



**New Orleans Regional Transit  
Authority**

**AGENCY SAFETY PLAN**

**Rev. 1.0**

**Effective: March 23, 2021**

**New Orleans Regional Transit Authority**

**2817 Canal Street**

**New Orleans, Louisiana 70119**

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### New Orleans Regional Transit Authority Public Transit Agency Safety Plan

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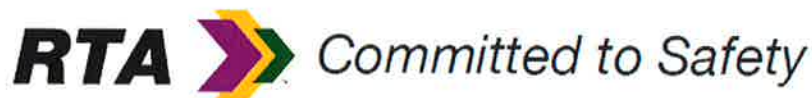


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Date: March 23, 2021



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## Document Revision Policy

This document is intended for use by the position to which it was issued. Should the holder of this plan leave their current position, the plan must be returned to the Chief Safety Officer. Should the plan be lost or stolen, it must be immediately reported to the Chief Safety Officer.

This plan is complemented by, and dependent on, other supporting documents issued by RTA and other third parties. The Chief Safety Officer determines the initial distribution for this document. Document holders are required to keep their plans up to date by discarding obsolete documents, and replacing them with updated documents.

### Revisions/Amendments

<b>Revision No.</b>	<b>Effective Date</b>	<b>Revised Sections</b>	<b>Purpose</b>
0	7/15/20	NA	Initial Issue
1.0	3/23/21	1.1, 1.2, 1.4, 2.1.2, 3.5, 4.2.1, 4.2.3, Appendix A, Appendix B, Appendix D	Revisions due to transition of Operations and Maintenance functions in-house

## Purpose and Scope

The purpose of the Agency Safety Plan (ASP) is to set forth the requirements for identifying, evaluating and minimizing safety risk throughout the New Orleans Regional Transit Authority's (RTA) public transit system. The ASP design and implementation includes the development of a comprehensive Safety Management System (SMS) as described in the Federal Transit Administration's (FTA) requirements (49 CFR Parts 670, 672, 673, and 674) and follows the Louisiana Department of Transportation and Development (LADOTD, herein referred to as the State Safety Oversight Agency or SSO) State Safety Oversight Program Standard (SSOPS)<sup>1</sup>. The plan incorporates the four components of SMS: Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion. The FTA, other federal agencies, and the SSO will have access to review all RTA SMS documentation upon request.

The ASP is specifically developed to:

- Establish the Safety Program for RTA.
- Identify the relationships and responsibilities of RTA with other agencies and organizations that impact transit system safety.
- Provide formal documentation of RTA management's commitment to safety.
- Provide a framework for implementing RTA's safety policy.
- Achieve RTA's system safety goals and objectives in compliance with the National Public Transportation Safety Plan, January 2017.
- Satisfy federal, state, and local laws, codes, ordinances, and regulations.

The RTA provides public transportation services to the City of New Orleans, Orleans and Jefferson Parishes, and the City of Kenner. The RTA system includes five streetcar lines, 34 bus routes, paratransit service, and two passenger ferry lines.

Per 49 CFR Part 673.11(f), agencies that operate passenger ferries regulated by the United States Coast Guard (USCG) are not required to develop agency safety plans for those modes of service. In consultation with the Chief Marine Officer (CMO), the Chief Safety Officer (CSO) or designated staff will oversee contractual safety responsibility by the operator(s) of those services, including safety management program(s) developed and maintained by the operator(s), in accordance with any service agreements in place and with all applicable federal and state requirements. RTA designated staff assigned to safety responsibility may direct operator(s) to non-modal-specific elements of this ASP as necessary to support program development. Application/adoption of any safety requirements, processes, or practices herein will be administered and overseen through separate RTA- and operator-issued policy documents.

The RTA is the grant recipient (as defined in 49 CFR Part 673.1) and performs the administrative functions of managing the transit system. In December 2020, the RTA formally transferred direct responsibility for all Operations and Maintenance (O&M) functions for its streetcar, bus and paratransit services, from Transdev, NA, the previous

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<sup>1</sup> La. Admin. Code tit. 70 § IX

contractor, to RTA staff. Also in 2020, RTA changed the contractor providing O&M services for its ferry service, from Transdev, NA, to Labmar Ferry Services, LLC (LFS). All staff and contractors are responsible for complying with the ASP and any referenced policies and procedures.

This ASP will continue to be updated and/or amended, as required, to ensure alignment with the post-transition organization. As SMS Executive, the CSO is directly responsible for updating the ASP to reflect the current operation, in accordance with State and Federal requirements.

RTA’s SMS is organized into four components and includes 11 subcomponents aligned with FTA’s SMS Framework:

### **Safety Management System Components**

<p><b>Safety Management Policy</b></p> <ol style="list-style-type: none"> <li>1. Safety Management Policy Statement</li> <li>2. Safety Accountabilities and Responsibilities</li> <li>3. Integration with Public Safety and Emergency Management</li> <li>4. SMS Documentation and Records</li> </ol>	<p><b>Safety Assurance</b></p> <ol style="list-style-type: none"> <li>7. Safety Performance Monitoring and Measurement</li> <li>8. Management of Change</li> <li>9. Continuous Improvement</li> </ol>
<p><b>Safety Risk Management</b></p> <ol style="list-style-type: none"> <li>5. Hazard Identification and Analysis</li> <li>6. Safety Risk Evaluation</li> </ol>	<p><b>Safety Promotion</b></p> <ol style="list-style-type: none"> <li>10. Safety Communication</li> <li>11. Competencies and Training</li> </ol>

Each subcomponent is addressed in this ASP.

**PLEASE NOTE: This ASP outlines RTA’s mature SMS. Per FTA guidelines, RTA expects a three- to five-year period to implement all of the programs described in this Plan. There are a number of companion documents to this Plan that describe the tasks, activities, milestones and steps that RTA will implement during that period. These documents include RTA’s SMS Implementation Plan (see APPENDIX E) and Corrective Action Plans (CAPs) that each describe steps that will be taken to align with this ASP. All documents pertaining to the ASP will be reviewed and updated annually to reflect current conditions and configuration.**

## **Section I: Safety Management Policy**

### **1.1 Chief Executive Officer’s Safety Management Policy Statement**

The RTA Safety Management Policy (SAF3) contains the agency’s formal Safety Management Policy Statement, and may be accessed on the intranet SharePoint site. It

is reviewed and updated annually, to ensure it aligns with the ASP and vice-versa. As SMS Executive, the CSO is responsible for maintaining and updating the Safety Management Policy in accordance with FTA requirements under 49 CFR Part 673.23.

### 1.1.1 Safety Performance Targets

Under the requirements of 49 CFR Part 673.11(a)(4), the RTA ASP must address the applicable requirements set in the FTA's NSP demonstrating compliance with the minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C).

These standards, as set forth in the NSP, are associated with National Transit Database reporting requirements:

- **FATALITIES** (total number of reportable fatalities and rate per vehicle revenue miles, or VRM, by mode)
- **INJURIES** (total number of reportable injuries and rate per VRM by mode)
- **SAFETY EVENTS** (total number of reportable events and rate per VRM by mode)
- **SYSTEM RELIABILITY** (mean distance between major mechanical failures by mode)

Safety Performance Measure Definitions (source: FTA Safety Performance Targets Webinar, dated February 4, 2020 --

[https://www.transit.dot.gov/sites/fta.dot.gov/files/2020-04/SPT\\_Webinar\\_202002.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/2020-04/SPT_Webinar_202002.pdf))

- **Fatalities**
  - Death confirmed within 30 days, excluding suicide, trespassers, illness, or natural causes
- **Injuries**
  - Harm to person that requires immediate medical attention away from the scene
- **Safety Events**
  - Collision, derailment, fire, hazardous material spill, or evacuation
- **System Reliability**
  - Major mechanical failure preventing a vehicle from completing or starting scheduled trip

Safety Performance Targets (SPTs) are established annually in coordination with all pertinent departments, members of the executive leadership team, and the SSO. The executive-level safety committee, known as the Executive Safety & Security Committee (ESSC), also reviews and provides feedback on the SPTs as necessary. As a statutorily required section of the ASP, the Board of Commissioners will review and approve SPTs during its review of the draft/updated ASP. The annual SPTs are listed in APPENDIX A: 2021 SAFETY PERFORMANCE TARGETS.



### **1.1.2 Annual Review and Update of the ASP**

RTA shall review, update, and submit the ASP to the SSO annually in compliance with the requirements of the SSOPS, as codified in La. Admin. Code tit. 70 § IX-1509.

The internal process for review, revision as needed, approval and submission to the SSO is found in RTA Standard Operating Procedure 004-002.

### **1.1.3 Maintenance of the ASP**

RTA will maintain its ASP in compliance with 49 CFR Part 673.11(c), Subpart D and the SSOPS. The CSO or designee will ensure the current ASP version is promptly disseminated and made available to all employees.

## **1.2 Safety Management Accountabilities and Responsibilities**

In compliance with 49 CFR Part 673.23(d), RTA has established its organizational accountabilities and responsibilities related to its SMS in this section.

### **1.2.1 Organizational SMS Accountabilities and Responsibilities**

RTA's CEO is the Accountable Executive for the agency. The CEO is ultimately accountable for ensuring action is taken, as necessary, to address substandard performance in the agency's SMS under the requirements of 49 CFR Part 673.23 (d)(1).

The CEO has delegated the authority and responsibility for day-to-day implementation and operation of the SMS to the CSO, who functions as the RTA SMS Executive. The CSO reports directly to the CEO per the requirements of 49 CFR Part 673.23 (d)(2).

All Executive-level managers in the agency also share key SMS responsibilities. As of the adoption of this ASP, the following positions comprise the executive leadership team ("ELT") and share the responsibility to ensure the ASP is followed consistently throughout the organization:

- Chief Safety Officer
- Deputy CEO Chief Operating Officer
- Deputy CEO Administration
- Deputy CEO Planning & Infrastructure
- Chief of Staff
- Chief Security Officer
- Chief Marine Officer
- Chief Human Resources Officer
- Chief Financial Officer
- Director of Board Affairs

All functional areas identified in this ASP are safety critical. Managers (all levels) of functional areas are responsible for the following:

1. Support the service-delivery function of the agency
2. Coordinate with the CSO or their designee to ensure that the level of safety risk associated with any identified hazard in their respective area(s) is maintained at an acceptable level.

The subsections “Common SMS Responsibilities” and “Specific Additional SMS Responsibilities by Level” describe in greater detail the responsibilities and accountabilities owned by each department or functional area, as appropriate.

The current organizational chart showing the organizational relationships described below is found as APPENDIX B: ORGANIZATIONAL CHART. The chart will be updated with each update of this ASP and on an as-needed basis.

### **1.2.1.1 Common SMS Responsibilities**

All functional areas are responsible for the common requirements of SMS listed in this section, as required by 49 CFR Part 673.23(d):

- A. **Safety Goals and Objectives:** the CSO or designee coordinates with each area to establish goals with corresponding objectives that support both Safety Management Policy objectives and SPTs. In consultation with the CSO, each area monitors progress to ensure the goals, objectives, and targets (as applicable) are being met.
- B. **SMS Training:**
  - a. Rail – Key personnel identified in this ASP as having direct responsibility for safety oversight of the rail fixed guideway system, whether at the direction of or in coordination with the CSO, must meet the requirements of 49 CFR Part 672, including refresher training at 2-year intervals. The regulation requires that personnel to whom this applies must meet the requirements within three years of being hired or promoted into the “key” position.
  - b. All Other Personnel – Personnel not identified as Key Personnel are not required to meet 49 CFR Part 672 requirements at this time, however, they should be proficient in SMS methodologies and practices, and knowledgeable about all safety program requirements.
    - i. Safety training requirements for the agency, including SMS, will be found in an agency Training Policy which is currently in development.
- C. Employee Safety Reporting Program: all employees share the responsibility to report hazards and safety concerns via approved means. Presently, hazards may be reported via the Safety Hotline, directly to Safety Department personnel, to a department manager, or through a safety committee.
- D. Hazard Identification, Analysis, and Mitigation: each area is responsible to identify hazards in its daily activities and responsibilities; and to fully document all

of these activities, following the direction of the Safety Department. FTA guidance directs the CSO, as SMS Executive, to facilitate or lead department/functional area Safety Risk Management (SRM) and Safety Assurance (SA) activities, as appropriate. Formal corrective actions may be required to address any unacceptable or undesirable safety risk identified through hazard identification and risk analysis.

- E. SMS Implementation: all functional areas must assess their own compliance with the RTA ASP and SMS implementation objectives and action items, and regularly brief the CSO on SMS implementation progress. The ESSC reserves time during its monthly meeting for receiving and reviewing implementation status.
- F. SMS Documentation: requirements of both 49 CFR Parts 673 and 674 indicate that all areas must have formal documentation of all safety management activities. All SMS documentation must be reviewed annually to ensure that any changes to the ASP do not create conflict.
- G. Where applicable, safety management oversight of Operations and Maintenance (O&M) Contractor activities, documentation and safety management processes, and documentation of those oversight activities.

### **1.2.1.2 Specific Additional SMS Responsibilities by Level**

There are three levels of employee responsibility defined at RTA, described in general below:

1. Executive Level Management
2. Technical Management
3. Front-Line Employees

Each functional area is responsible for establishing and reviewing department-specific SMS responsibilities for each of these three levels consistent with the general responsibilities described in this section. The executives for each area will ensure that each employee is annually evaluated on safety performance related to those SMS responsibilities. Executive level staff accept their respective responsibilities for implementing this ASP.

In addition to the shared responsibilities described above, the additional SMS responsibilities for each level are as follows:

#### **Executive level:**

Executives are charged with effectively leading safety management processes and activities in their respective area(s), and actively demonstrating their commitment to safety. Specifically, they must ensure and be accountable that:

1. Adequate resources are available to appropriately manage safety risk in their areas.

2. Effective mitigation and corrective actions are developed, implemented in a timely fashion, and monitored appropriately to assure safety is maintained, as appropriate.
3. There are no barriers to employee reporting of safety hazards and issues, and that reports are promptly addressed through the safety risk management process.
4. Safety management is fully documented, managed and monitored at all times.
5. Safety performance goals and objectives, both in their areas of control and agency-wide, are being met, and safety performance measures, including SPTs, monitored for verification or needed corrective action.
6. They participate fully in the ESSC and other safety committee processes.
7. Safety is a core business function in their areas and departments.
8. Safety information is shared openly with the Safety Department and all other departments in support of the SMS.
9. All significant changes are properly managed in accordance with the Management of Change section of this ASP.
10. Safety investigations, audits, inspections, and corrective actions are managed using the organizational approach; that is, focusing on organizational deficiencies and systemic issues instead of individual actions taken or errors committed by front-line employees, where feasible.
11. Adequate safety training, awareness and oversight is provided to employees in their areas of control.
12. A positive safety culture is actively fostered in their area and system wide.
13. Full and open cooperation is affected with State Safety Oversight activities, federal authorities and other external safety agencies as required.

### **Technical management level:**

Technical managers (typically, senior directors, directors, and managers) are charged with the following:

- ensuring directives are implemented from the executive level in safety management,
- promptly informing executives of safety lapses, failures, hazards and resource shortages,
- visibly demonstrating commitment to safety,
- providing tools and resources needed to safely perform job requirements,
- providing information pertinent to the management of safety to employees, and
- encouraging the reporting of hazards and assuring safety is incorporated in all task and activities on a daily basis.

Technical Management must personally ensure and be accountable to:

1. Take strategic direction from the Executive level in all aspects of safety management, including daily activities, hazard and safety risk management, safety data, investigations, employee reporting, and other safety management information particular to their areas of control, as appropriate.

2. Ensure employees receive proper training to perform job functions safely.
3. Ensure employees are properly supervised to ensure tasks and activities are safely managed and performed.
4. Ensure that employee reports of hazards are properly investigated, mitigated as appropriate and reported to executive management and/or the Safety Department as appropriate; and employees are kept apprised of activities concerning their reports.
5. Ensure that contractors and vendors are educated on RTA safety practices and are held to the same requirements.
6. Coordinate implementation of safety mitigations and SA activities with the Safety Department as appropriate.
7. Monitor and endorse proper safety promotion and awareness activities.
8. Implement management of change activities in coordination with the Safety Department.
9. Identify organizational failures with Executive management, and cooperatively work to implement mitigations and corrective actions to address failures.
10. Participate actively in the safety committee process as directed and assigned, including preparing, reviewing, and sharing safety information.
11. Foster a positive safety culture system wide.
12. Cooperate fully and openly with State Safety Oversight activities, federal authorities and other external safety agencies as required.

### **Front-Line employees:**

Front-line employees are expected to:

1. Promptly recognize and report all hazards and/or potential consequences of hazards that, without mitigation, would result in an unacceptable level of safety risk, coordinating with the Safety Department as necessary.
2. Fully participate in the safety committee process as appropriate.
3. Attend training that will aid in safe job performance.
4. Safely carry out assigned tasks.
5. Communicate effectively with other employees, supervision and management.
6. Foster a positive safety culture system-wide

### **Chief Executive Officer**

#### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's CEO, as the agency's Accountable Executive, meets the FTA criteria for the designation, per 49 CFR Part 673.23(d)(1).

As the Accountable Executive, the CEO has the following responsibilities for the SMS:

- Ensuring that the SMS is properly implemented and performed throughout the

- RTA organization, including employee reporting programs
- Actively and continuously communicating the RTA's SMS Policy throughout the agency
  - Ensuring that all executive level personnel are held responsible for implementation of SMS in their respective areas; and each actively and continuously communicates the RTA SMS Policy and the area-specific SMS requirements to all employees in their areas
  - Approving this ASP and the TAMP, and knowing and understanding the contents of both documents
  - Ensuring that risk is appropriately addressed system-wide; and directing resource allocation accordingly
  - Directing required actions to address non-compliance with the ASP
  - Managing continuous improvement activities.

## **Chief Safety Officer**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's CSO reports to the Accountable Executive. The CSO chairs the ESSC as the Executive-level Subject Matter Expert (SME).

The CSO functions as the SMS Executive, and in this role, is responsible for the day-to-day implementation of SMS. Key safety personnel, technical management, and executive level management operate under the CSO's guidance and direction to support in data collection and analysis, investigations, hazard identification and assessment, corrective action development and implementation, safety committee business, departmental and/or functional area SA and promotion activities, and other safety management undertakings.

The CSO is authorized to take the necessary action to ensure agency personnel have resources, training, and guidance necessary to implement SMS in everyday job performance as required in this ASP.

The CSO guides the areas and departments with information about safety risk management to ensure that they understand the level of safety risk and expectations as to mitigations and/or corrective actions. Once risk is assessed, each department will provide documented results of the assessment(s) to the CSO, who will maintain a master hazard log as necessary. Generally, this process is managed "by exception," meaning areas identified as normal or recurring hazard mitigation or resolution activities (e.g., pre-trip inspections, preventive maintenance, purchase orders) are not re-entered on the CSO's log every day, but rather exceptional events, such as new and previously unforeseen hazards, instances of practical drift, and adverse events will be entered and promptly managed in close coordination between the department and the CSO.

The CSO performs the following safety-critical activities:

- Developing and maintaining the ASP
- Overall monitoring of the SMS program and ensuring immediate corrective actions are implemented to address deficiencies of the SMS
- Providing primary consultation and guidance on SMS implementation throughout the agency
- Providing information, recommendations and status reports to the CEO on resource allocation supporting the SMS
- Chairing monthly ESSC meetings to address system hazards and other safety concerns
- Conducting independent (but coordinated) SA activities, such as inspections, audits, assessments and observations in the departments as necessary
- Conducting safety promotion activities, such as surveys, stand-downs, and campaigns in coordination with departments
- Maintaining and monitoring CAPs and Hazard Logs for the agency, and supporting and assisting departments in implementing corrective actions
- Overseeing contractor and RTA employee activities in all operational activities
- Overseeing contractor, RTA employee, and the general public's safety during construction activities
- Monitoring and verifying departmental data analysis and trending
- Coordinating with the Chief of Security to ensure the conduct of training as needed with external agencies, i.e., emergency responder training, contractor training, and emergency drills
- Establishing system-wide safety training objectives, training QA activities and training plans and procedures, including a training matrix by position
- Participating in formal meetings with LADOTD, ELT, and other RTA management on safety issues
- Developing and supporting safety policies, procedures, and programs
- Implementing the Internal Safety Management Audit Program in compliance with SSO requirements and this ASP
- Overseeing and supporting departmental assessments, investigations, inspections, and SA activities to ensure full compliance
- Supporting the departmental collection and analysis of safety data; and reviewing reports, records and documents of this analysis by departments
- Identifying safety concerns, analyzing reports and information, supporting the development of programs for improving workplace safety
- Assisting in claim investigations of work-related injuries or disabilities and preparing of files for litigation
- Establishing and implementing effective industrial hygiene and occupational policies and procedures for transportation and maintenance functions
- Establishing criteria for the selection, maintenance, and proper use of personal protective clothing and equipment
- Developing mandated training programs
- Developing, implementing, and monitoring the Drug & Alcohol program in accordance with U.S. DOT and FTA requirements.

## **Chief of Security**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Chief of Security reports to the Accountable Executive. The position actively participates on the ESSC and is fully responsible for SMS compliance in the Security and Emergency Management areas.

The department is responsible for developing, maintaining and implementing a range of plans, programs and processes related to public safety and emergency management. The Chief of Security develops and maintains emergency management documentation, and coordinates with local, state, and federal agencies. The position also performs oversight and safety management of the RTA's security contractor and various Memoranda of Understanding (MOUs) and Cooperative Endeavor Agreements (CEAs).

The Chief of Security provides training for the agency in all security- and emergency-related areas, including emergency exercises and drills, and ensures RTA and contractor personnel receive appropriate security- and emergency management-related training to perform their duties and tasks.

## **Deputy CEO Chief Operating Officer**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Deputy CEO Chief Operating Officer (COO) reports to the Accountable Executive. The COO actively participates on the ESSC and is fully responsible for SMS compliance in the Operations areas.

The COO has responsibility for the following areas:

- A. Modal Operations (except Marine)
- B. Maintenance
- C. Data Science and Performance Accountability
- D. Planning and Scheduling
- E. Operations Training
- F. Americans with Disabilities Act (ADA) Compliance

As the head of the Operations area, the COO has the following responsibilities for the SMS:



- Ensuring that the SMS is properly implemented and performed throughout RTA Operations
- Ensuring a robust and effective employee reporting program is implemented in Operations
- Actively and continuously communicating the RTA SMS Policy throughout the agency
- Ensuring that all management level personnel are held responsible for implementation of SMS for their spheres of control; and each actively and continuously communicates the RTA SMS Policy and the area-specific SMS requirements to all employees
- Ensuring that safety risk is appropriately addressed department-wide
- Ensuring continuous improvement is implemented throughout the department

Each of the safety-critical areas below, under the direction of the COO, is fully documented through area/departmental programs, policies, plans, procedures, and protocols developed under the authority and responsibility of the Managers of each area. These documents contain detailed information on all functions, tasks and activities, and are available from the Managers, including how safety is managed in every aspect of operations in each area.

## **Modal Operations**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

#### **Rail and Bus Service**

RTA's Rail and Bus Operations departments each report to the Director of Bus & Rail Operations who in turn reports to the COO.

The departments perform safety-critical functions in the following areas:

- A. Streetcar and fixed-route bus operations
- B. Yard operations
- C. Operations training
- D. Service quality assurance/quality control
- E. Special event planning and response
- F. Safety event reporting and investigation, in coordination with the Safety Department

Safety-critical activities for each area are described below.

Rail Operations is responsible for:

- Managing safety in all departmental functions, including appropriate hazard identification, analysis and mitigation, and safety assurance on those mitigations

- Supporting SMS system-wide, including investigations, audits, and assessments
- Training, assigning and monitoring rail operators, and rail supervisors
- Maintaining, reviewing and revising of the Rulebook in coordination with the CSO
- Implementing rules compliance programs for rail operators, dispatchers and rail supervisors, and ensuring service quality assurance and quality control
- Reporting key performance indicators, operational data and other performance measures associated with daily tasks and activities to appropriate parties
- Investigating and managing customer complaints and corrective action
- Investigating employee reports of hazards and taking corrective actions as necessary
- Equipment inventory and tracking
- Managing employee discipline
- Safety messaging
- Ensure representation for all classes of front-line employees on appropriate employee safety committees

## **Bus & Rail Communications**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Director of Bus and Rail Communications reports directly to the COO and is responsible for two critical areas: depot clerks and the Operations Control Center (OCC). Each division within Bus & Rail Communications consists of a manager and one or more supervisors.

