Period
January to March 2013**

*The majority of bus operators are performing their duties at a high level.
However, rule violations were noted during approximately 6 percent of the rides
in areas related to ADA Compliance and Safety.*



Metro

**Los Angeles County
Metropolitan Transportation Authority**

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DATE: July 12, 2013

TO: Arthur Leahy
Chief Executive Officer

FROM: *Jack Shigetomi*
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SUBJECT: Report on Bus Operator Safety and Compliance Checks for the Period January to March 2013 (Report No: 14-AUD-01)

The Office of the Inspector General implemented an undercover “ride along” program to monitor bus operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition on use of cell phones while driving, calling out stops if the automated system is not in use, and various Americans with Disability Act compliance matters.

This report summarizes our observations of bus operations for the period January to March 2013. During the period, we completed 138 observations of Metro bus operators. Overall, we found that most operators performed their duties in accordance with Metro policies and rules. We found rule violations in only 8 of the 138 observations made, during one observation, more than one violation was observed. In total, there were 9 violations observed and 4 written notifications of violations were issued by OIG staff. For all of the written notifications, management took appropriate corrective action.

On June 26, 2013 we provided Metro management with a draft report for their review; no comments were received from management.

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INTRODUCTION

In October 2009, the Office of the Inspector General (OIG) implemented an undercover “ride along” program to monitor bus operator performance to assist Metro in improving the efficiency and effectiveness of operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition on use of cell phones while driving, calling out stops if the automated system is not in use, and various Americans with Disabilities Act (ADA) compliance matters. The OIG Audit and Investigation Units jointly performed this review. This report summarizes our observations of bus operator performance during the period January to March 2013.

As part of this monitoring program, OIG observers issue written notifications¹ to bus operators who commit significant violations. These violations include actions such as using personal cell phones, not wearing a seat belt, and not following certain ADA policies such as wheelchair securement. The immediate notification of the violations observed provides information to operators and management in a timely manner which is in accordance with union policy and gives management the ability to take further action, if deemed necessary.

This is our 14th quarterly report to Metro management since the inception of the OIG “ride along” program. Three of the previous 13 reports covered contract bus operations. Each quarterly report had a different focus for selecting the operators to be observed, such as Metro bus lines with the greatest number of complaints, bus operators who received the most complaints, and bus lines that received the most ADA complaints.

OBJECTIVE AND SCOPE OF REVIEW

The objective of our review was to determine whether bus operators were complying with safety and customer service policies as well as various ADA compliance laws and regulations.

For this quarter, we focused on lines with the most customer complaints during the period of January to November 2012. We analyzed a report² that showed customer complaints by bus line for this time period. Based on this report, we selected 10 bus lines that had the most complaints for observation. During the period January to March 2013, we completed 138 observations of Metro bus operators. We used a checklist to evaluate operator performance.

¹ The OIG modified the TOS Initial Report Forms by crossing out “TOS” and adding “OIG” on the forms. One copy of the form is given to the operator and a copy is sent to the applicable division manager.

² Report prepared by the Customer Relations Department.

This review is not an audit; therefore Government Auditing Standards are not applicable to this review.