Safety-critical activities are described below:

- Control of employee sign-in, attendance procedures, run assignments, yard supervision, and discipline in accordance with agency rules and procedures
- Conduct of visual fitness-for-duty checks upon operator sign-in for duty
- Dissemination of safety-critical drivers' alerts and other notices
- Managing and directing control center operations and safety
- Responding to and managing of operational emergencies
- Coordination and communication with other departments system-wide, including Fixed-route operations for bus bridges when needed
- Dispatching operations supervisors to incidents and accidents as necessary, and closely coordinating with Safety and Security departments
- Safety messaging

## **Maintenance**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Director of Rail Maintenance, Director of Bus Maintenance, and Quality Assurance Maintenance Manager all report to the COO.

Maintenance is responsible for the following safety-critical activities:

- A. Transit Asset Management
- B. Maintenance Training
- C. Warranty Programs
- D. Maintenance
  - a. Streetcar Maintenance
  - b. Rail Infrastructure Maintenance (Power, Signals, Rail, Grounds)
  - c. Vehicle Maintenance (including vehicle-borne fare equipment and radios)
  - d. Fare Collection Equipment Maintenance (off-vehicle)
  - e. Materials Management
- E. Maintenance Quality Assurance

Safety-critical activities for these areas are described below.

- Ensuring proper training of all new mechanics and technicians to safely and effectively inspect, maintain and repair the agency's fleet, and all maintenance staff in emergency/safety procedures and injury and illness prevention as appropriate
- Administering warranty programs for rolling stock and equipment
- Streetcar Maintenance Activities
  - Assuring that the rail car fleet is properly maintained and available in safe operating condition according to RTA's procedures
  - Providing necessary mechanisms for reporting defects and hazardous conditions
  - Administering and monitoring standardized programs, policies, and procedures, and the Rail Maintenance Plan
  - Ensuring appropriate action to resolve reported or otherwise identified hazards in a timely manner. As appropriate, coordinating the development and testing of engineering solutions as a means of addressing vehicle related hazards
- Vehicle Maintenance
  - Assuring that the vehicle fleet is properly maintained and available in safe operating condition according to RTA's procedures
  - Providing necessary mechanisms for reporting defects and hazardous conditions
  - Administering and monitoring standardized programs, policies, and procedures, and the Vehicle Maintenance Plan
  - Administering safety programs for department employees
  - Ensuring appropriate action to resolve reported or otherwise identified hazards in a timely manner. As appropriate, coordinating the development and testing of engineering solutions as a means of addressing vehicle-related hazards

- Rail Infrastructure Maintenance (Including Maintenance-of-Way, or MOW, and Traction Power)
  - Assuring that infrastructure is properly maintained and available in safe operating condition according to RTA's procedures.
  - Providing necessary mechanisms for reporting defects and hazardous conditions
  - Administering and monitoring standardized programs, policies, and procedures, and the Rail Maintenance Plan
  - Monitoring safe handling of and minimizing employee and environmental exposure to potentially hazardous products and materials.
  - Ensuring appropriate action to resolve reported or otherwise identified hazards in a timely manner
  - As appropriate, coordinating the development and testing of engineering solutions as a means of addressing infrastructure-related hazards
  - Serving as liaison with various municipalities and other external agencies for hazard resolutions involving infrastructure
- Fare Collection Equipment Maintenance
  - Assuring that fare machines are properly maintained in safe operating condition according to RTA's procedures.
  - Administering safety programs for department employees
  - Ensuring appropriate action to resolve reported or otherwise identified hazards in a timely manner
- Materials Management
  - Assuring that materials, supplies, equipment and parts under the care and custody of the area are stored, accessed and distributed safely and appropriately according to RTA procedures
  - Accounting for inventory
  - Providing necessary mechanisms for reporting defects and hazardous conditions
  - Coordinating with the CSO on safety requirements of materials
  - Monitoring safe handling of and minimizing employee and environmental exposure to potentially hazardous products and materials.
- Maintenance Quality Assurance
  - Ensuring all documentation requirements of maintenance activities are fully implemented in conformance with regulations and the requirements of the SMS
  - Where applicable, participating in the development of technical equipment specifications and procedures that address the safety requirements of regulatory agencies and RTA
  - Ensuring that replacement equipment and modifications meet safety requirements prior to acceptance, installation or implementation
  - Examining equipment and systems to explore the potential for increased efficiencies and improvements in safety as well as in performance
  - Coordinating major equipment rebuild, repair, and retrofits
  - Monitoring the performance of preventive maintenance efforts and all other contractor activities

- Ensuring there are no unauthorized modifications to vehicles and equipment

## **Data Science and Performance Accountability**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Director of Data Science and Performance Accountability reports to the Senior Director of Operations who in turn reports to the COO. The position performs the following safety-critical functions through data collection and analysis:

- Ensuring performance accountability of all departments, including progress relative to SPTs and other Key Performance Indicators
- Ensuring continuous improvement of the SMS

The Director is committed to the exploration of increasing the effectiveness and efficiency of the RTA through data collection and analysis and will propose and implement improved data processes under the direction of the COO.

## **Planning and Scheduling**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Transit Planning Director reports to the Senior Director of Operations who in turn reports to the COO. The Director is fully responsible for SMS compliance in the transit planning area.

The Transit Planner performs the following safety-critical activities:

- System route analysis
- ADA and FTA regulations and requirements concerns in planning
- Station locations and amenities
- Accessibility issues regarding RTA facilities and bus stops
- Community outreach

## **Operations Training**

### **Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Manager of Operations Training reports to the Senior Director of Operations who in turn reports to the COO. The Manager is fully responsible for SMS compliance in the development and delivery of training—including mandatory refresher, post-accident, and recertification training—for transit operators, supervisors, and maintenance personnel.

The Manager of Operations Training performs the following safety-critical activities:

- Development and delivery of official agency training curricula materials, including for safety-critical positions, tasks, activities, processes, methods, and programs
- Safety training program development and quality assurance
- Monitoring of training records and oversight of final training evaluations
- Training needs assessments in consultation with other Operations departments and in alignment with agency procedures
- Post-accident re-training based on deficiencies or non-compliances found during accident/incident investigations by Operations and/or Safety
- Simulator training
- Quality assurance evaluations (“ride evaluations” or “ride checks”)
- Rail operator re-certification and rulebook adherence
- New-hire training for Operations employees on SMS principles, including hazard identification and reporting

## **Customer Service**

### **Safety Policy, Safety Risk Management, Safety Assurance and Safety Promotion Responsibilities and Activities**

RTA’s Director of Customer Service reports to the Chief of Staff. The Director is fully responsible for SMS compliance in the Customer Service area which consists of the call center that manages customer inquiries, complaints, and paratransit reservations, known as “Rideline,” and the ADA Eligibility and Identification (ID) card center.

The Director of Customer Service has the responsibility for the following safety-critical activities:

- Oversight, monitoring and supervision of the customer service team
- Monitoring and ensuring proper handling of consumer complaints, suggestions, commendations, miscellaneous calls and correspondence relating to the agency
- Investigating complaints and concerns, employee reports of hazards and other required events, including coordination with other departments and preparing reports as necessary
- Collecting and performing trend analysis on customer and employee reports, concerns, and complaints
- ADA and reduced fare program eligibility and customer relations
- ADA compliance
- Coordinating with community organizations, non-governmental organizations, city and local agencies, passenger advocacy groups, and the public to ensure that concerns regarding ADA and the needs of vulnerable populations are met in RTA service
- Provides internal and external training and other resources on ADA compliance issues and RTA service for vulnerable populations

## **Chief Financial Officer (CFO)**

### **Safety Policy, Safety Risk Management, Safety Assurance Responsibilities and Activities**

RTA's CFO reports to the Deputy CEO Administration. The CFO actively participates on the ESSC and is fully responsible for SMS compliance in the Financial Operations areas.

Safety-critical activities for Financial Operations are related to the provision of accurate and timely financial services to stakeholders while fostering accountability. One of its primary functions is keeping the Accountable Executive informed of resource allocation and availability in the service of safety management.

The Chief Financial Officer has the responsibility for the following areas:

- A. Budget Development and Administration
- B. Grants Administration
- C. Procurement
- D. Third Party Audit
- E. DBE Compliance
- F. Revenue Collection
- G. Accounting

### **Budget Development and Administration**

#### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Budget Development and Administration Analysts report to the CFO. The Analysts are fully responsible for SMS compliance in the Budget Development and Administration area.

The Analysts have the responsibility for the following safety-critical activities:

- Preparation and monitoring of the annual budget in coordination with executive management and all RTA departments.
- Analysis of activities that have financial impacts
- Reporting to the agency and the RTA Board on financial matters on a regular basis
- Identifying any issues that threaten the RTA's financial ability to provide safe service or its fiduciary duties

### **Grants Administration**

#### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Director of Grants reports to the CFO. The Director is fully responsible for SMS compliance in the Grants Administration area.

FTA's expectation is that systems apply for all grants available to support the safety management program. Grants supply essential capital resources for safety management, and are, therefore, a safety-critical activity.

The Director has the responsibility for the following safety-critical activities:

- Planning, directing, and evaluating the preparation and submission of all grant applications, including the conduct of necessary public hearings, for Capital Improvement programs, operating assistance, flexible funding, and research development and technical studies
- Implementing and managing approved grant programs, from inception to close-out, in compliance with Federal regulations and procedures
- Preparing and presenting of major oral/written reports and other documents relating to budget and to grants management
- Coordination with all departments and the Regional Planning Commission on grant status and activities

## **Procurement**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Procurement Director reports to the CFO and is fully responsible for SMS compliance in the Procurement area.

The primary safety management activities of procurement are to ensure that safety principles, requirements and representatives are included in the procurement process. In coordination with, or at the direction of, the CSO, the Director assesses the level of safety risk associated with procurements. Additionally, safety must be managed in storage, warehousing, transportation, accounting, distribution and disposal of all assets managed through the department. This includes ensuring that information acquired in the procurement process is effectively communicated to the end users.

## **Revenue Collection**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Manager of Revenue Collection reports to the CFO. The Manager is fully responsible for SMS compliance in the Revenue Collection area.

Revenue collection manages the safety- and mission-critical functions of revenue



collection and reconciliation, and all aspects of fare media management. The Department uses contractors for security and money transport.

## **Accounting**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Director of Accounting reports to the CFO. The Director is fully responsible for SMS compliance in the Accounting area.

The Director is responsible for the safety-critical tasks of management of accounting in payroll, accounts payable and receivable, inventory, general ledger, tracking purchases and depreciating fixed assets, etc., as well as preparing required reports on financial transactions and other activities. Accounting also monitors financial activities for fraud and theft.

Accounting also provides National Transit Database (NTD) reporting for financial, schedule, ridership and maintenance reporting through the NTD online portal.

## **Chief of Staff**

### **Safety Policy, Safety Risk Management, Safety Assurance and Safety Promotion Responsibilities and Activities**

RTA's Chief of Staff (COS) reports to the Accountable Executive. The COS actively participates on the ESSC and is fully responsible for SMS compliance in the Administration areas.

The COS has the responsibility for the following areas:

- A. Innovation and Policy
- B. Intergovernmental Affairs
- C. Communications and Marketing
- D. Customer Service

## **Innovation and Policy**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Director of Innovation and Policy reports to the COS. The Director is fully responsible for SMS compliance in the Innovation and Policy Area.

The Policy role is focused primarily on working with the department directors to develop organizational policies and procedures.

Innovation responsibilities included exploration and development in the areas of public private capital partnerships to cutting edge new technologies. The department will be tasked with identifying, evaluating, developing, and implementing new approaches. The department will work in cooperation with Infrastructure, Safety, and Operations to investigate new technologically advanced mobility projects; and test new service delivery methods that include enhanced private sector involvement, with more focus on customer experience, and improved mobility and access.

The Director has the responsibility for the following safety-critical activities:

- Development of SMS-related policies
- Development of innovation policy and activities, and implementation in coordination with RTA departments and outside entities.

## **Intergovernmental Affairs**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Director of Intergovernmental Affairs reports to the COS.

The Director has the responsibility for the following safety-critical activities:

- Community and government relations for RTA issues and operations
- Outreach to community organizations/stakeholders.

## **Communications and Marketing**

### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

RTA's Communications and Marketing team, led by a director and two managers, reports to the COS.

Marketing and Communications is responsible for public relations, marketing and retail sales, streetcar charters, advertising, film production and creative services. The Director also serves as RTA's Public Information Officer (PIO) and in that capacity, he/she provides liaison with the public and external stakeholders during emergencies. This information is safety-critical in many respects, especially regarding adverse events and other emergency situations.

## **Human Resources**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Chief Human Resources (HR) Officer reports to the Accountable Executive. The Chief HR Officer is fully responsible for SMS compliance in the HR area.

The Chief HR Officer manages hiring, employee information, worker's compensation, administrative organizational development, and employee programs. HR is responsible for assuring that staff positions are effectively defined and classified and that qualified personnel are identified to meet staffing needs. This department also manages the contracted employee assistance programs, including the program for substance abuse.

Safety-critical activities include:

- A. Talent Acquisition
- B. Employee Relations
- C. Talent Management
- D. Compensation & Benefits
- E. Benefits and Worker's Compensation
- F. Employee Assistant Program (EAP)
- G. Equal Employment Opportunity (EEO) Compliance
- H. Document Management

Safety Critical activities in this area include:

- Coordinating of safety-critical pre-employment activities, including investigations, testing, DOT physicals, qualifications review and legal compliance in hiring
- Maintaining job descriptions incorporating SMS responsibilities and requirements; distribution of the descriptions appropriately as needed and requested
- Accurately documenting hiring and other employment processes
- Managing recruitments based on direction from ELT and approved criteria
- Employee pre-employment assessments
- Employee Assistance Program (EAP), including wellness services, including nutrition, injury prevention, financial counseling and physical and mental health

## **Planning and Infrastructure**

### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Deputy CEO Planning and Infrastructure reports to the Accountable Executive. The position actively participates on the ESSC and is fully responsible for SMS compliance in the Planning and Infrastructure areas.

The Deputy CEO Planning and Infrastructure has the responsibility for and oversight of the following areas:

- A. Safety and Security Certification and the Safety and Security Certification

- Program Plan (SSCPP)
- B. Facilities Maintenance
- C. Environmental Compliance
- D. Information Technology (IT)

As required, the Infrastructure Department may be assisted by a Program Management Consultant and Construction Management Consultant, General Architectural and Engineering Consultant, and contractors. The Director will ensure that all contractors and consultants comply with the provisions of this ASP.

The Safety and Security Certification process is governed by the SSCPP, which is maintained by the Deputy CEO Planning and Infrastructure in coordination with the CSO. Infrastructure staff follow the guidelines contained in the SSCPP to determine whether a capital project or system modification requires safety and security certification. (Also see 3.6.1 Safety and Security Certification.)

### **Facilities Maintenance**

#### **Safety Policy, Safety Risk Management, and Safety Assurance Responsibilities and Activities**

Facilities Maintenance Safety-critical Activities:

- Assuring that facilities are properly maintained and accessible in safe operating condition according to RTA's procedures
- Providing necessary mechanisms for reporting defects and hazardous conditions
- Coordinating with the CSO on safety requirements
- Administering and monitoring standardized programs, policies, and procedures, and the Facilities Maintenance Plan
- Ensuring appropriate action to resolve reported or otherwise identified hazards in a timely manner
- As appropriate, coordinating the development and testing of engineering solutions as a means of addressing facility hazards
- Assuring compliance with local, State, and Federal environmental protection and hazardous waste requirements.

### **Information Technology**

#### **Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion Responsibilities and Activities**

RTA's Director of Information Technology (IT) reports to the Deputy CEO Infrastructure and Planning. The Director is fully responsible for SMS compliance in the IT area.

Information technology activities and systems require continuous management of risk and are safety-critical. IT is responsible for installing, maintaining and replacing hardware, firmware and software; investigating new technologies, and supporting

agency-wide information management and protection.

IT provides and supports the following safety-critical areas and activities:

- Development and promulgation of IT policies, procedures and standards
- Desktop computer access
- Network access
- Telephone systems
- Applications
- Notification of system outages for internal and external customers
- Data warehousing
- Passenger Information Display Signs (PIDS)
- Computer-Aided Dispatch (CAD) and Clever Devices tools for OCC
- Fare systems
- Ron Turley system for Maintenance
- Risk and vulnerability assessments of IT systems agency-wide
- Security badging
- Instructional services for use and protection of information technology systems and processes

IT also manages several contract employees and vendors. IT is responsible for providing safety management oversight of these contractors and vendors, including compliance with this ASP.

### **Key SMS Personnel with Direct Responsibility for Rail Fixed Guideway Safety Oversight**

Apart from the level- and department- specific SMS responsibilities described above, certain key SMS personnel [49 CFR Parts 673.23(d)(4) and 673.29] are considered to have a direct responsibility for safety oversight of the rail fixed guideway, and as such, must comply with FTA's Public Transportation Safety Certification Training Program (PTSCTP) codified at 49 CFR Part 672. These employees and contractors have the responsibility to ensure that their respective area(s) has/have a fully implemented and robust safety management program. As of the adoption of this ASP, the key personnel are:

- CSO
- Director – Occupational Safety & Health
- Drug & Alcohol Program Administrator
- Claims Administrator
- Safety Specialists (4)

The Safety Department, under the CSO's direction, will coordinate a review of the status of required training per the PTSCTP during the annual review and revision of the ASP. The CSO will maintain a safety training matrix for the key SMS positions and will pursue

external training opportunities in support of meeting these training needs by the specified compliance dates, to the extent practicable, e.g., FTA, Transportation Safety Institute (TSI), the National Safety Council.

### **1.3 Integration with Emergency Management**

RTA develops, maintains, and implements all emergency management documentation as required by 49 CFR Part 673.11(a)(6), hereby incorporated by reference. Jurisdictional agreements, including Memoranda of Agreement/Understanding (MOU/MOA), are also maintained by RTA.

Emergency Management functions are subject to the requirements of Section II of this ASP, Safety Risk Management. Corrective actions arising out of emergency management functions, including drills, workshops, exercises, and After Action Reports, is the responsibility the Chief of Security.

The Chief of Security ensures that resources are properly allocated to support emergency management functions in a manner that achieves SMS goals and objectives and addresses any SMS deficiencies. The Chief of Security may use ESSC and/or ELT meetings and proceedings to ensure a strong level of cross-departmental coordination on emergency management matters. Additionally, the Chief of Security and CSO maintain regular coordination meetings to discuss upcoming activities or initiatives, such as training, meetings with first responders or external stakeholders, and external outreach campaigns.

The documentation listed below specifies primary agency-wide documents to manage emergency management functions, although this list is not exhaustive:

1. Memoranda of Understanding/Agreement with law enforcement and emergency management partners
2. Security and Emergency Preparedness Plans
3. Emergency Exercise Procedures
4. After Action Reports
5. Threat and Vulnerability Assessments

These documents are available for review through the Chief of Security.

### **1.4 SMS Documentation**

Per the requirements of 49 CFR Part 673.31, RTA maintains all documentation incorporated here by reference for at least three years, in all versions, and will make them available as requested or required to the SSO, the FTA or other federal agencies having jurisdiction and authority. Other documents subject to other statutory compliance requirements (industrial safety, environmental, etc.) will be maintained according to law.

The CSO coordinates with each ELT member outlined in section 1.2 to identify and address process deficiencies or documentation gaps in their respective area(s) through a combination of the following: Safety Department-led Safety Assurance activities, ESSC and other safety meetings, Internal Safety Management Audits, and one-on-one workshops.

Documents that have a direct interface with this ASP are available in APPENDIX D: UPDATED SAFETY-RELATED STANDARD OPERATING PROCEDURES.

Additional organizational policies (affecting more than one department), departmental policies, and Standard Operating Procedures are currently in development.

An up-to-date list of controlled, final versions of policies is maintained on the Intranet SharePoint site.

## **Section II: Safety Risk Management**

Under the requirements of 49 CFR Part 673.25(a), transit agencies must develop and implement a Safety Risk Management (SRM) process for all elements of the system.

RTA's formal SRM process incorporates all FTA requirements to: identify existing and foreseeable hazards, identify reasonable consequence(s) of those hazards that may result in adverse events, analyze those consequences to evaluate the level of safety risk, and establish and prioritize mitigations to reduce the level of safety risk to the lowest practicable level.

SRM encompasses the use of safety analysis tools by adequately staffed and trained personnel and departments, groups and committees at RTA, as well as the use of SMEs wherever appropriate, at the discretion of the CSO.

In addition, the SRM process at RTA is integrated with its SA program to ensure that safety risk mitigations are evaluated for effectiveness over time. SA processes are described in Section III.

### **2.1 Hazard Identification**

All departments managers are required to identify hazards, report them and mitigate them appropriately. All employees and contractors share a responsibility to identify and report hazards via approved, established means.

#### **2.1.1 Hazard Identification Sources**

There are a variety of sources for hazard identification. RTA uses the following sources for hazard identification:

1. Reactive hazard identification involves analysis of events or outcomes that have already occurred. Hazards are identified through investigation of safety occurrences (including close calls), adverse events and hazard reporting from the field (such as rules compliance activities, safety committee meetings and customer reports) where adverse outcomes have been experienced in the system.
2. Proactive hazard identification involves real-time situations, such as through departmental inspections, audits, evaluations, observations and assessments; proper management of change; training quality assurance programs; and the employee and contractor safety reporting programs. Job Hazard Analyses (JHA) identify and support a thorough analysis of hazards that may reasonably be encountered during the performance of a specific job or task. RTA actively seeks to identify hazards and mitigate them effectively before adverse events occur.
3. A specialized subset of proactive hazard identification is predictive identification, which involves the thorough and timely analysis of safety data collected by all departments to identify possible negative future outcomes or events; as well as



monitoring the system in real time.

4. FTA and SSO data and information as required by 49 CFR Part 673.25(b)(2), as well as industry experience, best practices, and lessons learned.

## **2.1.2 Employee Reporting Systems**

RTA has multiple avenues by which employees and contractors can report hazards. Investigations of hazards are also properly documented per SOP #004-005, and distributed according to that SOP.

Employees are encouraged to report hazards through their chain of command, including their immediate supervision, or management if supervision is not available; or through the safety committee process.

The safety committee structure and related provisions are described in SOP 004-001.

Frontline Operations Department personnel also have the option of writing a description of the hazard or safety concern on an “Accident/Incident Report” and submitting it in the drop-off box located in the depot clerks’ office at the A. Philip Randolph (Canal) facility.

RTA employees and contractors can also submit hazard information via a Safety Hotline, which has the following options:

- Telephone – (504) 827-8367 (available 24 hours a day, 7 days a week)
- Email – [safetyhotline@rtafoward.org](mailto:safetyhotline@rtafoward.org)

Submitters have the option of reporting anonymously or confidentially to the Safety Hotline.

Designated Safety Department staff enter, track, monitor, analyze, and close hazards, or “tickets” through a cloud-based software application. This tool provides staff with the ability to conduct trend analysis as well as manage key performance metrics such as: time to closure, issues by location, issues by bus/streetcar stop, department(s) responsible for resolution, and associated Safety Risk Index (SRI).

Note: Additional training and internal outreach materials are currently in development. Safety and IT are exploring other means of reporting hazards online, such as an accessible, web-based form that is linked to the employee HR SharePoint site.

RTA employees can also submit safety concerns and complaints directly to the Safety Department, by submitting a Hazard Report Form or contacting the CSO or any of his/her staff via email or telephone.

Customer Service manages customer safety complaints, which are forwarded to the responsible department and the CSO as applicable. The department investigates the report and develops and implements corrective action as needed, in coordination with the Safety Department. Employees can also use this process as an anonymous option.

No matter what the source of information is or which department investigates and resolves the issue, the feedback loop to the reporting employee is required, as applicable. For hazards or issues that are deemed “unacceptable” following the SRM process, the outcome of the report, investigation, corrective action, or mitigation is distributed to the ESSC and in turn to each Departmental Safety Committee (or if a DSC is unavailable, to the department management for local dissemination). Also see Section IV – Safety Promotion.

## **Protections for Employees Reporting Adverse Safety Conditions**

RTA is committed to maintaining a robust positive safety culture. As part of that commitment, RTA will protect employees who report adverse safety conditions to management. Any employee who reports a valid violation, unsafe act or condition, or other safety concern to management will not experience any reprisal from management. Each report will be thoroughly investigated under the direction of the CSO, and, if the employee has not reported anonymously, the CSO will ensure that the results of the investigations and any corrective action will be reported back to the reporting employee.

If an employee reports and requests anonymity, the RTA will provide anonymity for all valid concerns.

## **Unprotected Self-Reporting**

No willful violations will be subject to self-reporting protections. This includes but is not limited to any violations of Drug and Alcohol policies or requirements, criminal acts, or failure to report any criminal acts immediately.

### **2.1.3 Hazard Investigation**

Hazards are investigated in each department as they are reported or identified. Department management identified in this ASP are primary points-of-contact for the investigatory activities, and shall route investigations to the Safety Department for additional technical support, as necessary, in accordance with SOP #004-005. All investigative activities are properly documented according to the SOP.

In consultation with the Safety Department, the department point-of-contact first analyzes the hazard by identifying potential consequences. The purpose of investigation is to evaluate each hazard in terms of the level of safety risk associated with the worst credible outcome; and to examine the likelihood and severity of those consequences occurring. The worst credible consequence is defined as what the agency expects to be a realistic and imaginable consequence of the hazard.

RTA defines safety risk severity categories as a qualitative measure of the worst credible outcome, as indicated in Table 1.

Category	Description	Severity Definitions
1	Catastrophic	Operating conditions are such that human error, environment, design deficiencies, element, sub-system or component failure or procedural deficiencies may cause dire events resulting in major system loss, thereby requiring immediate cessation of the unsafe activity or operation.
2	Critical	Operating conditions are such that human error, environment, design deficiencies, element, sub-system or component failure or procedural deficiencies may cause severe harm to persons or major system damage thereby requiring immediate action including immediate cessation of the unsafe activity or operation.
3	Marginal	Operating conditions may cause minor harm or minor system damage such that human error, environment, design deficiencies, element, sub-system or component failure or procedural deficiencies can be counteracted or controlled without serious injury, illness or major system damage.
4	Negligible	Operating conditions are such that human error, environment, design deficiencies, element, sub-system or component failure or procedural deficiencies will result in no, or less than minor, harm or system damage.

Table 1: Safety Risk Severity

RTA defines safety risk likelihood, or probability, as a measure of frequency relative to any of: a unit of time, the duration of an activity, the life of an item, or the life of a total fleet/inventory, as indicated in Table 2.

Frequency	Level	Probability Definitions
Frequent	A	Likely to occur frequently to an individual item. Continuously experienced in the fleet inventory.
Probable	B	Will occur several times in life of an item; will occur frequently in fleet/inventory.
Occasional	C	Likely to occur sometime in life of an item; will occur several times in fleet/inventory.
Remote	D	Unlikely, but possible to occur in life of an item; unlikely but can be expected to occur in fleet/inventory.
Improbable	E	So unlikely, it can be assumed occurrence will not be experienced to an individual item; unlikely to occur but possible in fleet/inventory.

Table 2: Safety Risk Likelihood

Staff may use either inductive or deductive evaluation methods, depending on circumstances to determine ratings for severity and likelihood.

## 2.2 Safety Risk Assessment and Prioritization

Safety Risk assessment and prioritization criteria are established through the process documented in this section. All official risk assessment and prioritization activities and any required actions developed as a result of assessments, will be led by the CSO or designee. Once the severity and likelihood of the worst credible outcome have been established, the Safety Risk Index (SRI) can be calculated; i.e., the level of safety risk as a composite of severity and likelihood of the potential consequence of the hazard (Table 3).

SAFETY RISK INDEX				
Frequency of Occurrence	1	2	3	4
A	1A	2A	3A	4A
B	1B	2B	3B	4B
C	1C	2C	3C	4C
D	1D	2D	3D	4D
E	1E	2E	3E	4E

Table 3: Safety Risk Index

The SRI and safety risk acceptance criteria (Table 4) are reviewed to determine “acceptance” of the increased level of safety risk that was assessed—or that which will exist if left unmitigated. This level of safety risk acceptance is classified as one of the following: high, medium, low, or acceptable.

The CSO is responsible for determining the SRI and using it to establish a shared understanding across the affected department(s) and/or functional area(s) of the necessity to mitigate or reduce the level of safety risk. The CSO determines whether the assessed level needs to be prioritized based on safety risk acceptance.

SAFETY RISK ACCEPTANCE CRITERIA			
	SRI	Decision Authority	Special Conditions
<b>High</b>	1A, 1B, 2A, 2B, 3A	Unacceptable	Requires immediate resolution
<b>Medium</b>	1C, 1D, 2C, 2D, 3B, 3C	Undesirable	Actions require ESSC and CSO review and approval, with concurrence from the CEO
<b>Low</b>	1E, 2E, 3D, 3E, 4A, 4B	Acceptable with Review	Requires management review in consultation with CSO
<b>Acceptable</b>	4C, 4D, 4E	Acceptable	None – Can be managed at department-level

Table 4: Safety Risk Acceptance Criteria

If the hazard is currently mitigated, investigation involves an assessment of the effectiveness of current mitigations—that is, a determination of whether they are sufficient to address the associated risk, and if changes or additional mitigations are warranted to further reduce risk (until it reaches an acceptable level).

Based on the approved decision authority level that results from the safety risk assessment—unacceptable, undesirable, acceptable with review, or acceptable—the department performing the assessment is responsible for notifying the appropriate parties immediately, if they are not already involved. If the ESSC must be notified, the CSO and COO (Chair and Co-Chair, respectively) will coordinate next steps which may include calling an emergency meeting of the ESSC as appropriate.

### 2.3 Safety Risk Mitigation

Safety Risk Mitigations are methods or processes to manage safety risk agency-wide.

Once an unacceptable level of safety risk is assessed, RTA must ensure that it is not accepting the risk without the proper level of management involvement, per the SRM process specified in this ASP.

Strategic decisions are made to ensure that risk is reduced to the lowest practical level. The risk mitigation strategy in place at RTA follows FTA guidance:

- **Avoid:** Avoidance removes the undesired consequence, such as canceling or delaying the operation or activity until risk is appropriately mitigated.
- **Reduce:** Risk reduction is the application of mitigations to reduce probability or severity to an acceptable level. It is noted here that it is rarely possible to reduce severity without engineering or operational configuration changes (such as speed reduction).
- **Segregate:** Segregation limits the exposure of people, assets, operations or activities to the consequences of the identified hazards.

The hierarchy of mitigation as defined by FTA is:

1. Design out the hazards
2. Install safety devices
3. Use warning systems
4. Administrative (rules, procedures, training)
5. Personal Protective Equipment (PPE)

Criteria that RTA may use to identify when mitigations or strategies may be necessary to reduce the likelihood or severity of consequences are:

1. Identification of risk level acceptability
2. Cost-benefit analysis
3. Availability of technology
4. Changes to procedures, rules or training
5. Service changes

Each level of employee has specific responsibilities in response to hazards.

Front-line employees (and contractors) are trained to recognize hazards, report them and what activities are required of them for mitigation, such as corrective maintenance, avoidance of collisions, stop hazardous work, use of PPE, rules compliance, use of Incident Command, setting up barriers, etc.

Technical managers must respond to and investigate hazards, deploy resources at their disposal to address and mitigate hazards under their control; and when additional resources or assistance are needed, inform executive management and/or the Safety Department in a timely manner.

Executive management must allocate resources based on risk, and if resources are not

available, ensure that—in close coordination with the CSO—no activities take place until the level of safety risk is mitigated to an acceptable level.

If risk needs to be mitigated beyond existing mitigations, or when new hazards are identified that require corrective action, a mitigation must be developed, implemented, and monitored. The CSO will advise whether a CAP is required to facilitate the necessary actions to mitigate the safety risk to an acceptable level. The CSO will monitor mitigations and corresponding CAPs to ensure consistency and compliance with the ASP. CAPs are submitted electronically to the SSO by the CSO for approval once the CAP is opened; CAPs are discussed at a monthly coordination meeting with the SSO.

Safety risk mitigations and CAPs are selected for Executive-level review during ESSC meetings, at the discretion of the CSO and COO.

Risk still inherently exists even after mitigation; the department is responsible for monitoring the mitigation, in coordination with the CSO or designee, and promptly reporting to the CSO if the mitigation is ineffective or introduces unintended hazards. (Also see Section III – Safety Assurance.)

## **2.4 Tracking**

Each department is responsible to document its SRM activities, and report them to the CSO or to the ESSC, as appropriate. Using these reports from corresponding departments as well as the official Safety Department Hazard Log and other documentation, the CSO tracks mitigations/CAPs to ensure that no unacceptable risk is assumed due to error or omission, and ensures that any associated CAPs are developed and reported to the SSO as required.

The official Hazard Log—maintained by the CSO or designee—contains all hazards whose assessed SRI meet either the unacceptable (high) or undesirable (medium) thresholds.

The following fields of information are provided in the Hazard Log:

- ID number
- Hazard description— refers to a brief narrative summary of the hazard – what it is; where it is located; what elements it is comprised of element of RTA's operation affected by the hazard
- Date identified
- Hazard source— indicates the mechanism used to identify the hazard, e.g., operator report, near-miss, accident investigation, internal safety management audit, rules compliance program, facility/equipment inspection, formal hazard analysis
- Safety Risk Index (SRI)- assessed by the department with support from the CSO
- (Recommended) Hazard Resolution/CAPs— refers to the actions recommended

by RTA to address the hazard and bring it into a level of risk acceptable to management

- Status– refers to the status of the recommendations. Status may be designed as pending, open, in progress, or closed.

## **Section III: Safety Assurance**

### **Safety Performance Monitoring and Measurement**

RTA has established activities to:

- Monitor the RTA system for compliance with, and sufficiency of, the agency's procedures for operations and maintenance;
- Monitor RTA operations to identify hazards not identified through the SRM process (per 49 CFR Part 673.25);
- Monitor RTA operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended;
- Investigate safety events to identify causal factors; and
- Monitor information reported through any internal safety reporting programs.

Safety Assurance (SA) is a continuous process, constantly interacting with SRM. It is a set of systematic, ongoing processes that are both led and facilitated by the Safety Department to monitor system safety performance. This monitoring is used to: verify that safety objectives are being met; identify previously unforeseen hazards; ensure that mitigations in place are effective and not creating new hazards; and collect data on safety that can be analyzed, trended and shared in support of continuous improvement of the SMS. In addition, SA activities assist the agency in identifying and correcting practical drift and in establishing appropriate safety performance measures and SPTs.

The CSO is responsible for ensuring SA processes are compliant with 49 CFR Part 673 and are effective.

#### **3.1 Safety Data Analysis**

RTA departments and functional areas are each responsible to identify, collect and analyze data on their safety critical functions in close coordination with, and at the direction of, the CSO or designee.

Sources of data at RTA include, but are not limited to:

- Employee reporting systems, including self-reporting
- Field reports and observations from supervision and managers
- Preventive maintenance and other scheduled inspections
- Results from drills and exercises, and critical incident debriefings from actual emergency events
- Internal safety management audits and SMS implementation documentation
- Quality assurance and quality control inspections, audits and other activities



- Employee, passenger and public reports of injury
- Planning and scheduling data collection
- Key performance indicators
- Accident and incident Investigation reports
- NTD data collection and reporting
- Drug and alcohol compliance programs
- Rules and procedures compliance activities
- Safety committee activities and reports

Each department submits its data as related to safety performance and mitigation monitoring, to both the CSO and the executive in its area for review and verification. Executives are expected to discuss data and safety performance at ESSC meetings at the Chair or Co-Chair's direction or otherwise as appropriate.

### **3.2 Rules and Procedure Compliance Activities**

A robust SMS requires ongoing SA activities; that is, continuous performance monitoring, conducted in the field with real-time assessment and data analysis, so as to provide management with the best and most reliable information for assessing performance.

General orders, bulletins, and notices are issued as interim measures until permanent changes are made in the Rulebook. To ensure the appropriate level of executive management oversight, Special Orders, Permanent Orders, Temporary Orders and Change Orders that modify or are intended to permanently establish rules and procedures must be approved and signed by the CSO.

The ESSC may provide an executive management review of the rulebook revision process at the discretion of the CSO. Operations technical management and Executive-level management are responsible for monitoring compliance with rules and procedures.

Note: At this time, the process by which all rules compliance activities are coordinated between Operations and Safety is still in development. It is anticipated that within three years, the SA process—including a robust rules and procedures compliance subcomponent—will be fully mature. (Also see APPENDIX E: SMS IMPLEMENTATION PLAN.)

### **3.3 Internal Safety Reviews**

RTA has three types of ongoing, internal safety reviews to monitor compliance with its SMS as described in this ASP. These reviews are required under 49 CFR Part 673.27(b). They are:

## 1. Triennial Internal Safety Management Audit Program (ISMAs)

This program, also required under 49 CFR Part 674.27(a)(4), is owned by the Accountable Executive and implemented by the CSO. Each department and functional area is reviewed for compliance with this ASP and all of the department or area's internal requirements once every three years. Deficiencies require CAPs to be developed and implemented by the department or functional area. All ISMA reports are submitted annually to the SSO under the CEO's signature as required by the SSO and 49 CFR Part 674.

SOP 004-100 directs all ISMA activities in accordance with SSO requirements. Final audits are shared with the ESSC, and may be discussed at subsequent ESSC meetings at the discretion of the Chair and Co-Chair, depending on severity of findings, emerging trends, or other factors. The CSO is tasked with overseeing the process and is certified to serve as Lead Auditor.

The audit of the CSO's SMS compliance is performed by the Chief of Security to avoid conflict of interest.

## 2. Safety Department-led Safety Assurance (SA)

Key SMS personnel, at the direction of the CSO, conduct periodic, unannounced SA inspections or field observations to ensure compliance with safety-critical rules and procedures.

The CSO oversees the process to ensure integrity and compliance, and has the discretion to require more regular reporting if necessary in a given area. Staff document their observations and any non-compliances using the appropriate SA form. The Safety Department has developed forms specific to certain, higher risk activities, e.g., special streetcar operations, flagging/Maintenance-of-Way, and special track work. Findings, trends, and concerns will be presented to DSCs and the ESSC, in consultation with Operations and Maintenance staff, until resolution. If necessary, the Key SMS personnel are authorized to cease operations or a work activity if they identify an imminent hazard posing an unacceptable level of safety risk.

## 3. Monitoring of Safety Performance Measures.

Monitoring of the system wide Safety Performance Measures identified in Section 1.1.1 requires all departments that collect data directly applicable to the Performance Measures report these measures to the CSO or designee at their request. Generally, progress relative to the SPTs set forth in the ASP will be reviewed in each ESSC meeting.

Internal safety reviews are designed to monitor all activities and functions to identify non-compliances with the ASP and correct them, identify hazards, and implement mitigations to reduce safety risk. They are also a means of identifying any existing mitigations that may be ineffective, inappropriate or were not implemented as intended as required.

The CSO or designee will coordinate with and support any department that has a non-compliance or deficiency with developing a CAP and/or mitigation as necessary. Where appropriate, the CSO will follow all CAP-approval procedures per the SSOPS and direct his/her staff to monitor implementation progress.

### **3.4 Safety Assurance: Maintenance and Support Functions**

In addition to the above described SA activities that apply for all departments, there are maintenance and related support functions under the purview of the COO, who is responsible to oversee specific activities for SA that do not occur elsewhere in the agency.

These functions of maintenance control are fully documented in Maintenance Control Plans, processes and procedures for the following areas:

1. Preventive, predictive and corrective maintenance
2. Facilities maintenance management
3. Support activities, including contracted activities (component repair, equipment repair, overhaul, metrology, transportation, mainline recovery, fabrication)
4. Hazard management, quality assurance and quality control
5. Lifecycle Planning, including reliability and maintainability
6. Supply chain, procurement and materials management and warehousing
7. Engineering, including contracted services
8. Transit Asset Management support and interface.

Refer to the Maintenance Control Plans, and related procedures, for each maintenance department.

### **3.5 Investigations**

49 CFR Part 673.27(b)(3) requires the transit agency to establish activities to conduct investigations of safety events to identify causal factors. FTA's SMS approach requires investigations to apply the "Organizational Approach;" that is, all investigations will seek to identify causal factors associated with the organization instead of simply blaming the person closest to the event.

Internal investigations of all FTA-defined safety events are initiated by the department or functional area that experienced the event in accordance with the RTA Investigation SOP #004-005. That department or functional area will continue to carry out the

investigation unless otherwise directed by the Safety Department or an external investigator (e.g., FTA, SSO, NTSB).

Major event investigations (those required to be reported to the SSO and FTA, or alternatively, any selected by the Chair or Co-Chair for discussion) are discussed at the monthly ESSC meetings. Corrective actions stemming from any findings contained in the final investigation report must be developed by the departments and functional areas, in consultation with the Safety Department, and be approved by the SSO prior to implementation. Upon receipt of formal approval, actions are coordinated and managed by the CSO and fully implemented in the approved time frame by the responsible party(ies). Responsible parties may or may not reside in the department or functional area that initially reported the safety event.

Generally, RTA will take appropriate measures (mitigations) to reduce the level of safety risk (likelihood and/or severity) associated with identified contributing factors in order to prevent reoccurrence. One or more CAPs may comprise a single safety risk mitigation.

CAPs may also be unrelated to the mitigation(s) as they may be aimed at addressing system deficiencies or non-compliances that were identified during the investigation but did not contribute to the event.

The CAP management process will be carried out at the direction of the CSO, in accordance with SSOPS requirements. Also see 3.7.1 Corrective Action Plans (CAPs).

### **3.5.1 Event Reporting**

RTA is required to report events as defined by FTA and the SSO. Part 674 defines three types of safety events: accidents, incidents, and occurrences, and requires a rail transit agency (RTA) to notify its SSO and the FTA within two hours of any event classified as an accident. FTA defines the following three categories of events:

## Events

Accidents	Incidents	Occurrences
<p><i>An Event that involves any of the following:</i></p> <ul style="list-style-type: none"><li>- a loss of life;</li><li>- a report of a serious injury to a person;</li><li>- a collision involving a rail transit vehicle;</li><li>- a runaway train;</li><li>- an evacuation for life safety reasons; or</li><li>- any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.</li></ul>	<p><i>An Event that involves any of the following:</i></p> <ul style="list-style-type: none"><li>- a personal injury that is not a serious injury;</li><li>- one or more injuries requiring medical transport; or</li><li>- damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a rail transit agency.</li></ul>	<p><i>An Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a rail transit agency.</i></p>

Reporting to the SSO is defined in the SSOPS, and FTA is notified through the US DOT Crisis Management Center (CMC) by email at [toc-01@dot.gov](mailto:toc-01@dot.gov) (preferred) or (202) 366-1863. The OCC is the primary responsible party for issuing the notification, in consultation with the on-call Safety representative, as necessary.

A full investigation will be conducted for each reportable safety event, in accordance with SOP # 004-005 and applicable SSO requirements.

RTA will attend monthly meetings to discuss accidents, including reporting and the status of investigations of SSO-reportable events, with the SSO.

### 3.6 Management of Change

Management of change is a process for identifying and assessing changes that may introduce new hazards or have an adverse impact on the agency's safety performance. RTA is committed to identifying changes that need to be evaluated further to determine whether an adverse impact can reasonably be expected. When a change is identified (see Section II – SRM) it needs to be evaluated through SRM, as if it were a newly reported hazard.

Changes can introduce new hazards or have an impact on the appropriateness or effectiveness of existing mitigations.

Each department and functional area must identify all changes, perform an initial evaluation, and then elevate and forward the concern to the CSO as appropriate, given the level of safety risk determined. If the level of safety risk is undetermined, or if additional technical capacity is required before reaching such a conclusion, the CSO or designee may lead the analysis. The CSO may direct the ESSC to assist with the assessment at their sole discretion. In coordination with the department or functional area that is responsible for the change as well as the ESSC, the CSO either implements or advises the department to implement mitigations so that the level of safety risk is managed to an acceptable level during and after the change. No operations may take place in the changed environment until the change is evaluated to determine the impact on safety. As SMS Executive, the CSO may elevate the analysis and any resulting actions/mitigations to the Accountable Executive if necessary.

SA activities that may identify a need to manage change, include:

- Monitoring of service delivery activities (including field observations)
- Monitoring operations and maintenance data
- Analysis of employee safety reporting program
- Evaluations of the SMS
- Safety audits, studies, reviews, and inspections
- Safety surveys
- Investigations.

The following areas are specialized sources of risk associated with change.

### **3.6.1 Safety and Security Certification**

Safety and Security Certification (SSC) is an FTA-defined process of verifying that certifiable elements and items comply with a formal list of safety and security requirements developed for major construction, rehabilitation or vehicle procurement projects. Certifiable elements are those project elements that, as determined through hazard analyses, can adversely affect the safety and security of customers, employees, emergency responders, or the public.

SSC is accomplished through a collaborative effort between the CSO and the applicable Project Team, which may include representatives from other RTA departments as well as project contractors.

The process is guided by RTA's Safety and Security Certification Program Plan (SSCPP).

The Safety and Security Certification Review Committee (SSCRC) reports to and receives direction from the ESSC, and provides guidance for RTA's safety and security certification program. The makeup of the committee varies with the nature of the project(s) as described in the SSCPP.

### **3.6.2 System Modification**

Physical changes to the system that are not governed by the SSC process often fall under the Engineering Modification Process. This includes evaluation and assurance that a proposed modification does not create unacceptable or undesirable risk in a system, vehicle, equipment or facility previously certified under the Safety and Security Certification Process.

System modifications will be discussed in ESSC and departmental safety committee meetings, as needed. Additionally, internal safety reviews and external audits of the Infrastructure and Maintenance Departments will include a careful review of this process, to ensure it is performing as intended.

### **3.6.3 Procurement**

When the agency must make new procurements; changes to existing materials, vendors and contracts; or changes to the procurement process itself, RTA Executive-level management must apply the SRM process of this ASP to the extent practicable.

The process established for procurement follows the same steps as other changes:

1. The department or area must assess whether the change (procurement) will carry risk or introduce hazards.
2. If a consequence of the change being introduced is an increased level of safety risk, the department or area must notify the Safety Department. This is typically done through the Change Order process.
3. The Safety Department will lead or support a formal risk assessment following the principles and procedures delineated in Section II – SRM. The Department may use SMEs where appropriate.
4. If appropriate, mitigations must be in place before the change is made. This process will be led by the Safety Department, in consultation with the Procurement Department and the department/area securing the material, vendor, or contractor.

### **3.7 Continuous Improvement**

Continuous Improvement is the process by which RTA examines its safety performance to identify safety deficiencies and carries out a plan to address the identified safety deficiencies. It consists of formal activities designed to evaluate the effectiveness of the SMS. Specifically, it will:

1. Identify the causes of sub-standard performance of the SMS
2. Determine the implications of sub-standard performance of the SMS in operations
3. Eliminate or mitigate such causes.

Its key elements are proper management of all activities through the SRM process; proper change management; compliance activities, including those contained herein in Section III - SA; and performance auditing.

The annual ASP revision cycle, managed by the CSO in close coordination with ESSC members and executive leadership, provides a framework for identifying and capitalizing on new opportunities to improve and grow the SMS. Thus, performance targets for the system and ongoing discussion relative to safety objectives across all departments are discussed in each ESSC meeting.

Once deficiencies in the SMS are identified, corrective action must be implemented, in accordance with this ASP and applicable SSO requirements.

### **3.7.1 Corrective Action Plans (CAPs)**

CAPs are required to correct non-compliance with the ASP or referenced internal requirements or deficiencies in the SMS; and otherwise by direction of the SSO or the FTA. Per FTA guidance on ASP implementation, CAPs are not to be confused with mitigations, although in some instances, they may be one in the same. In either case, the CSO is responsible for monitoring and verifying completion and for ensuring the hazard or concern is adequately addressed.

All CAPs must be reviewed and approved by the SSO per 674.27(a)(4). CAPs are submitted by the CSO to the SSO electronically for approval once they are entered on the CAP log.

Usually, this approval is required prior to beginning implementation of the corrective action, but in exigent circumstances involving immediate protection of life and property, the action may be commenced and then reviewed and accepted or modified by the SSO. RTA will attend all scheduled meetings to discuss the CAPs and coordinate activities with the SSO. CAPs may also be coordinated and discussed in ESSC meetings.

The SSOPS indicates the conditions under which RTA is required to develop and carry out a corrective action. All CAPs at RTA will conform to the requirements of the SSOPS.

CAP closure is dependent upon SSO verification of closure and approval.



## **Section IV: Safety Promotion**

A robust SMS is dependent upon ongoing management commitment to addressing safety risk through training and communication.

### **4.1 Competencies and Training**

RTA is currently revising its comprehensive safety training program to align with its new organizational structure and to comply with FTA requirements per 49 CFR Parts 672 and 673.29. Training requirements for all departments and functional areas will be formalized and position classifications will be updated accordingly. Training requirements that will be included in this comprehensive program will encompass:

1. Departmental and functional area responsibilities for training
2. Departments/areas/sections providing training, including all on-the-job training and technical training programs for supervisors
3. Specialized internal safety-related training programs (industrial safety, respirators, Blood-borne Pathogens (BBP), RWP, SMS, investigation, etc.)
4. Vendor-provided training programs controlled by RTA
5. Required initial training by department, area and position (including training matrices)
6. Technical training
7. Required refresher and re-certification training by department, area and position
8. Contractor training requirements
9. Training records creation, access and maintenance
10. Certifications
11. Training Quality Assurance Program
12. Train-the-trainer programs
13. Student feedback and assessments
14. Trainer feedback and assessments

Instruction in safe methods of operations and safety procedures is included in rulebooks, manuals, handbooks, and other documentation developed for the training and qualification of safety-critical personnel, maintained by the department in consultation with Human Resources. Training consists of classroom training, field training, on-the-job training, and testing/evaluation.