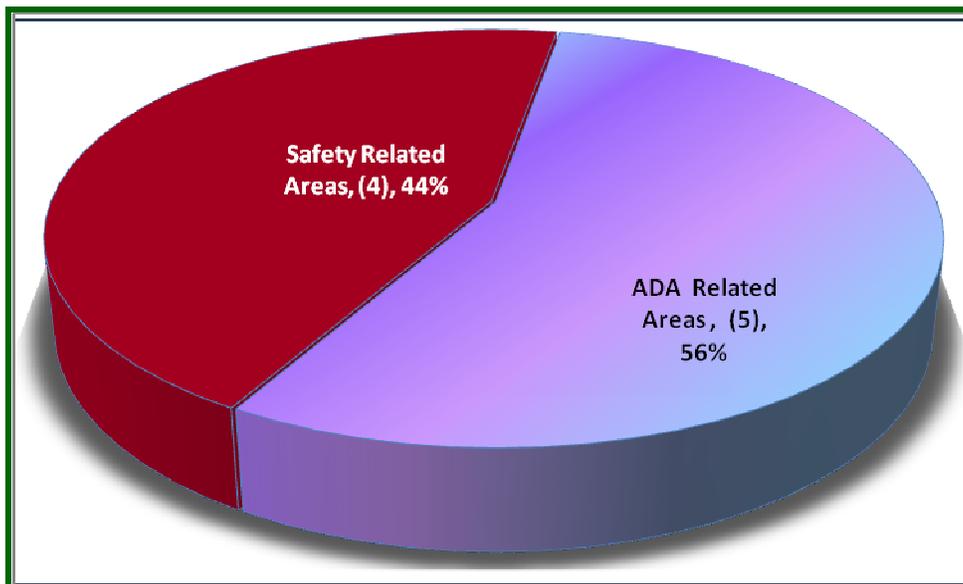
BACKGROUND

The Operator’s Rulebook and Standard Operating Procedures (SOP)³ contains policies and procedures governing Metro bus operator performance. The rules and SOPs in the manual are based on the principles of safety and customer service, and the premise that every individual who boards a bus deserves a high standard of care and deserves to be treated with respect and dignity. The manual covers areas such as vehicle operations, operator’s code of conduct, customer relations, and fare collection.

RESULTS OF REVIEW

Our observations of bus operator performance showed that the majority of operators complied with Metro policies and rules. Of the 138 observations made by OIG observers, no violations were found during 130 (94%) observations. However, 9 violations were found during 8 (6%) of the observations (one observation had more than one violation). A total of 4 written notifications were issued. The 9 violations observed were in the areas of ADA (5) and safety (4); see chart below.

Chart 1: Violations by Category



³ The Operator’s Rulebook and Standard Operating Procedures Manual was updated on January 20, 2013. However, for this period our review followed the policies and procedures manual that was in effect January 1, 2013, when the observation period began.

A. ADA Related Areas

We observed 5 ADA related violations:

- One operator did not call out stops, when the AVA System was not working, and
- Four operators did not send the required notification to Bus Operations Control (BOC) that a wheelchair patron declined to be secured.

1. Not Calling Out Stops

There were two instances during our observations where the AVA System was not working. During one of these instances, the operator did not call out stops as required. We provided the operator with written notification of this violation. Section 7.03 of the Operator’s Rulebook states: “In the event that the Automatic Voice Annunciation (AVA) System is not operational, make announcements in a clear, distinct voice...Federal regulations (ADA) require the announcement of all transfer points, major intersections, and destination points, points of interest and any stop or location upon request.”

2. BOC not Called when Wheelchair Unsecured

Out of the 26 wheelchair customers who boarded Metro buses during our observations, 20 declined securement. However, in four of these instances, the operator did not send the required notification to BOC that the wheelchair customer declined to be secured. Section 7.110 of the Operator’s Rulebook and Standard Operating Procedures states: “In the event a customer in a wheelchair refuses to be secured, Operators may not refuse to transport the customer; however, notify BOC of the customer’s refusal to be secured at the time the wheelchair boarding is reported.” Management advised that operator would receive counseling and training on the proper reporting procedures to BOC.

B. Operator Safety Related Areas

We observed 4 safety related issues:

- One bus operator was eating while driving,
- Two bus operators were not wearing seatbelts while driving, and
- One bus operator was involved in unnecessary conversation while operating bus.

1. Eating While Operating Bus

We observed one operator eating while operating a Metro bus. The operator was provided with a written notification of this violation. Section 4.14 of the Operator’s Rulebook states: “Operators must not consume food and/or beverages at any time while operating any Metro vehicle or while riding as a passenger, whether the vehicle is in or out of service.” Eating or drinking while driving a bus could distract the operator and increase the risk of injuries or accidents. We provided written notification of this violation to the bus operator. Management advised that operator was charged with counseling/training and incident was recorded in operator’s personnel file.

2. Operator Not Wearing Seatbelt

We observed two bus operators not wearing their seat belts while operating a Metro bus. Written notification of this violation was provided to each of these bus operators. Section 2.39 of the Operator’s Rulebook states: “The use of seatbelts and shoulder belts (if equipped) is mandatory when operating any Metro vehicle.” Usage of seat belts helps to protect the operator from serious injury or death in case of an accident. Division management advised that operator would be counseled.