The Manager of Operations Training is responsible for providing new and revised safety training programs to the Safety Department for review. The CSO may confer with the Director of Professional Standards and Training in HR to ensure the safety training program is comprehensive and aligns with safety objectives. Additionally, review of proposed training can be conducted in collaborative ELT and/or ESSC meetings.

Executive-level management and Technical-level management share the responsibility to ensure that all employees know and understand their training duties and responsibilities, and that training requirements are met in their respective areas.

Key SMS personnel designated with direct responsibility for rail fixed guideway safety oversight are required to meet the training requirements codified in 49 CFR Part 672. (Also see 1.2.1 Organizational SMS Accountabilities and Responsibilities.)

SMS training is also provided by the CSO or designee through tailored, department-specific workshops or briefings that cover the following (not exhaustive):

- SMS responsibilities and accountabilities specific to each department or function
- Employee Safety Reporting Program
- SMS documentation and recordkeeping requirements
- CAP management process
- Safety Committee structure
- How to assist the Safety Department with Safety Promotion efforts as outlined in this ASP section.

Since Summer 2020, the CSO has delivered SMS workshops with various teams and departments. At present, one-hour training modules are also being delivered to frontline staff, providing a high-level overview of SMS.

## **4.2 Safety Communications**

Effective safety communication is one of the foundational philosophies of SMS. Its purposes are to:

1. Ensure that personnel are aware of the SMS
2. Convey safety-critical information
3. Explain why particular safety actions are taken
4. Explain why safety procedures are introduced or changed
5. Provide feedback on employee-reported hazards and safety concerns.

The primary safety communication responsibility of the ELT at RTA, under the requirements of 673.23(c), is to actively and personally communicate the Safety Management Policy to all employees and contractors. Any changes to the Safety Management Policy must be approved and distributed to all employees. This is primarily implemented through the committee process, but every Executive-level and Technical-level manager is also required to share and promote the Safety Management Policy to all other employees in the area(s) they control.

Methods of communicating safety information to RTA employees include face-to-face meetings and interactions, posting and/or distribution of bulletins, department notices, and memoranda. Posted information can be found at a central location in each department easily accessible to employees. Other communication methods include posters, signs, brochures, training materials, rulebooks, and operating procedures.

RTA's comprehensive employee safety promotion program includes the following elements:

- Facility/location safety inspections and audits with written reports and follow-up responses to employees as appropriate;
- Periodic employee awareness training;
- Monthly safety committee meetings;
- Quarterly safety meetings;
- Special request employee safety training programs;
- Safety posters, and posting of reports, information, statistics, data, notices, bulletins, awareness campaigns, flyers, health services, employee assistance programs and other safety information in employee work areas;
- Annual worker right-to-know programs and industrial safety training; and
- Periodic insurance carrier/broker assessments.

#### **4.2.1 Safety Committees**

The Executive Safety Committee at RTA is the ESSC, the primary group responsible to provide guidance and direction to the agency and to the Accountable Executive on acceptable and unacceptable risk, resource allocation, the status of SMS implementation for each of their areas of control and the promulgation of safety policy and SMS agency-wide.

The standing (voting) membership of the ESSC consists of all ELT positions (all of which report to the Accountable Executive), and other key Director and Senior Director positions in Operations, Safety, and Security. The SSO Program Manager is invited to each formal meeting as a non-voting member.

The Chairperson is the CSO. Members may invite departmental and area personnel, key personnel, and SMEs, to attend on an as-needed basis, but these invitees do not have voting powers.

The ESSC has established subcommittees, including the SSCRC. The ESSC operates by a formally documented Charter, contained in the Board-approved policy, SAF5.

The ESSC provides information on hazard resolution and SRM, safety performance, and resource issues to all levels of the agency. This is implemented through the ESSC's reporting to the lower-level Departmental Safety Committees (DSCs).

DSCs are front-line and mid-level safety committees established to address department-specific safety issues and communicate safety concerns and hazard resolution status. The DSCs establish and foster a close working relationship with employees, unions, and management regarding safety issues. Per SAF5, the Chairperson of each DSC must be a current designated member of the ESSC. SME staff, including representatives from the Safety Department, serve as advisors to the DSCs.

#### **4.2.2 Hazardous Materials**

All maintenance and support personnel who are required to use chemicals and hazardous or toxic substances are trained in the safe use of such substances. Employees who move to new positions are provided training in the use of any new chemicals that they may be assigned to use by the supervisor.

RTA is responsible for developing procedures that ensure compliance with the hazardous materials standards by all RTA employees and implementing the SA process for hazardous materials.

The chemical, hazardous material and GHS Safety Data Sheet (SDS) review process is incorporated into Maintenance Department procedures and training. All chemicals and hazardous materials used by RTA employees or in the RTA operating system shall be evaluated and approved by the CSO or his/her designee prior to use or testing of the product in accordance with the SOP.

The end user must ensure that the CSO has reviewed and provided written approval of the requested chemicals prior to procurement, including procurement utilizing blanket orders, petty cash, purchase cards, construction specifications or equipment specifications. Procurement does not process requests for chemical products without the written approval from the CSO and an approved SDS number on file for that product. Procurement shall implement the required quality control procedures to ensure that only chemical and hazardous materials, previously reviewed and approved by the CSO and assigned a unique SDS number, are accepted by the receiving storerooms. Substitutes for chemical products and hazardous materials shall have prior CSO review and approval.

All users of any approved product must read the Evaluation/SDS Approval prior to using the product and follow all instructions and precautions. The CSO or his/her staff may conduct site visits where chemicals are being used to ensure that workers are aware of the hazards and that they are using the proper PPE.

#### **4.2.3 Drug and Alcohol Compliance**

RTA has developed a Drug & Alcohol Free Workplace Policy (SAF1) to ensure a safe environment for the public and RTA employees.

The Designated Employee Representative (DER; a position reporting to the CSO) has primary responsibility for administering a Drug & Alcohol Testing Program in accordance with 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs and 49 CFR Part 655: Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations. SAF1 establishes procedures for the Drug and Alcohol Testing Program, which is administered by the DER, in close coordination

with Operations and HR. The appendix section of SAF1 includes both a list of DOT safety-sensitive positions under the current organizational structure, as well as a list of non-DOT (“RTA”) safety-sensitive position for which testing is conducted under RTA’s authority.

**APPENDICES FOLLOW**

## APPENDIX A: 2021 SAFETY PERFORMANCE TARGETS

The updated 2021 Safety Performance Targets are as follows. Total amounts are targeted by calendar year.

### Streetcar

Fatalities (total)	Fatalities (rate per 100k VRM)	Injuries* (total)	Injuries (rate per 100k VRM)	Safety Events* (total)	Safety Events (rate per 100k VRM)	Mean Distance Between Major Mechanical Failure
0	0.00	40	4.33	80	8.66	20,000

\* As defined in the NTD Safety & Security Policy Manual, dated January 2020<sup>2</sup>; includes major and non-major reportable accidents and incidents, regardless of “preventability.”

As comparison, the current benchmark for preventable accidents is 2.3 per 100,000 VRM.

### Fixed-Route Bus

Fatalities (total)	Fatalities (rate per 100k VRM)	Injuries* (total)	Injuries (rate per 100k VRM)	Safety Events* (total)	Safety Events (rate per 100k VRM)	Mean Distance Between Major Mechanical Failure
0	0.00	60	1.14	120	2.28	8,000

\* As defined in the NTD Safety & Security Policy Manual, dated January 2020; includes major and non-major reportable accidents and incidents, regardless of “preventability.”

As comparison, the current benchmark for preventable accidents is 1.5 per 100,000 VRM.

### Non-Fixed-Route Bus (Paratransit)

Fatalities (total)	Fatalities (rate per 100k VRM)	Injuries* (total)	Injuries (rate per 100k VRM)	Safety Events* (total)	Safety Events (rate per 100k VRM)	Mean Distance Between Major Mechanical Failure

<sup>2</sup> NTD Safety and Security Policy Manual

(<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/ntd/146986/2020-ntd-safety-and-security-policy-manual.pdf>)

0	0.00	12	1.51	20	2.52	40,000
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\* As defined in the NTD Safety & Security Policy Manual, dated January 2020; includes major and non-major reportable accidents and incidents, regardless of “preventability.”

As comparison, the current benchmark for preventable accidents is 1.5 per 100,000 VRM.

For the purposes of establishing SPTs, fatalities, injuries, and safety events involving non-revenue vehicles are not included. VRMs by mode are calculated using the previous year’s actual performance data. The below VRMs are used for the above mileage-based targets:

- Streetcar – 923,255 (2020 VRM uncertified data)
- Fixed-Route Bus – 5,257,684 (2020 VRM uncertified data)
- Non-Fixed-Route Bus – 794,364 (2020 VRM uncertified data)

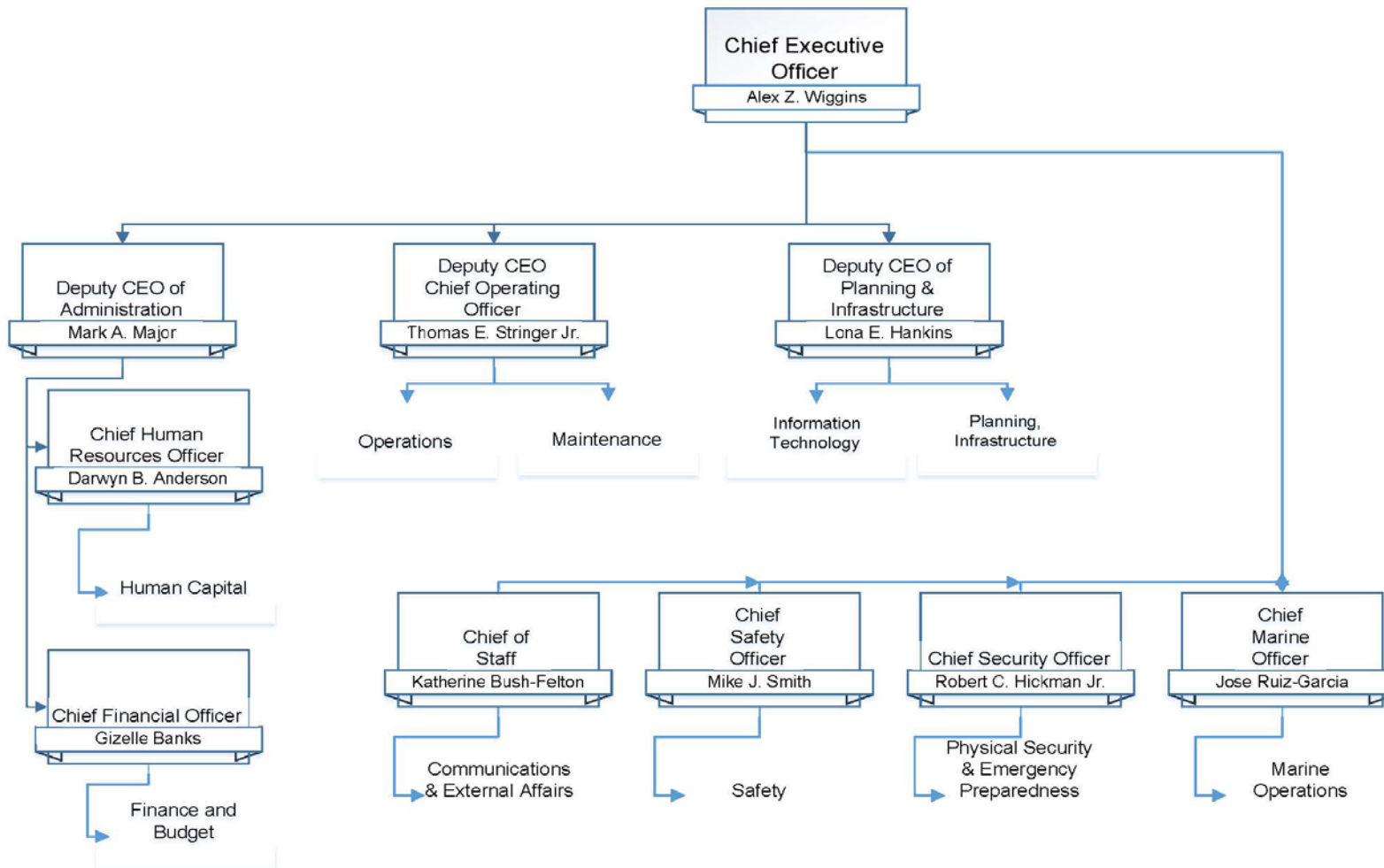
SPTs are formally made available to the agency’s Metropolitan Planning Organization (MPO), the Regional Planning Commission (RPC), per the requirements of 49 CFR Part 673.15(a), and to LADOTD annually for review and comment prior to finalizing the ASP. Refer to the Agency Safety Plan Revision SOP #004-002.

FTA’s guidance on SPTs indicates that transit modes fall into one of three categories: rail modes, fixed-route bus modes, and non-fixed route bus modes. RTA’s SPTs are established for these modes, accordingly. The safety performance of passenger ferry services is managed and overseen through separate policies and procedures.

# APPENDIX B: ORGANIZATIONAL CHART



Office of the CEO  
 Executive Leadership Team  
 Dept No: 1110





## APPENDIX C: DEFINITIONS/ACRONYMS

### Definitions

*The following definitions used in this document are consistent with 49 CFR Parts 625, 630, 670, 673, and 674. The source of each is noted in brackets, including the “SMS Glossary of Terms: FTA’s Guide to Relevant Terms for SMS Development” of September 2016 shown as “[SMS]”.*

**Accident** – an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision involving an RTA vehicle; a runaway RTA vehicle; an evacuation for life safety reasons; or any derailment of an RTA vehicle [673] at any location, at any time, whatever the cause. [SMS]

An *accident* must be reported in accordance with the thresholds for notification and reporting set forth in Appendix A to Part 674. [674]

**Accountable Executive** – a single, identifiable person who has ultimate responsibility and accountability for the implementation and maintenance of the SMS of RTA; responsibility for carrying out the Safety Plan and Transit Asset Management Plan (TAMP); and control or direction over the human and capital resources needed to develop and maintain both the Safety Plan in accordance with 49 USC 5329 and TAMP.

**Administrator** -- the Federal Transit Administrator or the Administrator’s designee. [670, 674]

**Advisory** -- a notice from FTA to recipients regarding an existing or potential hazard or risk in public transportation that recommends recipients take a particular action to mitigate the hazard or risk. [670]

**Agency Safety Plan (ASP)** – a document adopted by a Rail Fixed Guideway System, including RTA, detailing its safety policies, objectives, responsibilities, and procedures.

**Audit** -- an examination of records and related materials, including, but not limited to, those related to financial accounts. [670]

**BTW** -- Behind-The-Wheel, a type of required Operator training.

**CAP** – Corrective Action Plan

**Capital asset** -- a unit of rolling stock, a facility, a unit of equipment, or an element of infrastructure used in public transportation. [625]

**CEO** -- Chief Executive Officer of the Regional Transit Authority.

**CFO** -- Chief Financial Officer of the Regional Transit Authority.

**Chief Safety Officer (CSO)** – an adequately trained individual who has responsibility for safety and reports directly to an RTA chief executive officer, president, or equivalent officer. The CSO does not serve in other operational or maintenance capacities. [673]

**CM** -- Construction Manager of the Regional Transit Authority.

**Consequence** -- the potential outcome(s) of a hazard. [SMS]

**Continuous Improvement** -- a process by which a transit agency examines safety performance to identify safety deficiencies and carry out a plan to address the identified safety deficiencies. [SMS]

**Contractor** -- an entity that performs tasks on behalf of RTA, FTA, a State Safety Oversight Agency, or other rail transit agency, through contract or other

agreement [674], including tasks required for rail compliance.

For example, contractors could handle any portion of a major construction infrastructure project, handle daily switch inspections, or monthly substation maintenance. A contractor is a third party hired by the agency to fulfill a rail compliance need. The rail transit agency may not be a contractor for the oversight agency.

**COO** – Deputy CEO Chief Operating Officer

**Corrective Action Plan** -- a plan developed by RTA (as a recipient and rail transit agency) that describes the actions that RTA will take to minimize, mitigate, correct, or eliminate risks and hazards, and the schedule for taking those actions. Either a State Safety Oversight Agency or FTA may require RTA to develop and carry out a corrective action plan. [670, 674, SMS]

**DBE** -- Disadvantaged Business Enterprise.

**Directive** -- a formal written communication from FTA to one or more recipients which orders a recipient to take specific actions to ensure the safety of a public transportation system. [670]

**EEO** -- Equal Employment Opportunity.

**Equivalent Authority** – The Board of Commissioners of the New Orleans RTA is an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve the Safety Plan. [673, SMS]

**ESSC** – Executive Safety and Security Committee

**Event** – any Accident, Incident, or Occurrence. [673, 674, SMS]

**FTA** – the Federal Transit Administration (FTA) is an operating administration/agency within the United States Department of Transportation (USDOT). [670, 673, 674]

**FMLA** -- Family Medical Leave Act

**FRA** – the Federal Railroad Administration (FRA), an agency of the United States Department of Transportation (USDOT). [674]

**Grade Crossing** (as defined in the National Transit Database glossary) an intersection of roadways, railroad tracks, or dedicated transit rail tracks that run across mixed traffic situations with motor vehicles, streetcar, light rail, commuter rail, heavy rail or pedestrian traffic; either in mixed traffic or semi-exclusive situations.

**Hazard** – any real or potential condition that can cause injury, illness, or death; damage to or loss of a facility, equipment, rolling stock, infrastructure, property, system RTA; or damage to the local environment, or reduction of ability to perform prescribed function. [673, 674, SMS]

**Hazard Analysis** -- the formal activities to analyze potential consequences of hazards during operations related to provision of services. [SMS]

**Hazard Identification** -- formal activities to analyze potential consequences of hazards during operations related to provision of service. [SMS]

**Incident** – an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of RTA. [673, 674, SMS]

An incident must be reported to FTA's National Transit Database in accordance with the thresholds for reporting set forth in Appendix A to Part 674. If a rail transit agency or State Safety Oversight Agency later determines that an Incident meets the definition of *Accident* in this section, that event must be reported to the SSOA in accordance with the thresholds for notification and reporting set forth in Appendix A to Part 674. [674]

RTA has also defined Incident as an unexpected event, including security-related incidents, involving RTA passengers or employees that is not related to an accident. Incidents of significant magnitude must be reported to state and/or federal authorities. See Accident Reporting Threshold for a list of reportable incidents.

**Investigation** – the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk [673, 674, SMS] or investigation of an event [670].

**Lagging Indicators** -- provide evidence, through monitoring, that intended safety management outcomes have failed or have not been achieved. [SMS]

**Leading Indicators** -- provide evidence, through monitoring, that key safety management actions are undertaken as planned. [SMS]

**Management of Change** -- a process for identifying and assessing changes that may introduce new hazards or impact the transit agency's safety performance. If a transit agency determines that a change may impact its safety performance, then the transit agency must evaluate the proposed change through its Safety Risk Management process. [SMS]

**Near miss** -- a safety event where conditions with potential to generate an accident, incident, or occurrence existed, but where an accident, incident, or occurrence did not occur because the conditions were contained by chance or by existing safety risk mitigations. [SMS]

**LADOTD** -- the "State of Louisiana Department of Transportation and Development" which is the designated State Safety Oversight Agency for rail fixed guideway systems in the State of Louisiana.

**National Public Transportation Safety Plan (NSP)** – the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53 [673, 674] or authorized at 49 U.S.C. 5329. [670]

**NTSB** -- the National Transportation Safety Board, an independent Federal agency. [674]

**OCC** -- Operations Control Center, also known as "Dispatch"

**Occurrence** – an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of RTA. [673, 674, SMS]

**Organizational Accident** -- an accident that has multiple causes involving many people operating at different levels of the respective agency. [SMS]

**OCS** – Overhead Catenary System.

**Performance measure** -- a parameter that is used to assess performance outcomes. [625]

**Performance target** – a specific level of performance for a given performance

measure over a specified timeframe. [625, 673]

**PHA** -- Preliminary Hazard Analysis

**PPE** – Personal Protective Equipment

**Practical Drift** – the slow and inconspicuous, yet steady, uncoupling between written procedures and actual practices during provision of services. [SMS]

**Program Standard (SSOPS)** is a written document developed and adopted by LADOTD that describes the policies, objectives, responsibilities, and procedures used to provide safety and security oversight of rail transit agencies.

**Public Transportation Agency Safety Plan (PTASP)** -- the comprehensive agency safety plan for RTA that is required by 49 U.S.C. 5329 and Part 673 [673], based on a Safety Management System. Until one year after the effective date of FTA's PTASP final rule, a System Safety Program Plan (SSPP) developed pursuant to 49 CFR part 659 may serve as the rail transit agency's safety plan. [674]

**Public Transportation Safety Certification Training Program** -- either the certification training program for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight, established through interim provisions in accordance with 49 U.S.C. 5329(c)(2), or the program authorized by 49 U.S.C. 5329(c)(1). [674]

**Public Transportation System** -- the entirety of RTA's operations, including the services provided through contractors. [625, SMS]

**Rail fixed guideway public transportation system** -- any fixed guideway system that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration (FRA), or any such system in engineering or construction. Rail fixed guideway public transportation systems include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway. [674, SMS]

**RFP** – Request for Proposals

**Risk** -- the composite of predicted severity and likelihood of the potential effect of a hazard. [674, SMS]

**Risk mitigation** – a method or methods to eliminate or reduce the effects of hazards. [673, 674, SMS]

**ROW** -- right-of-way

**RTA** -- the New Orleans Regional Transit Authority.

**Safety** – the state in which the potential of harm to persons or property damage during operations related to provision of services is reduced to and maintained at an acceptable level through continuous hazard identification and safety risk management activities. [SMS]

**Safety and Security Certification** -- the process applied to project development to ensure that all practical steps have been taken to optimize the operational safety and security of the project during engineering, design, and construction before the start of passenger operation.

**Safety Assurance** – processes within RTA SMS that functions to ensure the

implementation and effectiveness of safety risk mitigation, and to ensure that RTA meets or exceeds its safety objectives through the collection, analysis, and assessment of information. [673, SMS]

**Safety Deficiency** – a condition that is a source of hazards and/or allows the perpetuation of hazards in time. [SMS]

**Safety Management Policy** – RTA’s documented commitment to safety, which defines RTA’s safety objectives and the accountabilities and responsibilities of its employees in regard to safety. [673, SMS]

**Safety Management System (SMS)** – the formal, top-down, RTA-wide approach to managing safety risk and assuring the effectiveness of RTA’s safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks, hazards [673], and management of safety risk [625, 670, SMS].

**Safety Management System Executive** -- a Safety Officer or equivalent. [SMS]

**Safety Promotion** – a combination of training and communication of safety information to support SMS as applied to RTA’s system. [673, SMS]

**Safety Risk** – the assessed probability and severity of the potential consequence(s) of a hazard, using as reference the worst foreseeable, but credible, outcome. [673, SMS]

**Safety Risk Management (SRM)** – a process within RTA’s SMS/Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk. [673, 674, SMS]

**Safety Risk Mitigation** -- the activities whereby a public transportation agency controls the probability or severity of the potential consequences of hazards. [SMS]

**Security and Emergency Preparedness Plan (SEPP)** is defined as a document developed and adopted by the rail transit agency describing the application of operating, technical, and management techniques and principles to the security aspects of the system throughout its life to reduce threats and vulnerabilities and describing the emergency preparedness policies and procedures for mobilizing the system and other public safety resources to assure rapid, controlled, and predictable responses to various types of transportation and community emergencies.

**Security** is defined as freedom from intentional danger for employees and passengers.

**Serious injury** – any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface. [673, 674]

**SIS** -- the Service, Inspection, and Storage building for the RTA Canal Street and Riverfront streetcars located at the A. Philip Randolph Facility at 2817 Canal Street.

**SMS Executive** – a Safety Officer or an equivalent. [673]

**SRM** – Safety Risk Management (see above).

**SSCPP** -- Safety and Security Certification Program Plan

**SSCRC** -- Safety and Security Certification Review Committee

**State Safety Oversight Agency (SSOA; SSO)** – an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in 49 CFR part 674 [670, 673, 674, SMS].

**TPA** -- Third Party Administrator

**Transit asset management (TAM)** -- the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycle in order to provide safe, cost-effective, and reliable service. [625]

**USDOT** – United States Department of Transportation.

## APPENDIX D: LIST OF SAFETY POLICIES AND STANDARD OPERATING PROCEDURES

**This ASP references the following, related Organizational Policies and Standard Operating Procedures.**

**Note: Signed, final versions are attached as Appendix G.**

<b>ID</b>	<b>Title</b>	<b>Date</b>
004-100	Procedure for Performing Internal Safety Management Audits (ISMA)	3/1/21
004-002	Agency Safety Plan Revision	6/15/20
004-005	Accident/Incident Investigation	6/15/20
004-006	Safety Assurance of Safety Critical Areas	10/20/20
SAF1	RTA Drug and Alcohol Free Workplace Policy	2/23/21
SAF2	RTA Distracted Driving Policy	2/23/21
SAF3	RTA Safety Management Policy	2/23/21
SAF4	RTA General Accident and Injury Policy	2/23/21
SAF5	RTA Safety Committee Structure – Currently in draft; will replace SOP 004-001 when adopted.	---



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**New Orleans Regional Transit  
Authority**

**Multi-Year Strategic Plan**  
for  
Safety Management System Implementation

**2020 – 2025**

Updated: July 15, 2020



## **Policy Statement for Safety Management System Implementation**

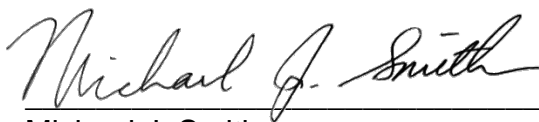
RTA is committed to improving the quality and effectiveness of its system-wide safety management programs aimed at reducing safety risk and eliminating or controlling hazards. This Safety Management System (SMS) Implementation Plan (or SIP) will assist RTA in identifying priorities and carrying out specific tasks (as governed by the Agency Safety Plan) which will develop and ensure the lasting success of the system.

This plan will be reviewed as needed, by my staff, in close coordination with the executive leadership team and the Operations Safety & Security Review Committee (ESSC). Future updates will be appended to revisions of the ASP as necessary.

The goal of the SIP is to identify, coordinate, and direct activities relative to the implementation of RTA's SMS on a system-wide basis under all applicable Federal Transit Administration (FTA) requirements. With the support of the Executive-level management in all departments/functions, the activities outlined in the SIP will help to grow the SMS into a mature and fully-functional system. The SIP provides key performance objectives and milestones for the next five years, 2020 through 2025.

Using the guidance developed in this plan, all RTA departments will share the primary responsibility to establish the required programs in their respective areas, in close coordination with the Safety Department.

Together, we will build, implement, and sustain a fully functioning SMS that will drive positive safety improvements and help position us to become a world-class transit system.



Michael J. Smith  
Chief Safety Officer, SMS Executive

## Summary of Gaps and Action Items

The identified gaps that must be addressed in order for RTA to achieve full implementation are below, listed by topic (in no particular order). Each gap is numbered and is followed by one or more associated action items.

### SMS Documentation

1. Not all required documentation is developed.
  - i. Perform a document audit to establish all current documented procedures and identify gaps.
  - ii. Ensure that all departments have procedures and the necessary resources to support: hazard identification, risk assessment, tracking corrective actions to closure, and monitoring of mitigations (SA), including the use of appropriate tracking logs/risk registers.
2. Documents referenced in the ASP are not reviewed regularly.
  - i. Review and revise all documentation annually, including the emergency preparedness plan, rulebooks, SOPs, safety policy statement, safety performance targets, SIP, and all other documentation supporting the ASP/SMS.
  - ii. RTA Policy Manual is currently in development.
3. Customer safety concerns are not always fully documented and analyzed.
  - i. Ensure that all customer concerns are captured from: public meetings; customer calls and electronic communications; and face-to-face interactions with RTA employees.
  - ii. Safety Department ensures this information is captured in logs/registers and elevates to ESSC or Executive-level management, as appropriate.

### Safety Committee Structure

4. Executive-level ESSC not fully functional.
  - i. Re-establish the ESSC under a revised SOP/Charter to focus on SMS objectives, priority accidents/hazards, and other business based on safety criticality.
  - ii. Establish a new hierarchy and reporting structure between the ESSC and Departmental Safety Committees (DSCs).

- iii. Ensure that all departments appropriately elevate identified hazards and safety concerns to the ESSC's attention, in consultation with the Safety Department.
- 5. No ownership of Safety Management Policy Statement within ESSC.
  - i. Educate the ESSC on the current Safety Management Policy Statement and their roles and responsibilities related to key safety objectives.
  - ii. Incorporate safety objectives into meeting agenda.
- 6. No current committees represent middle management or front-line personnel in each department.
  - i. Well-managed DSCs will ensure two-way communication related to hazards, safety concerns, and safety programs, and will encourage participation in SRM and SA processes.
  - ii. Invite ATU Local 1560 to DSCs as appropriate.
  - iii. Provide baseline SMS training to DSCs.
  - iv. Task the Safety Department with providing technical assistance to DSCs as necessary to ensure effectiveness.

#### Safety Assurance Activities

- 7. Safety assurance (SA) activities are not robust, and results from activities are not disseminated to all departments.
  - i. Establish process whereby Safety Department leads SA activities and concerns are elevated to the ESSC as necessary.
    - 1. Include recommendations for enhancement of SA processes (continuous improvement).
  - ii. Distribute SA findings through the Safety Committees and other means.
  - iii. Ensure that all corrective actions for ineffective mitigations identified through the SA process are fully documented.
- 8. A compliant Management of Change process is in development.

- i. Establish Management of Change process including roles and responsibilities for all departments and elevation to the ESSC as necessary.
  - ii. Finalize and document in the process, all major changes that must be assessed through SRM:
    - 1. major addition, deletion or reconfiguration of RTA's operations, operating methodology, or operating territory, including the addition of rail service or stations
    - 2. major facility changes, additions or rehabilitation
    - 3. purchase of new equipment or rolling stock or major overhaul of existing equipment or rolling stock
    - 4. reorganization of personnel which results in changes in authority or responsibility in any safety-critical area
  - iii. Prepare a document map to ensure that all changes in the organization are reflected in all critical documentation.
9. Accident and incident investigations have not been sufficient in identifying contributing factors and mitigations, as required in Parts 673 and 674.
- i. Develop and implement training on the new procedure as appropriate.

#### Employee Safety Reporting Program

10. RTA has not fully implemented the required employee safety reporting program. It is in development.
- i. Implement the program as described in the ASP. Provide regular updates to the Executive-level management and the ESSC.
  - ii. Revise and finalize an official hazard-/unsafe behavior-reporting form.
  - iii. Re-establish a safety hotline (pending staffing plan and transition to in-house O&M responsibilities). Set up email "hotline" option in the interim.
  - iv. Establish Safety Department protocols for managing the safety hotline.

- v. When ready to launch, initiate robust training on the employee safety reporting program.
  - 1. Specifically address how to handle unacceptable hazards (per SRM section of the ASP)—must be reported to CSO immediately and executive leadership may suspend service or halt work in the area.
- vi. Develop a centralized system where all hazards and safety concerns can be placed for Safety Department analysis and to aid communication efforts.

#### Communication of Safety Information

- 11. Hazard, assessment, and mitigation information is not shared system-wide
  - i. Ensure that all hazard identification, assessment, and mitigation activities are led by the Safety Department, and are properly documented, tracked and shared through Safety Committees, newsletters, bulletins, and other means.

#### Training

- 12. The management of RTA's training programs is not centralized.
  - i. Centralize management of training; use a matrix for monitoring compliance with program requirements.
- 13. RTA lacks a system-wide training policy for all employees and contractors.
  - i. The training policy needs to include safety-related training for all employees and contractors. The Safety Department will monitor each department's compliance with stated training requirements.
  - ii. The training policy needs to include specific requirements and monitoring activities for contractor safety training.
- 14. Need to establish and follow a new Training Plan for "designated personnel" in order to comply with 49 CFR Part 672.
  - i. Develop Training Plan (to be maintained by the CSO and provided to SSO/FTA by request).
  - ii. Develop and provide biennial refresher training after completion of initial requirements per 49 CFR Part 672, which must require one hour of safety oversight training.

- i. Establish 3-year plan for engaging external training providers, including TSI, NSC, and others.

Miscellaneous

15. RTA does not hold annual exercises for emergency preparedness.

- i. Ensure that exercises (e.g., full-scale, tabletop) are held annually, both internally and with external agencies.

16. RTA needs a revised Drug & Alcohol Program

- i. Drug & Alcohol Program is in development and will be aligned with organizational structure changes, effective October 1, 2020.

17. Passenger ferry operations are not fully integrated into RTA's safety programs.

- i. Integrate ferry operations into RTA's SMS.
- ii. Participate in ferry operator-led safety meetings; hold joint meetings.

# Implementation Plan

Topic	Short Term (12 months or less)	Medium Term (13 to 36 months)
SMS Documentation	Perform a document audit to establish all current documented procedures and identify gaps.	Ensure that all departments have procedures and the necessary resources to support: hazard identification, risk assessment, tracking corrective actions to closure, and monitoring of mitigations (SA), including the use of appropriate tracking logs/risk registers.
	RTA Policy Manual is currently in development.	Review and revise all documentation annually, including the emergency preparedness plan, rulebooks, SOPs, safety policy statement, safety performance targets, SIP, and all other documentation supporting the ASP/SMS.
		Ensure that all customer concerns are captured from: public meetings; customer calls and electronic communications; and face-to-face interactions with RTA employees.
		Safety Department ensures this information is captured in logs/registers and elevates to ESSC or Executive-level management, as appropriate.
Safety Committee Structure	Re-establish the ESSC under a revised SOP/Charter to focus on SMS objectives, priority accidents/hazards, and other business based on safety criticality.	Ensure that all departments appropriately elevate identified hazards and safety concerns to the ESSC's attention, in consultation with the Safety Department.
	Establish a new hierarchy and reporting structure between the ESSC and Departmental Safety Committees (DSCs).	Well-managed DSCs will ensure two-way communication related to hazards, safety concerns, and safety programs, and will encourage participation in SRM and SA processes.
	Educate the ESSC on the current	Task the Safety Department

Topic	Short Term (12 months or less)	Medium Term (13 to 36 months)
	Safety Management Policy Statement and their roles and responsibilities related to key safety objectives.	with providing technical assistance to DSCs as necessary to ensure effectiveness.
	Incorporate safety objectives into meeting agenda.	
	Invite ATU Local 1560 to DSCs as appropriate.	
	Provide baseline SMS training to DSCs.	
Safety Assurance Activities	Establish Management of Change process including roles and responsibilities for all departments and elevation to the ESSC as necessary.	Establish process whereby Safety Department leads SA activities and concerns are elevated to the ESSC as necessary.
	Finalize and document in the M of C process, all major changes that must be assessed through SRM:...	Distribute SA findings through the Safety Committees and other means.
	Prepare a document map to ensure that all changes in the organization are reflected in all critical documentation.	Ensure that all corrective actions for ineffective mitigations identified through the SA process are fully documented.
	Develop and implement training on the new A/I Investigation procedure as appropriate.	
Employee Safety Reporting Program	Implement the program as described in the ASP. Provide regular updates to the Executive-level management and the ESSC.	
	Revise and finalize an official hazard-/unsafe behavior-reporting form.	
	Re-establish a safety hotline (pending staffing plan and transition to in-house O&M responsibilities). Set up email "hotline" option in the interim.	
	Establish Safety Department protocols for managing the safety hotline.	



Topic	Short Term (12 months or less)	Medium Term (13 to 36 months)
	When ready to launch, initiate robust training on the employee safety reporting program.	
	Develop a centralized system where all hazards and safety concerns can be placed for Safety Department analysis and to aid communication efforts.	
Communication of Safety Information	Ensure that all hazard identification, assessment, and mitigation activities are led by the Safety Department and are properly documented, tracked and shared, through Safety Committees, newsletters, bulletins, and other means.	
Training	Centralize management of training; use a matrix for monitoring compliance with program requirements.	The training policy needs to include safety-related training for all employees and contractors. The Safety Department will monitor each department's compliance with stated training requirements.
	Develop Training Plan (to be maintained by the CSO and provided to SSO/FTA by request).	The training policy needs to include specific requirements and monitoring activities for contractor safety training.
	Establish 3-year plan for engaging external training providers, including TSI, NSC, and others.	Develop and provide biennial refresher training after completion of initial requirements per 49 CFR Part 672, which must require one hour of safety oversight training.
Miscellaneous	Participate in ferry operator-led safety meetings; hold joint meetings	Ensure that exercises (e.g., full-scale, tabletop) are held annually, both internally and with external agencies.
	Drug & Alcohol Program is in development and will be aligned with organizational structure changes, effective October 1, 2020.	Integrate ferry operations into RTA's SMS.

# APPENDIX F: RTA BOARD OF COMMISSIONERS RESOLUTION



Regional Transit Authority  
2817 Canal Street  
New Orleans, LA 70119-6301

504.827.8300

[www.norta.com](http://www.norta.com)

RESOLUTION NO. 21-013

STATE OF LOUISIANA

PARISH OF ORLEANS

---

## APPROVAL OF AGENCY SAFETY PLAN REVISION, INCORPORATING ORGANIZATIONAL STRUCTURE CHANGES

---

Introduced by Commissioner Tillery, seconded by Commissioner  
Neal.

**WHEREAS**, the Board of Commissioners of the Regional Transit Authority (RTA) previously approved its 2020 Agency Safety Plan (“ASP”) on July 28<sup>th</sup>, 2020; and

**WHEREAS**, the Public Transportation Agency Safety Plan (PTASP) final rule (49 CFR Part 673) requires operators of public transportation systems that are recipients of Federal Transit Administration (FTA) funds, such as RTA, to develop and implement a Public Transportation Agency Safety Plan; and

**WHEREAS**, FTA defines the “Accountable Executive” as a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency’s Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency’s Public Transportation Agency Safety Plan and its Transit Asset Management Plan; and

**RESOLUTION NO. 21-013**  
**PAGE TWO**

**WHEREAS**, 49 CFR Part 673 requires that subsequent updates to the ASP be signed by the agency's Accountable Executive and approved by the agency's Board of Directors, or equivalent authority; and

**WHEREAS**, the Louisiana Department of Transportation and Development (LADOTD) is designated by the State of Louisiana and certified by FTA to conduct safety oversight of RTA, under 49 CFR Part 674; and

**WHEREAS**, the LADOTD reviewed and approved "Revision 1.0" of RTA's ASP; and

**WHEREAS**, the "Revision 1.0" meets or exceeds these FTA requirements under 49 CFR Parts 673 and 674 for such plans and incorporates the progress the agency has made toward the implementation of a viable Safety Management System (SMS) which is required by FTA; and

**WHEREAS**, the "Revision 1.0" incorporates minor edits that are deemed necessary by staff and by the LADOTD, due to the transition of Operations and Maintenance responsibilities from the previous contractor to RTA that was effective December of 2020; and

**WHEREAS**, the "Revision 1.0" was jointly reviewed and developed by staff as part of its continued effort to promote and advance the RTA safety program in accordance with all State and Federal requirements.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the RTA that the RTA Agency Safety Plan, as revised and recommended by staff, is hereby approved.

**THE FOREGOING WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF AND RESULTED AS FOLLOWS:**

RESOLUTION NO. 21-013  
PAGE THREE

YEAS: 8  
NAYS: 0  
ABSTAIN: 0  
ABSENT: 0

AND THE RESOLUTION WAS ADOPTED ON THE 23<sup>rd</sup> DAY OF MARCH, 2021.



---

FLOZELL DANIELS, JR.  
CHAIRMAN  
BOARD OF COMMISSIONERS

## APPENDIX G: SIGNED POLICIES AND STANDARD OPERATING PROCEDURES

### Contents

004-100	Procedure for Performing Internal Safety Management Audits (ISMA)	3/1/21
004-002	Agency Safety Plan Revision	6/15/20
004-005	Accident/Incident Investigation	6/15/20
004-006	Safety Assurance of Safety Critical Areas	10/20/20
SAF1	RTA Drug and Alcohol Free Workplace Policy	2/23/21
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SAF3	RTA Safety Management Policy	2/23/21
SAF4	RTA General Accident and Injury Policy	2/23/21
SAF5	RTA Safety Committee Structure – Draft; will replace SOP 004-001 when adopted.	---



Regional Transit Authority

SOP 004-100: Procedure for Performing Internal Safety Management Audits (ISMAs)
Safety Department

APPROVED: [Signature] DATE: 3/1/21
RTA Chief Safety Officer
CONCURRENCE: [Signature] DATE: 3/1/21
RTA Chief Security Officer

I. PURPOSE

The purpose of this procedure is to provide a process for conducting Internal Safety Management Audits (ISMA) and supporting SMS internal controls processes to ensure the RTA's Safety Management System (SMS) is developed and implemented in accordance with the requirements of the following documents:

- RTA Agency Safety Plan (ASP),
• RTA Security and Emergency Preparedness Plan (SEPP),
• Louisiana Department of Transportation and Development State Safety Oversight (LADOTD SSO) Program Standard,
• 49 U.S.C. 5329(d)(1)(D) and 49 CFR Part 673.11(a)(5), and
• Other requirements under the Federal Transit Administration (FTA), including 49 CFR Parts 670, 672, 673 and/or 674; and 49 CFR Parts 625/630, as applicable in each department or functional area.

The Chief Safety Officer (CSO) has overall responsibility for implementing this procedure. The CSO monitors and evaluates the effectiveness of the Plans, ensures proper performance of the ISMAs and oversees each department's internal controls for SMS implementation. Separately, each functional area, as defined in Section I of the ASP, also has the responsibility to monitor and fully document their own compliance with all safety, security, and emergency management requirements of the RTA, LADOTD, the FTA and the TSA.

## II. ACRONYMS

ASP – Agency Safety Plan

CAP – Corrective Action Plan

CEO – Chief Executive Officer.

CFR – Code of Federal Regulations

CSO – Chief Safety Officer

FTA - Federal Transit Administration

LADOTD – Louisiana Department of Transportation and Development

ESSC – Executive Safety and Security Committee

RTA – Regional Transit Authority

SEPP – Security and Emergency Preparedness Plan

SMS – Safety Management System(s)

SOP – Standard Operating Procedure

SSO – State Safety Oversight

TSA – Transportation Security Administration

### III. RESPONSIBILITIES

The Chief Executive Officer (CEO) has the overall responsibility to ensure this program is fully implemented throughout the agency.

The CSO, as the CEO's designated SMS Executive for RTA, has the responsibility to provide direction and guidance to all departments and functional areas in the implementation of this procedure. The CSO also has the authority to enforce all provisions of this SOP agency-wide to assure RTA's overall compliance with requirements for SMS.

Directors and Managers in each of the functional areas are required to:

- Perform internal controls assessments of their compliance with the ASP, and providing SMS implementation status reports to both the CSO and the Executive Safety and Security Committee (ESSC);
- Promptly identify, report, and assist the Safety Department in addressing department-level deficiencies or safety concerns in their respective safety critical areas;
- Determine all conditions requiring effective corrective action, including non-compliances with any safety management requirements and regulations, improperly mitigated hazards, instances of practical drift, insufficient documentation of critical activities and processes, employee reporting and feedback, training, emergency management, and any other area of concern, in coordination with the Safety Department;
- Fully support SMS implementation analysis and reporting, as directed by the CSO;
- Implement corrective action per Corrective Action Plans (CAPs) approved by the CSO; and
- Comply with all internal and external audits of safety management compliance.

### IV. PROCEDURES

All requirements for SMS under the ASP will be audited internally by RTA for each functional area once every three years. The CSO is responsible to prepare and implement an ISMA schedule addressing all functional areas of the RTA over a three-year audit cycle by calendar year.

The CSO will annually submit the internal safety management audit schedule for that year, including dates and times of audit activities, to the ESSC for review and approval at



least 60 days in advance of that year's scheduled audits. The approved schedule is also submitted to LADOTD SSO as a required attachment to the Annual Report, on or about February 15th of each year.

A) Designate the Lead Internal Auditor

The CSO oversees each audit and maintains responsibility for the overall development and implementation of the ISMA program at RTA. The CSO will designate a Lead Internal Auditor but reserves the right to appoint him/herself to serve as the Lead Internal Auditor or a third-party contractor as necessary and appropriate and with the approval of the CEO. The Lead Internal Auditor is responsible for following all requirements of this procedure to assess SMS and emergency management compliance for the agency. The Lead Auditor may appoint or request additional auditor(s) as necessary and relevant to the item being audited with the approval of the CSO.

To address the issue of removing conflicts of interest in the audit process, auditors must be independent and cannot conduct an audit in the direct or functional area in which the auditor is assigned. An auditor cannot conduct an audit of his/her direct manager's area of responsibility. The Chief Security Officer will conduct all ISMAs of areas or functions for which the Chief Safety Officer is responsible.

B) Prepare the Internal Audit Checklist

In addition to the approved Plans, the Lead Internal Auditor, as well as any additionally appointed auditors, will use internal departmental Standard Operating Procedures and other pertinent process and policy documents as the basis for preparing a checklist encompassing all areas of required compliance before beginning the internal audit.

The CSO will review and approve the checklist. Checklists will be developed with relevant criteria for each audit, to verify compliance to the Plan, the requirements of the LADOTD Program Standard, and relevant internal RTA documents, plans, policies, and procedures. The applicable reference documents that establish the compliance criteria will be cited in the checklist to the extent possible.

Checklist audit questions have the following evaluation criteria:

- 1 – Meets Criteria/Compliance
- 2 – Deficiency/Non-Compliance

### 3 – Not Auditable

The audit team will use the audit procedures and checklist as a guide to performing all audit activities, with the primary responsibility to determine if the area being audited is performing as required under the stated requirements. The auditee will be required to demonstrate compliance through objective and verifiable evidence in all areas identified in the checklist. If no objective and verifiable evidence can be provided to demonstrate compliance for any area of concern, the auditor(s) will be required to identify the area as deficiency/non-compliance, and to recommend appropriate corrective action.

#### C) Schedule the Pre-Audit Briefing and Internal Audit Interview

The Internal Auditor(s) will schedule both the pre-audit briefing and the audit with the management of the department. The Internal Auditor(s) will ensure all arrangements are agreed upon and acceptable to all parties.

The Internal Auditor(s) will conduct the pre-audit briefing to discuss the following:

- The preliminary audit checklist,
- The areas of compliance to be reviewed during the audit,
- The relevant authorized, controlled, and distributed plans, programs, protocols, procedures, work instructions, and other documentation required,
- The requested audit participants, and
- The audit approach.

#### D) Transmit the Audit Notifications

##### I) Audited Department

At least thirty (30) days prior to the scheduled audit date, the CSO will notify the audited department in writing (notification can be electronic) of the upcoming audit and provide a copy of the preliminary audit checklist. The notification shall also be distributed to internal stakeholders, including the ESSC.

##### II) LADOTD

At least thirty (30) days prior to the scheduled audit date, the CSO will also notify the LADOTD in writing (notification can be electronic) of the upcoming audit and provide a copy of the audit checklist. This advance notice will indicate times and dates for all pertinent audit activities and identify the audited areas and department managers (auditees).

The CSO will coordinate RTA's responses to comments from the LADOTD on the audit checklist, if necessary. The CSO will also coordinate with LADOTD in the event the LADOTD chooses to observe the audit.

#### E) Conduct the Internal Audit

The head of the department being audited may participate in the audit or designate responsible personnel under his or her control for the department to participate in his/her stead.

The auditor(s) will review documentation and other verification provided to ensure they are relevant to the scope and purpose of the audit. The audit will be conducted in an interview format, with subsequent field observations and verifications as appropriate and necessary. The auditor(s) will use the audit checklist to guide verification of conformance to the audit requirements against the established criteria. Also see Appendix A – auditor guidelines.

#### F) Determine the Audit Findings / Recommendations

The auditor(s) will use objective evidence to determine a finding. Findings are either of compliance, indicating all standards and requirements are met, or of non-compliance. A finding of non-compliance is defined as non-conformity to law, statute, regulation, requirement, mandate, policy, procedure, work instruction or any authorized document that requires compliance by RTA personnel. A finding of non-compliance may also be issued because a document does not accurately reflect the process used in practice, a safety management deficiency known as practical drift; or a failure to ensure proper configuration management in any documentation.

Objective evidence is verifiable qualitative or quantitative information, records or statements of fact that is based on observation, measurement, or test.

The auditor(s) will accomplish verification by:

- Interviews and discussion with personnel,
- Review of procedures, documentation and records, and
- Firsthand observations or examinations of operations, maintenance, or other activities related to the audit criteria (“field verifications”).

If necessary, the auditor(s) will request additional supplemental documents needed for verification in the interviews. Supplemental documents will be requested of the audited department by the Lead Auditor in writing within 5 business days, and the department must provide the documentation within 5 business days of the request.

Any audit finding which is deemed by the auditor to be an unacceptable hazard that presents imminent danger or unacceptable risk will be immediately resolved by the audited department.

To the extent possible, all findings are communicated immediately to the audited department during the audit interview, pending supplemental documentation to be provided by the department. The audit team will also address in the interview any questions regarding compliance, or what action might be needed to bring any findings of non-compliance into compliance.