3. Unnecessary Conversation while Operating Bus

We observed a bus operator conducting unnecessary conversation with a patron while operating the bus. The observer watched this activity for approximately 15 minutes before he exited the bus. As the observer exited the bus, the conversation between the bus operator and patron was ongoing. We provided the operator with written notification of this violation. Unnecessary conversation with patrons is prohibited by Metro because it could distract the operator from driving safely and performing his/her important duties of operating the bus and providing service to patrons.

The Operator’s Rulebook states:

- Section 1.22: “Operators must make their safety and that of the customers the highest priority at all times. Safety must never be sacrificed for schedule adherence or customer convenience.”
- Section 3.24: “When operating any Metro vehicle, Operators must devote full attention to driving and traffic conditions. DO NOT engage in any unnecessary conversation while operating the bus.”
- Section 7.05: “Avoid all unnecessary conversation while the bus is in motion. Questions should be answered briefly and politely, without diverting attention from the road.”

Management advised that operator would be interviewed and we were provided with a copy of the TRANS 19 document that was placed in operator's personnel file.

CONCLUSION

During the quarter, we completed 138 observations of Metro bus operators. We found that the majority of Metro bus operators are performing their duties at a high level and take pride in providing the best customer service to bus patrons. To ensure that operator performance stays at a high level, management should continue to stress the importance of adhering to all policies and procedures. Based on the results of our review, management should emphasize compliance with rules related to:

- calling out stops,
- calling BOC when wheelchairs are not secured,
- wearing seat belt when operating bus,
- not eating or drinking while driving a Metro vehicle, and
- refraining from unnecessary conversation when operating a bus.

During our observations, we also noted operators who carried out their duties in an exemplary manner. When we noted excellent performance, we sent an email to the Division Transportation Operations Manager. Examples are:

- Although a bus operator was confronted with a hostile and abusive patron, the operator remained calm and handled the situation in an effective manner.
- The bus operator was very courteous and greeted each passenger with "hello;" and also helped several customers with directions.
- The bus operator was very courteous and helpful. He provided directions to several passengers; and as passengers exited bus, the operator told them to have a nice day.

Summary of Violations Observed January to March 2013

Observation Areas	Instances Observed
ADA Related Areas	
AVA not working, stops not called out	1
Wheelchair patron not secured, BOC not called	4
Operator Safety Areas	
Eating or drinking while driving bus	1
Not wearing seat belt while driving	2
Unnecessary conversation while driving	<u>1</u>
TOTAL	<u><u>9</u></u>

Summary of Observation Results For the Last Four Quarters

Observation Areas	Instances Observed			
	Apr to Jun 2012 (A)	July to Sep 2012 (A)	Oct to Dec 2012 (B)	Jan to Mar 2013 (A)
ADA Related Areas				
Operator did not rise from seat and move to securement area	4	6	0	0
Operator did not ask to secure wheelchair patron	0	1	0	0
Wheelchair patron not secured, BOC /Contractor Dispatch not called	2	3	2	4
Wheelchair patron denied boarding, BOC not called	0	0	0	0
Wheelchair patron passed up	0	0	0	0
Stops not announced when AVA not in use	0	0	0	1
Assistance not offered to patron who appears to have special needs	0	0	0	0
Operator Safety Areas				
Using personal cell phone while driving bus	1	0	0	0
Unnecessary conversation	1	0	0	1
Eating or drinking while driving	4	4	0	1
Not wearing seat belt while driving	1	6	0	2
Not obeying traffic laws	0	0	0	0
Operator Discourtesy	0	0	0	0
Bus Uniforms				
Bus Operator was not wearing approved uniform	<u>0</u>	<u>0</u>	<u>3</u>	<u>0</u>
Total Violations Observed	<u>13</u>	<u>20</u>	<u>5</u>	<u>9</u>
Number of Observations Made	153	170	111	138
Number of Observations with Violations	<u>12</u>	<u>15</u>	<u>5</u>	<u>8</u>
Percentage of Observations with Violations	<u>8%</u>	<u>9%</u>	<u>5%</u>	<u>6%</u>

(A) Multiple violations were noted during some of the observations.

(B) Contracted Bus Operators.

Final Report Distribution

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