#### G) Prepare the Internal Final Audit Report

Within 30 days after the audit is completed, including all field verifications and reviews of supplemental documentation the Lead Auditor will prepare an Internal Audit Final Report for the CSO, comprising the completed internal audit report checklist and a recommended corrective action plan addressing all findings of non-compliance. It is the responsibility of the audited department to assist in developing and ultimately implementing the corrective actions and recommendations. The department may choose to accept the recommendations in the audit report or provide alternative acceptable corrective actions within 30 days of the audit’s completion. The CSO has the final approval of acceptable corrective actions to be submitted for ESSC review.

At either the next available ESSC monthly meeting or at an otherwise mutually agreed upon time set by the CSO, the CSO will distribute both the Internal Audit Final Report and the completed internal audit checklist to the ESSC for review. The ESSC will review the audit findings, corrective actions, and assist with managing the CAPs at the monthly ESSC meeting.

Upon receiving the approval of the department head(s) of the audited department(s) and the ESSC, the CSO will distribute the final report to the SSO for approval of corrective actions. If changes are needed to the corrective actions, the CSO will

coordinate with the Lead Auditor and the audited department to review and revise according to the SSO's guidance. The report will then be resubmitted for SSO approval. Once the SSO has approved the CAPs, the final report will be distributed internally to the following persons:

- The Director of the department/area audited,
- The Chief of Security
- The Chief Operating Officer, and
- The Chief Executive Officer.

#### H) Track and Monitor Internal Safety Management Audits

The CSO will maintain an Internal Safety Management Audit Log. The log will identify the following:

- Audit Title (Functional Area)
- Audit Date
- Names and Titles of Auditees
- Names and Titles of Auditor(s)
- Date Presented to ESSC
- Date Final Report Issued
- 1 or more CAPs Required (Y/N)

The CSO will also review all audits and identify any significant areas of concern, negative safety trends, and leading and lagging performance indicators within 30 days of the Audit Final Report's issuance to the ESSC. These findings will be documented by the CSO and delivered to the ESSC for review at the next monthly meeting.

#### H) Corrective Action Plans (CAPs)

##### I) Prepare Each CAP

For each non-compliant audit finding, the auditor(s) will coordinate with the management of the department that the finding was assessed against to develop a CAP in accordance with relevant sections of the ASP.

- The auditor(s) will ensure the establishment of CAP estimated completion dates are consistent with the risk assessment of the deficiency. The auditor(s) will ensure that dates are reasonable, feasible, and mutually agreed upon between the auditor(s), the CSO, and the management of the audited department. When establishing the CAP estimated completion dates, the auditor(s) will consider the conditions and constraints of the issue to be remediated. The CSO will submit all CAPs to the SSO for approval.

The CSO and the management of the audited department will manage CAPs in accordance with the ASP. CAPs are not to be confused with mitigations, although in some instances, they may be one in the same. In either case, the CSO is responsible for monitoring and verifying completion and for ensuring the hazard or concern was adequately addressed by the department.

## II) Track, Monitor and Report the Implementation of CAPs

The CSO will monitor the implementation of each CAP by maintaining a CAP Log, obtaining status reports from each audited department, and reviewing CAP status in subsequent ESSC meetings, in accordance with the CAP section of the ASP.

The CSO and the ESSC will determine the acceptability of alternate corrective actions when an audited department wishes to modify an open corrective action for an approved CAP. The proposed alternative must be described in sufficient detail as defined by the CSO and is subject to the review and approval of the ESSC.

The CSO will annually submit the completed Internal Audit Final Reports to ESSC by February 15th for the previous calendar year. The CSO will also present the CAP log monthly to the ESSC, to which the SSO is invited.

## V. Other SMS Internal Controls

### A) Safety Department-led Safety Assurance (SA) Activities

Key SMS personnel, at the direction of the CSO, conduct periodic, unannounced SA inspections or field observations of all departments and safety-critical functions to ensure compliance with safety-critical rules and procedures.

The CSO oversees the process to ensure integrity and compliance and has the discretion to require additional reporting if necessary, in each area. Staff document their observations and any non-compliances using the appropriate SA form. Findings, trends, and concerns will be presented to Department Safety Committees (DSCs) and the ESSC by Safety Department staff, in consultation with Operations and Maintenance staff, until resolution, utilizing the CAP process if necessary.

B) Systems in place for all departments to provide and receive feedback on safety performance and SMS implementation

I) SOP and policy reviews allow for follow-up, updates, and cross-departmental coordination to ensure that documents are sufficient and being implemented as intended.

II) Accidents/Incident reviews provide an essential role in reducing the risk of recurrence of safety events, through prompt analysis of safety data and by the exchange of safety information.

III) The Employee Safety Reporting Program, including Safety Hotline, offers anonymous reporting of non-emergency safety concerns for prompt analysis and corrective action where necessary.

C) Safety performance monitoring program

I) Weekly joint safety and operations meetings with departments

II) Discussion of progress relative to Safety Performance Targets (SPTs) and safety management objectives during monthly ESSC meetings

III) Ongoing reporting of SMS data and safety performance to the Board of Commissioners, as necessary

IV) One-on-one recurring meetings between department heads and Safety staff to review SMS implementation and the status of CAPs and mitigations

V) Local or Department-level Safety Committee meetings, at least quarterly, facilitated and supported by Safety Department staff

## VI) ISMA Triennial Schedule

The tentative ISMA schedule for the next three years of ISMAs is established by the CSO, in accordance with the ASP and SOP 004-100, and is provided to the SSO in the ISMA Annual Report, on or around February 15th each year. Topics are subject to change. They are established, continually reviewed, and revised as necessary by the CSO based on the most recent, approved ASP, as well as FTA and SSO requirements, and other factors.

Note that safety-critical functions identified in the three-year ISMA schedule may not match department names or other area identification used at the agency. The ASP fully identifies accountabilities and responsibilities for the safety-critical functions above. Some of the functions may encompass more than one department or area. Multiple audit interviews may be held per function to ensure that all ASP requirements are audited appropriately over the three-year period.



## Appendix A - Auditor Guidelines

At all times, the auditor(s) shall:

- Perform a fact-based, verified audit which focuses on compliance with the Plans and other documented requirements;
- Ensure that all identifiable hazards are properly documented and addressed with appropriate mitigations to reduce agency risk to the lowest practical level, in accordance with the ASP and SOPs;
- Ensure that all change agency-wide is appropriately addressed through the agency's risk management process as documented in the ASP;
- Identify areas that merit safety management improvements, which although compliant, should be considered for inclusion in the department's processes or program;
- Operate without personal bias, personal interest, and without placing or identifying blame;
- Use open-ended questions and interview techniques to elicit discussion of safety and/or emergency management programs, attitudes, and practices;
- Illuminate good practices culled from successful safety management practices in the transit industry; and
- Provide professional support for corrective actions and safety management program development.



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<b>Agency Safety Plan Revision</b>		

\* Temporary SOP ID, pending adoption of RTA document configuration management policy

APPROVED:  DATE: 6-16-2020  
 Chief Executive Officer

APPROVED:  DATE: 6/16/20  
 Chief Safety Officer

**I. PURPOSE**

The purpose of this procedure is to provide a standardized process for annual review and revision of the RTA Agency Safety Plan (ASP) and its subordinate documents to be performed in accordance with the requirements of the following:

- 49 CFR Parts 673.11(a)(5) and 674.29(b) as related to ASPs,
- Other Federal Transit Administration (FTA) requirements, including 49 CFR Parts 625/630, 670, 672, 673 and/or 674, as applicable in each department or functional area,
- Transportation Security Administration (TSA) requirements for rail public transportation systems,
- Sensitive Security Information requirements under 49 CFR Parts 15 and 1520, and
- Louisiana Department of Transportation and Development (LADOTD, RTA's State Safety Oversight Agency) Program Standard, as codified in La. Admin. Code tit. 70 § IX-1509.

The Chief Safety Officer (CSO) has overall responsibility for implementing this procedure. The CSO ensures the ASP and all supporting documentation meet all internal and external requirements, and oversees the review and approval process internally. Each functional area, as defined in the ASP, also has the responsibility to review and comment as needed on the sections of the ASP and subordinate documents that apply to their area of control. The review process presents opportunities for RTA management to identify underperforming or non-compliant areas in safety management and emergency management and make corrections as needed.

**II. DEFINITIONS**



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- ASP – Agency Safety Plan
- CEO – Chief Executive Officer.
- CFR – Code of Federal Regulations
- CSO – Chief Safety Officer
- FTA - Federal Transit Administration
- LADOTD – Louisiana Department of Transportation and Development
- OSSRC – Operations Safety and Security Review Committee
- RTA – Regional Transit Authority
- SEPP – Security and Emergency Preparedness Plan
- SMS – Safety Management System(s)
- SOP – Standard Operating Procedure
- SSO – State Safety Oversight
- TSA – Transportation Security Administration

### III. SCOPE

This procedure applies to all relevant RTA departments that have responsibilities defined in the current approved RTA ASP.

The ASP must be reviewed and revised annually, or as otherwise necessary.

FTA guidance stipulates that the ASP's subordinate documentation, including SOPs, Plans, and Policies, should be reviewed and revised in coordination with the ASP.

### IV. RESPONSIBILITIES

The CSO, as the CEO's designated SMS Executive for RTA, has the responsibility to provide direction and guidance to all departments and functional areas in implementation of this procedure. The CSO also has the authority to enforce all provisions of this SOP agency-wide to assure RTA's overall compliance with requirements for SMS. The CSO will ensure the revision process is fully documented, and that documentation is maintained per the requirements of 49 CFR Part 673.31.

Directors and Managers in each of the functional areas are required to:

- Review and provide input to the CSO on portions of the ASP and supporting documentation that need revision;



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- Participate actively in the review process as requested by the CSO;
- Ensure that all internal documentation in their area is reviewed in conjunction with the update to the ASP, and revisions are performed in a timely manner; and
- Ensure the review and update process in their area is properly documented and maintained per RTA Document Control procedures.

## V. PROCEDURES

1. Every year on or about October 1 the CSO shall notify the OSSRC that the Annual ASP Review is due.
  - a. The CSO will provide any changes to the ASP that are needed that have been identified since the last version via a Change Log, which the CSO maintains throughout the year.
2. The OSSRC members will review the ASP to identify areas requiring change and update, referring to the Change Log as necessary, and advise the CSO.
3. At a subsequent OSSRC meeting but not later than December 1, the CSO, as Chair of the OSSRC, will lead a discussion of the changes to the ASP, allowing members to provide additional feedback as necessary.
4. The CSO or designee will revise the ASP with all of the approved changes and distribute the updated ASP for OSSRC review.
5. Under the Safety Performance Target (SPT) requirements in the ASP, the CSO will send the corresponding appendix of the ASP to the Executive Director of the Regional Planning Commission (RPC) for review and comment prior to finalizing the ASP.
6. Under RTA's management of change process, the CSO or designee(s) will conduct an assessment to determine whether the approved changes introduce any hazards or otherwise adversely affect the Safety Management System.



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7. If no further changes are needed, the CSO will ensure that the ASP is prepared for SSO approval, in accordance with LADOTD Program Standard requirements. The CSO will deliver the ASP to the SSO via email or in-person.
8. If no further changes are needed, the CSO will ensure that the ASP is prepared for Board approval and will gather all required signatures in accordance with LADOTD Program Standard requirements.
9. If any further revisions or changes are required, the CSO will revise and reissue the ASP with an updated change log as early as practicable for OSSRC review.
  - a. The CSO may call a special OSSRC meeting to approve revisions as necessary.
  - b. The CSO will follow steps 7-8 once the final revision is completed as necessary.
10. The CSO, upon receipt of approval from the SSO, will deliver a final copy of the ASP with appropriate signatures to the SSO Program Manager, via email or in-person.
11. The approved ASP remains in effect until another such ASP or revisions to the existing ASP is/are submitted and approved.
12. The CSO or designee will archive the previous version in accordance with FTA requirements and RTA Document Control procedures.
13. The CSO or designee will be responsible for sending an electronic notice notifying every employee of the updated ASP and how to obtain a current version for reference.
  - a. Employees who are designated points-of-contact or Project Managers for Operations and Maintenance Contracts, will be responsible for sending a notification to Contractors.
14. The CSO may at his/her discretion provide revised SMS documents, trainings, or other resources incorporating any changes.



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15. *SSO-Directed Changes* - The SSO may require changes to the ASP based on changes in federal or state requirements, audit results, inspections, investigations, or findings based on safety data analysis. If the SSO deems an update is necessary, they will notify the CSO and the two parties will jointly determine a reasonable timeline for completing the revision(s).
  
16. *Management of Change* - If throughout the calendar year, any changes to the organization, procedures, equipment, facilities, or operating environment warrant revisions, whether to individual sections of the ASP or to the ASP as a whole, the CSO will initiate a review and revision process that is consistent with this SOP, to the extent practicable.
  - a. The CSO may convene an emergency meeting of the OSSRC as necessary.
  - b. The CSO will provide updates to the SSO Program Manager regarding the changes as appropriate.

## VI. RELATED DOCUMENTS

1. LADOTD Program Standard
2. RTA Agency Safety Plan



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APPROVED:  DATE: 6-16-20  
Chief Executive Officer

APPROVED:  DATE: 6/16/20  
Chief Safety Officer

APPROVED:  DATE: 6/16/20  
Chief Operations Officer

**I. PURPOSE**

This document establishes the procedures for notification and investigation of accidents, incidents, and other safety events involving vehicles and/or property owned by the Regional Transit Authority (RTA). The guidelines established herein are to be adhered to by employees in all departments as well as contracted personnel, as required by the Louisiana Department of Transportation and Development (LADOTD) and the Federal Transit Administration (FTA); and in accordance with the requirements of the RTA Agency Safety Plan (ASP).

**II. BACKGROUND**

This SOP incorporates recent changes to FTA's safety event (i.e., accident, incident, and occurrence) notification and investigation requirements as outlined in both the State Safety Oversight (SSO) and Public Transportation Agency Safety Plan (PTASP) regulations [49 CFR Parts 673.27(b)(3) and 674.27(a), respectively]. Since the SSO requirements and guidelines are applicable only to rail fixed guideway systems, this SOP adapts those requirements to the other modes operated by RTA, as necessary, to identify contributing factors, develop risk mitigations, and reduce the risk of recurrence.

In order to ensure compliance with FTA and LADOTD requirements, the SOP distinguishes three groups of applicable safety events, where necessary:

- 1) Reportable Rail Accidents (i.e., accidents which must be reported to the SSO); including but not limited to:



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- a. A collision involving two or more rail transit vehicles;
  - b. A collision involving at least one rail transit vehicle and any of the following conditions:
    - i. Grade crossing;
    - ii. Collision with a person
    - iii. Substantial property damage, serious injury, or fatality;
  - c. An evacuation for life safety reasons;
  - d. A derailment of a rail transit vehicle (main line or yard).
- 2) Other Safety Events, including non-rail accidents and all other safety events as defined herein such as but not limited to:
- 3) Safety events for which the National Transportation Safety Board (NTSB) initiates an investigation, regardless of mode.

For the purposes of this SOP:

- FTA defines accident as “an event that involves any of the following: a loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle at any location, at any time, whatever the cause.” Note: RTA must notify both FTA and LADOTD within two hours of any accident as defined herein.
- RTA adopts FTA’s definition of accident.
- FTA considers other safety events to consist of incidents and occurrences.
- RTA defines other safety events as both:
  - incidents and occurrences involving any mode; and
  - safety events that meet National Transit Database (NTD) reporting thresholds involving any mode that are not otherwise included under accidents, above.
- Use of the term accident should not be construed to mean only collisions or any other single type of event or occurrence.





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### III. REQUIREMENTS

1. Internal safety event investigations are initiated by the department or functional area that experienced the event. That department or functional area carries out the investigation as described herein, unless otherwise directed by the Chief Safety Officer (CSO) or an external investigator (e.g., FTA, LADOTD, NTSB).
2. The Chief Operations Officer (COO) has ultimate responsibility for ensuring compliance of all Operations employees with this SOP.
3. The COO, in consultation with the CSO, ensures Operations employees comply with FTA and LADOTD notification requirements contained in 49 CFR Part 674 and the LADOTD Program Standard, respectively.
4. The CSO is responsible for ensuring investigation reports of both accidents and other safety events meet FTA and LADOTD requirements.
5. Any employee involved in, witnessing, or discovering an accident or other safety event must notify the Operations Control Center (OCC) by radio or telephone and immediately complete and/or support the investigation as appropriately providing the following information (as applicable):
  - a. Name of operator and badge number as applicable
  - b. Route/line information
  - c. Location
  - d. Direction of travel
  - e. Number of persons injured and/or requiring medical assistance
  - f. Extent of damage to the transit vehicle
  - g. Any other assistance that may be required
  - h. Name and department/division (if non-revenue vehicle accident)



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- i. Any known property damages
- 
6. The objective of the investigation of an accident or other safety event is to produce information that leads to corrective actions or mitigations that reduce the likelihood and severity of similar events occurring to the extent practicable.
  7. If an Operator is involved in an accident/incident it is important that he/she adhere to the following:
    - a. Do not discuss the safety event with anyone except police or RTA investigative personnel with proper identification.
    - b. Admit no fault.
    - c. Obtain all possible information about other driver/owner or passenger(s) involved.
    - d. Do not sign anything (except a summons from the police).
  8. NTSB requirements (if applicable)
    - a. The OCC notifies the NTSB via the National Response Center at 800-424-0201 at the earliest practicable time after the occurrence of any one of the following accidents per 49 CFR Part 840.3  
Notification of Railroad Accidents:
      - i. No later than two-hours after an accident that results in:
        1. A passenger or employee fatality or serious injury to two or more crewmembers or passengers requiring admission to a hospital.
        2. A fatality at a grade crossing.



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- ii. No later than four hours after an accident that does not involve any of the circumstances enumerated in paragraph (i) of this section but that results in one of the following:
  - 1. Damage (based on a preliminary gross estimate) of \$150,000 or more for repairs, or the current replacement cost, to railroad and non-railroad property.
  - 2. Damage of \$25,000 or more to a passenger train and railroad and non-railroad property.
  
- b. In the event the NTSB "Go Team" responds to investigate the safety event, command and control will transfer to the team at the conclusion of first-responder-led rescue operations. RTA employees must support the Go Team and protect the scene as directed by the Go Team.

#### IV. PROCEDURE/RESPONSIBILITIES

##### Streetcar, Paratransit and Bus Operators

- 1. When involved in a safety event, Operators should remain calm and immediately report it to the OCC.
- 2. Distribute witness cards to individuals on board the vehicle or external bystanders who may have witnessed the safety event.
- 3. Remain on the scene until instructed by the OCC or a supervisor.
- 4. Provide facts of the event and cooperate fully with investigative personnel.
- 5. Submit to post-accident testing as required by the Drug and Alcohol Policy.

##### Ferry Personnel



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1. When involved in a safety event, passenger ferry crew members and employees should immediately notify their supervisor and follow the instructions of investigative personnel.
2. Ferry operators must report accidents and incidents to the RTA as contractually required. Refer to current service agreements and SOPs.

### OCC

1. Ascertain the extent and severity of the safety event to ensure that appropriate police, fire, paramedic and other emergency agencies are dispatched to the scene.
2. Dispatch Field Supervisor and Transit Police (as appropriate) to the scene to assist in securing, protecting, and investigating the safety event.
3. Notify the on-call Safety Department personnel as appropriate.
4. Appoint an On Scene Coordinator as appropriate.
5. Initiate Emergency Notification Check List. For reportable rail accidents, OCC must notify both FTA and LADOTD within two hours, via email, and must copy the CSO on the transmittal.
  - a. Notify FTA through the US Department of Transportation (DOT) Crisis Management Center (CMC) by email at [toc-01@dot.gov](mailto:toc-01@dot.gov) (preferred) or (202) 366-1863.
  - b. Notify LADOTD via email to the SSO Program Manager in accordance with the Program Standard, Section IX-1513 – Accident Notification.
  - c. Notify the NTSB via the National Response Center at 800-424-0201 if the accident meets the thresholds defined in 49 CFR Part 840.3 Notification of Railroad Accidents.



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6. Dispatch the proper Maintenance-of-Way (MOW) personnel to inspect and document the condition of any crossing gates, signals, catenary, switches, and track involved or damaged in the event, if applicable.
7. Complete all necessary paperwork and submit copies to appropriate personnel.

#### **Field Supervisor/On-Scene Coordinator**

1. Maintain regular communication with the OCC providing updates of the situation and preliminary facts of the event.
2. Assist with clearing the scene as soon as possible after an exchange of identification and information, and all other information necessary to complete the investigation is obtained.
3. Interview employees involved in or witnessing the safety event.
4. Examine the operating cab of the streetcar and note the position of the control (Master Control Lever, Brake Application) and the condition of any operating equipment.
5. Obtain names and addresses of the injured and other witnesses by handing out courtesy cards. Obtain names and badge numbers of attending police, fire and rescue personnel.
6. Collect and protect all physical evidence which might have bearing on the cause or contributing factors of the accident/incident.
7. Assure that a thorough description of the safety event is recorded through photographs, measurements, sketches, statements and other documentation as applicable. The Supervisor should record, as appropriate:
  - a. The position of the streetcar/vehicle and other vehicles before they are moved.



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- b. Streetcar/vehicle numbers.
  - c. Vehicle driver's name, address, telephone number, owner's name (if different).
  - d. Insurance company name, policy number and telephone number.
  - e. Vehicle make, model, license plate number(s) of other vehicle(s) involved.
  - f. Broken glass, damaged equipment, leaking oil or other vehicle parts before they are removed or destroyed.
  - g. Skid marks, dropped sand, marks on the rail, condition of the rail and other road defects.
  - h. Traffic control signals and devices, area speed limit signs and other warning or control signs or devices for both rail and vehicular traffic.
  - i. All damage, abnormalities and defects to streetcars/vehicles and/or RTA infrastructure, e.g., wayside and track equipment.
8. Locate the point of impact and note the final position of the streetcar or bus.
  9. After speaking with authorities and the authorities give permission to leave the scene, take the employee(s) for post-accident drug and alcohol testing or make arrangements, following Drug and Alcohol procedures as appropriate.
  10. Ensure that all RTA vehicles/streetcars involved are returned to the maintenance facility for a safety and damage inspection. Inform the OCC accordingly.
  11. Determine how the safety event occurred. Follow the steps provided in the RTA Investigation Manual to conduct the investigation as appropriate.



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12. For reportable rail accidents, determine and document contributing factors that may have led to the accident.
13. For reportable rail accidents, provide initial report to the Safety Department at the request of the CSO or designee.
14. Assist any follow-up investigation.

### **Safety**

1. For reportable rail accidents and all other safety events, assist the Field Supervisor/On-Scene Coordinator in obtaining the information necessary to complete the investigation as appropriate.
2. Reportable rail accidents – Ensure the FTA and LADOTD are notified as required.
3. Reportable rail accidents or otherwise as directed by the CSO – With the initial event information, findings, and conclusions from the Supervisor/On-Scene Coordinator, develop an investigation report to be submitted to the SSO.
  - a. The proper format and level of detail in the report is commensurate with the severity of the event based on the available information.
  - b. The CSO, COO, or SSO Program Manager may require adjustments to the format of the report, and will direct the investigator(s) as necessary.
  - c. A general template is provided Section V.

### **Operations Safety and Security Review Committee (OSSRC)**

1. At the COO's and CSO's discretion, investigations are selected and prioritized for review during OSSRC monthly meetings.



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- a. The intent of discussing safety events during committee meetings is to develop corrective actions or mitigations that reduce the likelihood and severity of similar events occurring.
  - b. The OSSRC may provide additional information in support of any active investigation as needed.
2. The status of ongoing investigations will be reported by appropriate parties, for:
- a. All reportable rail accidents, and
  - b. Other safety events which are selected by the COO and CSO for discussion.





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**V. REPORTABLE RAIL ACCIDENT INVESTIGATION REPORT TEMPLATE**

**Cover Page**

**EVENT ID (YYMMDD HHMM)**

Event Type	[Collision, Derailment, Evacuation for Life Safety Reasons, Serious Injury]
Date and Time of Event	[MM/DD/YY HH:MM hours]
Location	[Specific location, including cross streets if applicable]
Operator Name & Badge	
Vehicle ID	
Line	
Number of Injuries	
Number of Passengers On-board	
Field Supervisor	
Severity of Damage	None, Low, Medium, or High
Date and Time Received by Safety	[MM/DD/YY HH:MM hours]
Safety Investigator	



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## Executive Summary

(To be developed by the designated Safety Department staff or lead investigator as appropriate)

### Summary of event, contributing factors, and conclusions

## Narrative

### Sequence of Events (including precipitating events)

- Include personnel, equipment, infrastructure

### As appropriate:

- Injuries
- Fatalities
- Notifications
- Response (Internal and External)
- Passengers/Witnesses
- Measurements

## Sketch, Photographs and Video

(as applicable)



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## Investigation

(Include the following, as applicable to the event)

**Rules, Procedures and Compliance with Law**

**Drug & Alcohol**

**Training and Certification**

**Fatigue/Wellness**

**NOPD/Other Law Enforcement Report (attach reports as necessary)**

**Other Investigation Information (attach as necessary)**

## Findings

Include to the extent practicable:

**Root Cause, Contributing Factors, Mitigating Factors**

## Corrective Actions

(Include the following, as applicable to the event)

**On-site mitigation/ immediate corrective actions**

**Recommended corrective actions (to be approved by SSO)**



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## Additional Discussion

(Include the following, as applicable to the event)

**Data quality**

**External factors (weather, joint/other investigations, etc.)**

**ICS Notes (if applicable)**

## Attachments

As appropriate:

**Employee/Operator Reports**

**Responding Supervisor's/On-Scene Coordinator's Reports**

**Other Management Reports**

**First Report of Injury**

**Evidence of any immediate corrective actions implemented**



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APPROVED: Michael J. Smith DATE: 10/20/20  
 Chief Safety Officer

**I. PURPOSE**

This document establishes Safety Department procedures for managing, overseeing, and conducting Safety Assurance (SA) of areas and functions throughout the Regional Transit Authority (RTA). The guidelines established herein are in accordance with RTA’s Agency Safety Plan (ASP) and in alignment with the principles of Safety Management Systems (SMS).

SA means “processes within a transit agency’s SMS that function to ensure the implementation and effectiveness of safety risk mitigation and the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information” (49 CFR Part 673.5).

SA also helps to ensure that mitigations put in place to manage safety risk are carried out and working as intended, potential safety issues are identified early, and safety objectives are met.

**II. SCOPE**

This Standard Operating Procedure (SOP) applies to the Safety Department. All Safety employees and contractor employees must know and implement this procedure as is applicable to their job duties and responsibilities.

Employees and contractor employees in other departments should understand their roles and responsibilities in support of the agency’s SA processes, as described in the ASP.

**III. PROCEDURE/RESPONSIBILITIES**

RTA implements its SA program through various methods, including: reviewing historical data, reviewing rule compliance, observing/monitoring transit operations and/or maintenance activities, conducting audits/reviews, conducting

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APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
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trend or statistical analyses, and consulting with subject matter experts in each department. While SA is an ongoing function of the agency's SMS, the Safety Department employs different processes depending on the nature of the safety-critical activity being assessed and internal/external stakeholders who are involved.

## 1. Routine Assurance Checks

- a. When conducting routine safety assurance checks of safety critical areas/functions in other departments, establish a schedule and share common expectations, roles, responsibilities, and methodologies with the appropriate department contact(s).
  - i. The frequency of checks is commensurate with the safety-critical nature of the activities or processes.
  - ii. If the frequency is greater than monthly (e.g., semi-annually), confirm with the department contact(s) that activities are taking place as scheduled and that Safety will be in attendance.
- b. Request documentation to prepare for the assurance check, as needed. Follow the Internal Safety Management Audit (ISMA) SOP (# 004-100) for requesting and reviewing documentation.
- c. Review historical data for deficiencies identified in previous routine SA checks and remedial actions taken to address deficiencies.
- d. Refer to applicable Emergency Operating Procedures (EOPs), SOPs, policies, plans, and procedures to verify adherence to and sufficiency of the written document(s).
  - i. Also note where a formal process is required to be documented as it is referenced by or incorporated into the ASP, but may not be properly documented.
- e. Use a combination of verification methods:

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- i. Documentation review or audit – using a sample approach, verify adherence to the procedure by reviewing actual records, logs, checklists, reports, or other actual department documentation.
  1. Training records review – for operations and maintenance activities, request, verify, and review training and certification records. Check that certification or refresher due dates are properly managed by the department. Examples include RWP/flagger training, OSHA-required training, Drug and Alcohol Program training (such as reasonable suspicion training), and SMS training.
  2. Review and verify that records maintained by Human Resources match records for the same employee(s) maintained by the department.
- ii. Field verification – Includes observations, “spot checks,” safety “blitzes,” rule compliance checks, and ride-alongs (by Safety). Following all applicable safety requirements, verify in-person that a safety critical activity is carried out per the applicable written procedure(s) and that the procedure(s) is/are sufficient.
  1. For rail operations, refer to the following, as appropriate\*\*:
    - a. Rule Book for Transit Operations
    - b. Safety bulletins and orders
    - c. Streetcar operator manual
    - d. Operator Development Program and other relevant training materials.
  2. In addition to the documents listed in #1, for rail maintenance, refer to these specific, safety-critical SOPs:
    - a. Rail Maintenance Plan (RMP)
    - b. SOP RM001 Contractor Safety Briefing
    - c. SOP RM009 Safety Briefing

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- d. SOP RM010 Task Observation.
- 3. For fixed-route bus and paratransit operations and maintenance, refer to the following, as appropriate\*\*:
  - a. Rule Book for Transit Operations
  - b. SOPs
  - c. Safety bulletins and orders
  - d. Operator Development Program and other relevant training materials.
- iii. Desk audit – In coordination with the department contact(s), review the current procedural documents, and without pulling actual records, walk-through the steps to determine whether any updates are needed and/or whether a more complete document review/update process is warranted. Notify department heads of the determination, as appropriate.
- f. For all verification methods, promptly record findings, observations, and concerns, along with the copies, and/or a complete listing, of source documentation used to conduct the verification. Use applicable SA forms.
- g. Provide a written form, summary, report, checklist, or notification (as appropriate) to the department contact(s) and retain a copy.
- h. Record any hazards identified during the verification activity (as appropriate) in the Hazard Log.
  - i. Communicate and elevate any identified hazard to the manager, department head, Chief Safety Officer (CSO), as appropriate, based on an evaluation of safety risk associated with consequences of the hazard.
- i. The CSO will compile records and data collected during routine SA activities, evaluate compliance with and sufficiency of operations and maintenance procedures, and direct management actions, in support of continuous improvement and management of change processes, in accordance with the ASP and FTA requirements.

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- i. The CSO elevates actions (to include formal CAPs, if necessary) to the attention of the Accountable Executive/Chief Executive Officer and/or the OSSRC, as appropriate.

**2. Safety Risk Mitigations and Mitigation Monitoring Plans (MMPs)** - Safety risk mitigations implemented or facilitated by the Safety Department must be monitored, in accordance with the ASP.

- a. Coordinate and plan all mitigation monitoring activities with the department contact listed in the Safety Department's Hazard Log.
- b. Obtain historical data to identify prior mitigations and assess their effectiveness.
- c. Elevate to the CSO and/or Operations Safety & Security Review Committee (OSSRC) as needed.
- d. Develop, record, and implement an MMP that is appropriate to assure that 1) the level of safety risk is reduced or managed as intended; and 2) no unintended hazards are introduced as a result of the mitigation(s).
- e. The MMP must outline active monitoring the mitigation(s) or associated performance data, whether conducted by the department, the Safety Department, or a combination thereof.
- f. The details of the MMP, such as type of monitoring, frequency, and duration, are contingent upon: the assessed level of risk; the internal and external stakeholders involved; and the scale, complexity, and duration of the official mitigation(s).
- g. The MMP may require observation, testing, "spot checks," or similar types of SA.
- h. The MMP may require SA to continue until:
  - i. A result is achieved (such as a safety performance target established by the department and Safety Department);
  - ii. A predetermined number of tests or observations has been completed; or

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- iii. A set duration of SA activities has elapsed.
  - i. The CSO, in consultation with the responsible department, ensures that MMPs are duly followed and that their status is updated accordingly on the Safety Department Hazard Log.
  - j. The CSO or designee will document and retain records of mitigation monitoring activities in accordance with the ASP, using SA forms as applicable.
  - k. Mitigation monitoring activities and results will be discussed in OSSRC meetings, as deemed appropriate by the CSO and the Chief Operations Officer (COO).
- 3. Observations Based on Emerging Trends or Concerns** – The Safety Department may identify trends or concerns that warrant focused observations or other SA activities in a particular safety-critical area.
- a. Review historical data relevant to a particular safety-critical area to determine whether a trend or concern was previously identified, analyzed, and mitigated (or eliminated) through corrective action or other measures.
  - b. Identify the trend or concern based on the review of historical data and results of regular oversight and monitoring of safety-critical areas.
  - c. Alternatively, a focused observation or SA activity may be initiated in consultation with the Executive Leadership Team or OSSRC, or may be directed by a regulatory agency such as the Louisiana Department of Transportation and Development, RTA’s State Safety Oversight Agency (SSOA; herein referred to as the “SSO”).
  - d. Examples include observations of streetcar operations in yards or special track work.
  - e. Log hazards and report unacceptable hazards to the SSO, accordingly.
- 4. Oversight of Contractors** – The Safety Department shares safety oversight responsibilities with each department that uses contractors to conduct safety-critical work. In addition to any contract oversight performed by the owning department, the Project Manager, and the Procurement department, the Safety

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Department conducts SA activities to verify that contracted operations and activities comply with written R TA SOPs, plans, and policies.

- a. Coordinate with the owning department responsible for overseeing the contract, as well as the designated Project Manager. To the extent practicable, schedule SA activities with the Project Manager and report findings and observations.
- b. Obtain historical data specific to the contractor(s) to identify any previous performance issues or concerns, and how they were rectified.
- c. SA may include: vendor and contractor safety plan review, work or project plan review, and/or approval/monitoring of the contractor's own SA program. These SA methods require a review of, specifically:
  - i. Safety rules
  - ii. Drug and alcohol testing and reporting
  - iii. Quality Assurance inspections
  - iv. Documentation of safety-critical elements contained in the work or project plan.
- d. Request copies of the contractor's safety plan or related documentation to verify that it contains detailed processes for safety-critical areas/functions/activities. Verify that contractual requirements related to SA are being met.
- e. Use the verification methods listed in Section 1- Routine Assurance Checks as appropriate.
- f. Promptly record findings, observations, and concerns, along with the copies, and/or a complete listing, of source documentation used to conduct the verification. Append applicable sections of the contract.
- g. Provide a written summary, report, checklist, or notification (as appropriate) to the Project Manager, and retain a copy.
- h. Record any hazards identified during the verification activity (as appropriate) in the Hazard Log.

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- i. Communicate and elevate any identified hazard to the owning department head and/or CSO, as appropriate.
- i. If the Project Manager holds regular contract performance review meetings with contractor representatives, review SA findings in collaboration with the contractor as appropriate.
- j. Also refer to the Procurement Manual and related SOPs as appropriate.

#### **5. SA of Capital Projects**

- a. To the extent practicable, schedule SA activities with the Chief – Infrastructure & Capital Projects and the responsible Project Manager. Obtain historical information to identify issues with past projects of similar scope or nature, as appropriate.
- b. If applicable, confer with the CSO and Project Manager to coordinate SA activities as part of the Safety & Security Certification process.
  - i. Discuss SA during Safety & Security Certification Review Committee (SSCRC) meetings.
  - ii. Record identified hazards in project documentation as required by the Safety & Security Certification process, ensuring proper handoff to the project end-user.
  - iii. If applicable, apply the Management of Change process stipulated in the ASP. The CSO is responsible for carrying out this process in coordination with the Project Manager and/or end-user department.

#### **6. Management of Corrective Action Plans (CAPs) (In Coordination with Other Responsible Parties)** – The Safety Department is responsible for monitoring adherence to CAPs and reporting status to the SSO and/or FTA.

- a. The OSSRC is responsible for reviewing actions and documentation relative to CAPs. CAPs are selected for discussion during OSSRC meetings at the discretion of the CSO and COO. Also refer to SOP 004-001.
- b. The CSO may determine that monitoring of the corrective action(s) is/are warranted.

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- i. Monitoring is led by the Safety Department, in coordination with the responsible party identified in the CAP as appropriate.
- ii. Use the verification methods listed in Section 1- Routine Assurance Checks as appropriate.
- iii. Also refer to the CAP section in the ASP and ensure compliance with SSO and FTA requirements related to CAP management.

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## **Drug and Alcohol Free Workplace**

**(SAF1)**

### **POLICY STATEMENT**

The New Orleans Regional Transit Authority (RTA) is dedicated to providing a safe working environment. This is a zero tolerance policy covering the (RTA) transit system and applicable to all New Orleans Regional Transit employees who are incumbents in safety- sensitive positions, to all applicants or employees who may apply for or who may transfer to a safety-sensitive position and to contractors who perform safety-sensitive job functions. This program was initially installed by this RTA October 1, 2020.

Refer to the Phone List for the Drug and Alcohol Program Manager/ Designated Employer Representative for RTA.

In meeting this goal and expectation it is our policy to:

- Ensure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
- Create a workplace free from the adverse effects of drug abuse and alcohol misuse;
- Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances;
- Encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

This Drug and Alcohol Free Workplace Policy strengthens and reaffirms our commitment to the safety of our customers and employees. In addition, it confirms our dedication to maintaining a drug and alcohol free workplace by enforcing a drug and alcohol free workplace policy that is consistent with safety, accountability and high expectations.

### **PURPOSE**

The purpose of this policy is to share RTA's philosophy and procedures for maintaining a drug and alcohol free workplace. It provides a process for conducting screening of job applicants and employees for illegal drugs, improper use of prescription drugs, and alcohol. In addition, it is intended to ensure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed by the misuse of alcohol and use of prohibited drugs. A positive drug screening result is a termination offense. An employee who receives a positive drug screening test result may lead to disciplinary action up to and including termination. A pre-termination hearing will also be provided. **Refer to employee handbook.**



Regional Transit Authority

This policy is also intended to comply with the Regional Transit Authority (RTA) testing authority and all applicable United States Department of Transportation (USDOT) regulations 49 CFR Parts 382, 655, and 40. Part 382 requires employers to test for illegal use of controlled substances and misuse of alcohol for drivers who are required to obtain or maintain a commercial driver's license (CDL). Part 655 requires that transit employees who maintain, operate, or control the movement of transit vehicles be tested for controlled substances and alcohol. Part 40 sets standards for collection and testing of urine and breath specimen. In addition, 49 CFR Part 29 requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the USDOT.

Moreover, in relation to the third party operation of RTA's ferry service, this policy is also intended at providing oversight over the operation's contractual obligations and compliance with the Chemical Testing Program regulations (46 CFR Parts \$ and 16:33 CFR PART 95; and 49; CFR Part 40). As published by the U.S. Coast Guard ('USCG') and the USDOT, and as interpreted by the USCG'S "Marine Employee Drug Testing Guidance".

*This policy ensures that all testing is conducted in a manner that protects the rights of employees and applicants subject to testing.*

RTA takes all necessary steps to safeguard the dignity of those being tested and ensures adherence to all procedures pertaining to the implementation of this policy. RTA adheres strictly to all standards of confidentiality and ensures that testing records and results are released only to those authorized to receive such information.

The Regional Transit Authority contracts the services of a Substance Abuse Professional (SAP) through its Employee Assistance Program (EAP). Employees should ask human resources to speak with a Care Coordinator who will make an assessment and refer the employee to a qualified SAP as mandated by the USDOT, when applicable.

The employee should complete the attached "Employee Notification and Acknowledgement" form upon receipt of a copy of this policy. Employees who are under the age of 18 must provide a parent/guardian signature for participation in RTA's Drug and Alcohol Free Workplace Program as a condition of employment.

Please contact the designated Drug and Alcohol Administrator (DAA) should you have questions about this policy.

All employees, volunteers, interns and candidates seeking employment with the Regional Transit Authority shall comply with the mandates set forth in this drug and alcohol free workplace policy.





*Regional Transit Authority*

**APPLICATION**

This policy applies to Regional Transit Authority employees and candidates for employment. Some job functions within the organization are considered USDOT-covered safety sensitive. Employees serving in designated positions that host covered safety-sensitive functions are also required to meet guidelines set by the USDOT, Federal Transit Administration (FTA), the Federal Motor Carrier Safety Administration (FMCSA), and RTA.

**ADOPTED BY:**

The RTA Board of Commissioners on 02/23/2021, Resolution 21-007

**APPROVED BY:**

A handwritten signature in blue ink, appearing to read "Alex Z. Wiggins".

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Alex Z. Wiggins  
Chief Executive Officer

Effective Date: 2/23/2021  
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Regional Transit Authority

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**Under FTA, a Regional Transit Authority employee is performing a safety-sensitive function if:**

- *Operating a revenue service vehicle, whether or not such vehicle is in revenue service.*
- *Controlling dispatch or movement of a revenue service vehicle.*
- *Maintaining a revenue service vehicle or equipment used in revenue service. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment.*
- *Operating a non-revenue service vehicle when required to be operated by a holder of a CDL.*
- *Carrying a firearm for security purposes.*
- *Supervising, where the supervisor performs any functions listed above.*

**Under FMCSA, an employee is performing a safety-sensitive function if they are:**

- *Driving a commercial motor vehicle which requires the driver to have a CDL.*
- *Inspecting, servicing, or repairing any commercial motor vehicle.*
- *Waiting to be dispatched to operate a commercial motor vehicle.*
- *Performing all other functions in or upon a commercial motor vehicle.*
- *Loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments being loaded or unloaded.*
- *Performing driver requirements associated with an accident.*
- *Repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle.*

In addition to being subject to all other elements of this policy, employees who perform “safety-sensitive functions” for (RTA), as that term is defined in 49 CFR 655.4, are subject to random drug and alcohol testing and other special requirements set forth in this policy. Generally, a safety-sensitive function occurs when an employee is performing, ready to perform, or immediately available to perform such function.

Under the RTA’s direction, an employee is performing a safety-sensitive function if:

- RTA has a compelling need on the basis of safety to ascertain on the job impairment on the part of employees who hold the position.
- Such a compelling need may arise where the duties of a position creates or are accompanied by such a great risk of injury of such magnitude to self, other persons or to property that even a momentary lapse of attention, judgment, or dexterity could have disastrous consequences.



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The Regional Transit Authority has evaluated the actual duties performed by employees in all job classifications and determined which employees perform covered safety-sensitive functions. A list of identified safety-sensitive positions is included in this policy. Any new job classification will be assessed to determine if the new position is to be considered safety sensitive under the RTA or USDOT authority. Regional Transit Authority will review job classifications from a safety-sensitive perspective triennially.

## 1. PROHIBITED SUBSTANCES

*Prohibited substances addressed by this policy include the following:*

### 4.1 ILLEGALLY-USED CONTROLLED SUBSTANCES OR DRUGS

*The use of any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration (DEA) or the U.S. Food and Drug Administration (FDA). Illegal use includes use of any illegal drug, misuse of legally-prescribed drugs not prescribed to the employee, and use of illegally-obtained prescription drugs. Covered employees may be tested for these prohibited drugs anytime they are on duty.*

Under 49 CFR 655.21, all safety-sensitive employees will be tested for prohibited drugs and drug metabolites in the following circumstances: pre-employment, post-accident, reasonable suspicion, random and return-to-duty/follow-up. The following drugs must be tested for in each urine specimen: marijuana; cocaine; amphetamines, including ecstasy; opioids; and phencyclidine. **Illegal consumption of these products is prohibited at all times.**

**Regional Transit Authority employees must be tested for marijuana, cocaine, amphetamines, opiates, and phencyclidine. Regional Transit Authority safety-sensitive employees under the RTA's direction must be tested for cocaine, amphetamines, barbiturates, benzodiazepine, marijuana, opioids, phencyclidine, propoxyphene and methadone.**

### 4.2 LEGAL DRUGS

The appropriate use of legally-prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functions, motor skills, or judgment may be adversely affected **must be reported to supervisory personnel** before performing safety-sensitive



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work-related duties. An employee using over-the-counter drugs that may adversely affect his/her ability to perform safety-sensitive duties is strongly urged to seek and obtain medical advice prior to using.

A legally-prescribed drug means that an employee has an individual prescription or other written approval from a physician for the use of a drug in the course of medical treatment. The misuse or abuse of legal drugs to include drugs prescribed to someone else while performing Regional Transit Authority business is prohibited. For USDOT drug testing, if the Medical Review Officer (MRO) determines that an employee has a legitimate medical reason for the presence of a prohibited drug in their urine specimen, the (MRO) will report the test result as negative to RTA. However, the MRO may also medically disqualify an employee from performing safety-sensitive duties because of medication use. For further information, see 49 CFR 40.135(d).

**The use of medical marijuana or legalized marijuana from another state is considered a violation of this policy.**

#### **4.3 ALCOHOL**

The consumption/use of beverages containing alcohol or alcohol-infused substances including any medication, food, candy, or any other product such that alcohol is present in the body while performing any duty or any RTA business, regardless of safety-sensitive function is prohibited. **Employees who hold Safety-sensitive positions must not consume alcohol eight hours prior to the beginning of their shift, while on call, and while performing safety-sensitive functions.**

## **2. PROHIBITED CONDUCT**

### **5.1 MANUFACTURE, TRAFFICKING, POSSESSION, AND USE**

Pursuant to the **Drug-Free Workplace Act of 1988**, all RTA -covered employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances at all times. An employee who violates this provision will be subject to discipline up to and including termination. A pre-termination hearing will also be provided. Law enforcement will be notified, as appropriate, where criminal activity is suspected.

### **5.2 INTOXICATION**

Any RTA employee covered under this policy who is reasonably suspected of being intoxicated, impaired, or not fit for duty shall be immediately removed from safety-



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sensitive duties pending an investigation and verification of condition. **An employee who violates an illegal drug provision will be disciplined up to and including termination. A pre-termination hearing will also be provided.**

**An employee who violates an alcohol provision may be subject to discipline up to and including termination. In the event termination is recommended, a pre-termination hearing will be provided. Law enforcement will be notified, as appropriate, where criminal activity is suspected.** A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.

### **5.3 ALCOHOL AND DRUG USE**

Under 49 CFR 655.31, covered FTA-designated safety-sensitive employees will be tested for drugs and/or alcohol in the following circumstances: **pre-employment, post-accident, reasonable suspicion, random, and return-to-duty/follow-up.** All safety-sensitive applicants and transfers into safety-sensitive positions will also be pre-employment tested for drugs. In addition, RTA non-safety-sensitive employees subject to a non-USDOT post-accident or reasonable suspicion test will be tested.

No employee shall report for work or remain on duty while having an alcohol concentration of 0.04 or greater. For covered USDOT safety-sensitive employees, a breath alcohol concentration of 0.04 or greater shall be prohibited to perform any safety-sensitive function.

Section 655.31(b) "Each employer shall prohibit a covered employee, while having an alcohol concentration of 0.04 or greater, from performing or continuing to perform a safety-sensitive function."

RTA employees, to include designated USDOT safety-sensitive employees, are prohibited from alcohol consumption while on duty, in uniform, while performing safety-sensitive functions, or just before or just after performing a safety-sensitive function. No covered safety-sensitive employee shall consume alcohol within eight (8) hours of reporting for duty, or during the hours they are on call.

All employees, to include USDOT (FTA and FMCSA) safety-sensitive employees, are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in 49 CFR Part 40, as amended. The employee must acknowledge the use of alcohol and the inability to perform his/her safety sensitive function anytime they are called to duty to perform a safety-sensitive function. Any covered safety-sensitive employee who acknowledges the consumption of alcohol but indicates that they are fit to perform



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their safety-sensitive function must first take an alcohol test showing an alcohol concentration of less than 0.02.

Any RTA employee, to include designated FTA safety-sensitive employees, with a confirmatory breath alcohol test result of 0.02 or greater but less than 0.04 will be relieved from performing safety-sensitive functions for eight (8) hours or until retesting below 0.02, whichever occurs first. The employee will be subject to discipline. A confirmatory breath alcohol test result of 0.04 or greater will be considered a positive alcohol test result and in violation of this policy and the requirements in 49 CFR Part 655 for safety-sensitive employees.

Any RTA employee designated FMCSA safety-sensitive with a confirmatory breath alcohol test result of 0.02 or greater but less than 0.04 will be relieved from performing safety-sensitive functions for at least 24 hours and **subject to disciplinary action**.

#### **5.4 COMPLIANCE WITH TESTING REQUIREMENTS**

All RTA safety-sensitive employees will be subject to urine drug testing as a condition of employment. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty immediately and subject to termination. *Observed collections will be conducted as outlined under Section 6.1 of this policy and in compliance with 49 CFR 40.67.* A medical review officer (MRO)-verified adulterated or substituted drug test result will result in termination and the covered employee shall be provided contact information for a qualified SAP.

All employees and applicants must follow the collection procedures outlined below for specimen identification.

- A. At the collection site and prior to providing a specimen, the applicant/employee must provide a photo identification (such as a valid driver's license, work ID, passport, or other)
- B. Applicant/employee must present to the collection site representative:
  1. An appointment form (Drug Test Authorization Form); and
  2. The chain of custody form. The collection site representative must complete the chain of custody form.
- C. Applicant/employee must initial the seals on the specimen containers after the seals have been applied to the specimen containers.
- D. ***All employees are required to go for a drug/alcohol testing immediately upon notification.*** Any employee, who fails to go to the testing center (except for pre-employment testing) within a reasonable time, as determined by





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*Regional Transit Authority, will be subject to termination. All employees who refuse to go for a drug test will be disciplined up to and including termination. A pre-termination hearing will also be provided. Employees cited for alcohol use are subject to termination pending a pre-termination hearing.*

**The following additional circumstances constitute a test refusal and verified positive by an applicant/employee:**

- Failing to remain at the testing site until the testing process is complete (for pre-employment testing, the testing process does not begin until the donor receives the specimen collection cup for the drug test);
- Failing to provide a urine and/or breath specimen for any USDOT required drug and/or alcohol test (for pre-employment testing, the testing process does not begin until the donor receives the specimen collection cup for the drug test or the mouthpiece is selected for the breath alcohol test);
- Failing to sign the certification at Step 2 of the Alcohol Test Form;
- Failing to allow a directly observed or monitored collection in a drug test, failing to permit the observation or monitoring of the employee provision of a specimen; Failing to follow instructions under direct observation related to raising cloths above waist, lowering clothing and under garments, turning around or related actions;
- Failing to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- Failing to take a second test that RTA or the collector has directed the employee to take;
- Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process of “shy bladder”;
- Failing to cooperate with any part of the testing process (e.g., refusing to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process);
- Possessing or wearing a prosthetic or other device that could be used to interfere with a collection process
- Admitting adulteration/substitution to the collector or MRO and/or a MRO-verified adulterated or substituted drug test result.
- For pre-employment, **NOT** a refusal: Failure to remain at site prior to start of test, aborting collection before test commences.

**Testing Criteria:**

- Drug testing can be performed any time a safety-sensitive employee is on duty.



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- Reasonable suspicion, random and follow-up alcohol testing can only be performed when a safety-sensitive employee is actually performing a safety-sensitive duty, just before, or just after the performance of a safety-sensitive duty.
- Under Regional Transit Authority and USDOT, reasonable suspicion testing can only be performed by authorized officials when articulable behaviors and characteristics are documented and suggest probable drug and/or alcohol use.

## **5.5 VOLUNTARY TREATMENT OPPORTUNITY**

All RTA employees are encouraged to make use of the available resources for treatment for alcohol misuse and illegal drug use problems. Under the RTA's policy, any employee who voluntarily discloses a substance abuse problem before a disciplinary matter develops and/or before notification for a required test, will be subject to return-to-duty and follow-up testing under RTA direction (using non-USDOT testing paperwork). The purpose of the return-to-duty testing is to provide a degree of assurance that the employee is drug and alcohol free, i.e., the employee is able to return to work without undue concern of continued drug abuse or alcohol misuse.

The employee must be referred to the RTA's EAP and evaluated by a Substance Abuse Counselor and pass a return-to-duty test. A return-to-duty test will include both drug and alcohol testing as well as meet other return-to-duty requirements. The employee must have a verified negative drug test result and a breath alcohol test result of less than 0.02 before returning to his/her safety-sensitive functions. Once returned and as a condition of ongoing employment, the employee must follow the recommended frequency and duration of follow-up testing from the EAP/substance abuse counselor.

Any RTA employee who refuses or fails to comply with requirements for treatment, after care, or return-to-duty testing will be subject to termination pending the outcome of a pre-termination hearing. The cost of any treatment or rehabilitation services will be paid for by the employee directly or by their insurance provider. Employees will be allowed to take accumulated sick leave and vacation leave to participate in the prescribed rehabilitation program. Any follow-up testing will be apart and in addition to participation in the random testing program.

## **5.6 NOTIFYING RTA OF CRIMINAL DRUG CONVICTIONS**

Under the Drug Free Workplace Act, all employees are required to notify the RTA of any criminal drug statute conviction, for a violation occurring in the workplace, within five (5) days after such conviction. Failure to comply with this provision may result in termination. The RTA will notify USDOT of any covered employee criminal drug statute conviction within ten (10) days of notification of the conviction.



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## **5.7 PROPER APPLICATION OF THE POLICY**

RTA is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. **Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action up to and including termination of employment.**

## **5.8 CONFIDENTIALITY**

RTA affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process. Laboratory reports or test results shall not appear in an employee's general personnel file. Information of this nature will be contained in a separate confidential file that will be kept under the control of the **DAA**. The reports or test results may only be disclosed without the employee's consent when:

- The information is compelled by law or by judicial or administrative process arising from the results of a drug or alcohol test under CFR 49 Part 655; and/or
- The results have been placed at issue in a formal dispute between the employee and employer.

In all other cases the employee must sign a separate release every time substance testing information is to be disclosed. The employee must sign releases anytime information is to be released to the employee, subsequent employers, and to any other third party designated by the employee.

**All records will be maintained in accordance with 49 CFR Parts 40 and 655.**

## **3. TESTING PROCEDURES**

The RTA contracts with an outside vendor to provide certified U.S. Department of Health and Human Services (DHHS) collection sites and to monitor each site for compliance with USDOT standards. The vendor provides services relative to the Maintenance of a Drug and Alcohol-Free Workplace Policy including the provision of the MRO services. The vendor names the MRO, who shall be a certified medical doctor.

Urine drug testing and breath testing for alcohol may be conducted under the RTA's authorization, using non-Federal forms, or as required by federal regulations.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the DHHS. All testing will be conducted consistent with the procedures in 49 CFR Part 40, as amended. Copies of 49 CFR Part 40 is available for review by employees by



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contacting the DER. An electronic version of 49 CFR Part 40 is also available for download at the Office of Drug and Alcohol Policy and Compliance website (<http://www.USDOT.gov/odapc/part40>).

The collection procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result. USDOT regulations only permit urine testing for the following five (5) drugs: marijuana, cocaine, opiates, amphetamines, and phencyclidine. Urine specimens will be collected using the split specimen collection method as described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a Federal Drug Testing Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. An initial drug screen will be conducted on the primary urine specimen.

For those specimens with non-negative initial drug screen results, confirmatory Gas Chromatography/ Mass Spectrometry (GC/MS) testing will be performed. The test will be considered positive if the amounts present are above the minimum threshold established in 49 CFR 40.87.

All drug testing laboratory results will only be reported to a MRO. A MRO is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test. Before verifying that an employee has a positive test result, the MRO is responsible for contacting any such employee, on a direct and confidential basis, to determine whether the employee wishes to discuss the test or present a legitimate medical explanation for the positive test result.

An employee who has a MRO-verified positive for an illegal drug use will be subject to discipline up to and including termination. An RTA covered USDOT safety-sensitive employee who test positive for alcohol or who refuses a drug or alcohol test will be removed from any safety-sensitive function, placed on administrative leave without pay and recommended for termination. A pre-termination hearing will also be provided and the employee will be referred to a SAP. Additionally, positive test results will be submitted to the Louisiana Office of Motor Vehicles, or appropriate licensing entity of the jurisdiction in which the employee is licensed, in accordance with State and Federal laws. **Additionally, positive test results will be submitted to the Louisiana Office of Motor Vehicles, of appropriate licensing entity of the jurisdiction in which the employee is licensed, in accordance with State and Federal laws.**

The MRO will subsequently review the employee's medical history/medical records and conduct a verification interview to determine whether there is a legitimate medical explanation for a positive, substituted or adulterated laboratory result. If no legitimate medical explanation exists to explain the test result, the test will be verified positive, and/or



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refusal to test because of adulterated or substitution and reported to the designated employer representative (DER).

If the MRO determines that an employee has a legitimate explanation for a positive test result, the MRO will report the test result as negative. The MRO's designee may make the initial contact with the employee to set-up an appointment to speak with the MRO, but only the MRO is permitted to discuss the test result with the employee. If, after reasonable efforts, the MRO or MRO representative and RTA are unable to reach the employee directly, the MRO may render a final determination of positive without review.

An employee terminated based on a confirmed positive/split specimen may appeal his/her termination directly to the Chief Human Resources Officer. The appeal must be in writing and submitted within ten (10) days from the date of termination or the date the employee is aware of the termination. (Note: Since the MRO will have determined a test positive, adulterated, or substituted, the Human Resources Department will not typically be in the position of disputing the findings of the MRO).

Employees terminated based on a finding of obstruction will not be considered for future employment with the RTA prior to two (2) years.

## **6.1 OBSERVED COLLECTIONS**

Consistent with the requirements in 49 CFR 40.67, an immediate urine specimen collection under direct observation (by a person of the same gender) with no advance notice will be conducted if any of the following situations occur:

- The DHHS-certified laboratory reports to the MRO that a specimen is invalid and the MRO reports to RTA that there was no adequate medical explanation for the results;
- The MRO reports to RTA that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
- RTA shall direct an employee to provide a urine specimen under direct observation for USDOT return-to-duty and follow-up drug tests;
- The collector must immediately conduct a collection under direct observation if they are directed by RTA to do so; or
- The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen; or
- The temperature of the original specimen provided was outside the acceptable temperature range of 90-100 degrees; or
- The original specimen appeared to have been tampered with; or
- The MRO directs RTA to conduct a second specimen collection under direct observation because the creatinine concentration of an applicant/employee

initial specimen provided was equal to or greater than 2 mg/dL, but less than or equal to 5mg/dL.

## **6.2 BREATH-ALCOHOL TESTING**

Breath-alcohol testing will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved evidential breath-testing device (EBT) operated by a trained breath-alcohol technician (BAT). All breath-alcohol test results will be reported only by a MRO or BAT. If the initial test indicates a breath-alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test.

A covered safety-sensitive employee who has a confirmatory breath alcohol test result of 0.02 or greater will be immediately removed from safety-sensitive duties until the breath-alcohol concentration measures less than 0.02. Under RTA jurisdiction, a safety-sensitive employee with a confirmatory breath alcohol test result with a concentration of 0.02 or greater, but less than 0.04 may also be suspended for five (5) days without pay, placed on six (6) month probation, and given a mandatory EAP referral.

A confirmatory breath alcohol test result of 0.04 or greater will be considered a positive alcohol test result and a violation of this policy and federal requirements in 49 CFR Part 655 (FTA-covered).

Any safety-sensitive employee with a confirmed positive drug test result, confirmatory breath alcohol test result of 0.04 or greater, or refusal to submit to a drug or alcohol test, will be immediately removed from their safety-sensitive position, placed on administrative leave without pay, recommended for termination, and referred to a SAP for assessment and referral in accordance with 49 CFR Part 40. A pre-termination hearing will also be provided.

*Non-safety-sensitive employees are exempt from USDOT regulations included in this policy but are governed under the RTA's own policy and testing authority.*

## **6.3 EMPLOYEE REQUESTED TESTING**

Any employee, including USDOT (FTA and FMCSA) safety-sensitive employees, who question a positive adulterated or substituted test result of a required drug test identified in this policy may request that the split sample be tested. This test must be conducted at a different DHHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the original sample. If an employee requests split sample testing, the split sample test will occur regardless of up-front payment, but the RTA reserves the right to seek reimbursement



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from the employee unless the result of the split sample testing invalidates the result of the original test.

The employee's request for a split sample test must be made to the MRO within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee. Non-safety-sensitive employees are exempt under USDOT regulations, but the RTA's own policy authority regulates adherence.

#### **6.4 PRE-EMPLOYMENT TESTING**

All applicants to include candidates for USDOT (FTA and FMCSA) safety-sensitive positions or transfers from non-safety sensitive to safety-sensitive positions shall undergo urine drug testing (following procedures set forth in 49 CFR 655.41 and 49 CFR Part 40, Subparts C-I). A negative result must be received by RTA prior to the applicant /employee beginning covered duty. If the pre-employment test is canceled for any reason, it must be retaken until a negative result is received. Under the RTA's own authority, receipt by the RTA of a verified negative drug test is required as part of a pre-employment drug test prior to hire and before performance of a non-safety-sensitive function or safety sensitive function not regulated by USDOT.

A verified positive pre-employment drug test will disqualify an applicant for employment and they will be referred to a SAP. Any safety-sensitive applicant who undergoes a pre-employment test, but is not actually assigned safety-sensitive duties, and is not in the random selection pool, within 90 days from the date of the test, will have to retest with negative test results prior to the applicant's first performance of safety-sensitive duties.

Under RTA's authority, a non-USDOT pre-employment/pre-transfer test will also be performed any time an employee's status changes from an inactive status in a safety-sensitive position to an active status in a safety-sensitive position. All safety-sensitive employees who have not performed a safety-sensitive function for 90 or more consecutive calendar days, regardless of the reason, and have been out of the random testing pool during that time period, must successfully pass a pre-employment drug test prior to performance of any safety-sensitive function.

An applicant who does not pass the drug test as required will not be considered for employment for a two-year (2) period following the date of the test. Additionally, an applicant/employee who has previously failed or refused a USDOT test must show RTA evidence of having completed the referral and treatment/education process set forth by the USDOT at 49 CFR Part 40, Subpart O. USDOT return-to-duty and follow-up testing will then be carried out as discussed in section 6.8 of this policy (return-to-duty and follow-up testing).



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Results of split specimen testing:

- a. Reconfirmed. Reconfirmed positive is reported as such. Reconfirmed substituted or adulterated is reported as a final result "refusal to test," which is treated as a reconfirmed positive.
- b. Failed to reconfirm: Drug(s)/drug metabolite(s) not detected. Both tests canceled.
- c. Failed to reconfirm: Adulteration or Substitution Criteria not met. Both tests canceled.
- d. Failed to reconfirm: Specimen not Available for Testing. Both tests canceled and employee is directed to give another, immediate collection under direct observation, with no notice given to the employee.

Note: Any safety-sensitive employee or non-safety-sensitive candidate/employee that has a confirmed positive pre-employment drug test will not be hired. **A positive drug test will result in a recommendation for termination. A pre-termination hearing will also be provided.**

#### 6.5 Reasonable **Suspicion Testing**

All covered employees shall be subject to a drug and/or alcohol test when RTA has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained Agency official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

#### 6.6 POST-ACCIDENT TESTING

All FTA safety-sensitive employees will be required to undergo urine and breath testing if they are involved in an FTA accident with a public transportation vehicle (regardless of whether or not the vehicle is in revenue service). An accident defined by the FTA is an occurrence associated with the operation of a vehicle, and

- An individual dies (fatality);





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- An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; OR
- Public transportation vehicle involved is a bus, electric bus, van or automobile; one or more vehicles including non-FTA-funded vehicles incurs disabling damage as a result of the accident and the vehicle or vehicles are towed from the scene by a tow truck or other vehicle; OR
- Public transportation vehicle involved is a rail car, trolley car, trolley bus, or vessel, and the Public transportation vehicle is removed from operations.

The FMCSA mandates that drug and alcohol tests must be conducted on any surviving drivers or other employee whose performance could have contributed to the accident if:

- The accident involved a fatality; OR
- The driver receives a citation under State or local law for a moving traffic violation arising from the accident; AND
- Any involved vehicle requires towing from the scene; OR
- Any person involved requires medical treatment away from the scene of the accident.

In addition to the thresholds, listed, under RTA's authority, any employee, to include safety sensitive supervisors and non-safety sensitive employees, involved in a vehicular or non-vehicular incident may be required to take a non-USDOT post-accident drug and alcohol test following an accident/incident. In this case, the accident or incident does not need to meet FTA or FMCSA defined thresholds.

If any one or more thresholds listed above is met, or otherwise if RTA deems appropriate under its authority, employees operating the vehicle at the time of the accident will be tested unless it is determined the employee's performance can be completely discounted as a contributing factor to the accident. Any other safety-sensitive employee whose performance could have contributed to the accident will also be tested. The decision regarding being "completely discounted" will be made by the supervisor on the scene based upon the best information available at the time of the incident.

Non-fatal accidents involving a bus, electric bus, van, or automobile must meet the definition of an accident for these types of vehicles to be considered an accident. For these types of vehicles, "removal from operation" is not a criterion for a post-accident test. Thus, employers that take a vehicle out of service without meeting the other criteria (i.e., disabling damage or bodily injury that requires immediate medical treatment away from the scene) may not conduct a post-accident test under FTA authority. The portion of the definition that addresses "removal from operation" is the portion that deals only with



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vehicles on fixed guideways (i.e., rail car, trolley car, trolley bus) or vessels. The definition for these vehicles does not include disabling damage.

An “occurrence associated with the operation of a vehicle” means that the accident or incident must be directly related to the manner in which the driver applies the brake, accelerates, or steers the vehicle. Operation of a vehicle does not include operation of the lift. An accident could be the result of a collision with another vehicle or pedestrian or could be associated with an incident that occurs on the vehicle without any contact with another vehicle (i.e., a passenger falls on the bus due to the manner in which the vehicle was operated).

Vehicles covered under FTA authority include a bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel that is used for mass transportation or for ancillary services. Ancillary services include non-revenue service commercial motor vehicles and vehicles used by armed security personnel. Thus, accidents involving supervisor or general manager vehicles that are not used to transport passengers do not meet this definition and do not justify an FTA post-accident test.

Following a covered accident, the safety-sensitive employee will be tested as soon as possible. If the alcohol test is not administered within two (2) hours of the accident, the supervisor must prepare and maintain on file a “Post Accident” form stating the reason the test was not promptly administered. If an alcohol test was not administered within eight (8) hours following the accident, all attempts to administer the test must cease and the supervisor must document the reason on the “Post Accident” form.

All employees, to include USDOT (FTA and FMCSA) safety-sensitive employees, must be tested within 32 hours of the accident for drug testing.

Any employee, to include USDOT safety-sensitive employees involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee, to include a designated safety-sensitive employee, who does not remain available for testing or leaves the scene of the accident without a justifiable explanation prior to submission to drug and alcohol testing, will be considered to have refused the test and the employee will be terminated. A pre-termination hearing will also be provided. Employees tested under this provision will include not only the operator, but also any other covered employee whose performance could have contributed to the accident.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a safety-sensitive employee from leaving the scene of an accident for a period necessary to obtain assistance in responding to the accident or to obtain the necessary emergency medical care. However, any employee under the above circumstance who fails to remain readily available for drug or alcohol testing (including notifying a supervisor of his/her location)



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or who otherwise leaves the scene of the accident without appropriate authorization prior to drug and alcohol testing, will be considered to have refused the test.

If RTA is unable to perform a USDOT or non-USDOT drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency,) may use drug and alcohol post-accident test results administered by State and local law enforcement officials (49 CFR Part 40). The State and local law enforcement officials must have independent authority for the test and RTA must obtain the results in conformance with State and local law.

## **6.6 RANDOM TESTING**

The USDOT, FTA regulation (49 CFR 655.45) and RTA require random unannounced testing for drugs and alcohol for all safety-sensitive employees. The selection of safety-sensitive employees for random drug and alcohol testing will be made using a scientifically valid method that ensures each covered employee will have an equal chance of being selected each time selections are made. The random tests will be unannounced, unpredictable and spread throughout the year. Based upon RTA's operations, random testing is conducted on all days and hours during which safety-sensitive functions are performed.

All USDOT (FTA and FMCSA), as well as RTA safety-sensitive employees, can be tested at any time for drugs during an employee's shift (i.e. beginning, middle, and end). Random alcohol testing may only be performed just before, during, or just after the actual performance of safety-sensitive functions. Supervisors are required to proceed and transport employees immediately and directly to the collection site upon notification of their random selection. **The failure to proceed immediately for testing or taking unreasonable time to report for testing may result in disciplinary action, up to and including termination.**

All USDOT-regulated safety-sensitive employees with a MRO-verified positive or non-negative on a drug or alcohol test will be immediately removed from their safety-sensitive position, **placed under administrative leave without pay, and recommended for termination** and referred to a SAP, in accordance with 49 CFR 655.

## **6.7 RETURN TO DUTY AND FOLLOW-UP TESTING**

An employee returning- to- duty after a positive drug and/or alcohol test result or refusal shall be required to undergo and pass a return to duty test. All return-to-duty tests shall be conducted under direct observation. Before allowing an applicant or covered employee who has tested positive for drugs to resume safety sensitive functions, RTA will ensure that the individual has completed a qualified Substance Abuse Professional's treatment/education requirements.

**A return –to- duty breath alcohol test result of 0.02 or greater will be considered the second alcohol violation test within a five-year period. The employee will be recommended for termination. A pre-termination hearing will also be provided.**

An employee who refuses a return-to-duty or follow-up test **will be subject to discipline up to and including termination. A pre-termination hearing will also be provided.** Once an employee who is subject to the return-to-duty requirements above resumes the performance of safety-sensitive functions, RTA will ensure that they are subject to frequent unannounced follow-up drug and/or alcohol testing, as prescribed by the SAP.

Follow-up testing will include at least six (6) follow-up test conducted during the employee’s first twelve (12) months of resumed duty, and may extend for up to a total of 60 months. The type (drug and/or alcohol), frequency and duration of testing will be set at the sole discretion of the SAP. This testing is in addition to any required random, reasonable suspicion, post-accident and pre-employment testing. Any follow-up breath-alcohol test result of 0.02 or greater will result in discipline up and including termination. A pre-termination hearing will also be provided.

For any USDOT (FTA) safety-sensitive employee, a confirmatory breath alcohol test result of 0.04 or greater will be considered a positive alcohol test result and in violation of this policy and the requirements in 49 CFR Part 655 for safety-sensitive employees, which includes a mandatory SAP referrals are not permitted for results for less than 0.02, or for results of 0.02 to less than 0.04. SAP referrals.

**Note:** Reasonable suspicion, random, and follow-up alcohol testing shall be conducted while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

## **6.8 REASONABLE ACCOMODATION TESTING (ADA)**

A covered non-USDOT safety-sensitive employee subject to drug testing under RTA authority may have access to a reasonable accommodation drug test based on a disability under the Americans Disabilities Act (ADA), as amended by the ADA Amendments Acts of 2008 (ADAAA).

The determination of whether someone has a disability requires an individualized assessment. The ADA defines “disability” as:



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1. a physical or mental impairment that substantially limits one or more major life activities (sometimes referred to in the regulations as an “actual disability”); or
2. a record of a physical or mental impairment that substantially limits a major life activity (“record of”); or
3. when a covered entity takes an action prohibited by the ADA because of an actual or perceived impairment that is not both transitory and minor (“regarded as”). “Regarded as” definition of disability only is not entitled to a reasonable accommodation.

An RTA designated safety-sensitive employee requiring a reasonable accommodation may be tested by oral fluid as an alternative. Oral fluid testing is prohibited for USDOT-designated (FTA and FMCSA) safety-sensitive employees. The shy bladder protocol remains applicable to USDOT-designated safety-sensitive employees and those that do not meet the disability standard.

## **7.0 PRESCRIPTION AND OVER-THE-COUNTER MEDICATION**

In the interest of protecting employees and the general public, any RTA employee designated USDOT safety-sensitive must make sure that any prescribed drug or any combination of drugs being taken will not adversely impact their job performance. It is the employee’s responsibility to consult with medical professionals to ensure that the employee’s job duties will not be adversely impacted by prescribed medication. Any employee under the influence of prescribed medication that may impact safety-sensitive duties must notify their immediate supervisor in advance of performing safety-sensitive duties.

It is the responsibility of the safety-sensitive employee, when selecting an over-the-counter medication, to read all warning labels before selecting it for use while in a working status. Medications whose labels indicate they may affect mental functioning; motor skills or judgment should require significant consideration before use.

The advice of a pharmacist, if available at the purchase site, may be helpful in making a selection appropriate to the employee’s job duties. If no alternate medication is available for the condition, employees should seek professional assistance from their pharmacist or physician. Ultimately, the employee may be the best judge of how a substance is impacting him/her. As such, the employee has the responsibility to refrain from using any over-the-counter medication that causes performance-altering side effects, whether or not the label warns of them.

## **7.1 SIDE EFFECTS**

Employees who experience medication side effects or do not feel fit for duty, regardless of medications or previous approvals, must consult their personal physician and immediately refrain from performing hazardous activities, including all safety-sensitive functions. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, etc.) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications, including taken a medicine prescribed to another person, such as a family member. Appropriate disciplinary action up to and including termination will be taken if an employee tests positive for a prescription drug for which the employee does not have a current, valid prescription.

## **7.3 HOW TO REPORT MEDICATION**

To report a medication as an option, the employee's licensed medical practitioner may read and sign the Medication Approval Form. Employees may take a medication approval form with them when they visit their doctor. This form may be returned to the DER prior to resuming safety-sensitive functions.

Employees have the responsibility to explain their job duties to their medical practitioner and ensure that the use of prescribed medication will not pose a safety risk to themselves, co-workers, or the general public. It is recommended that the employee provide the medical professional with a copy of their current job description.

If the employee's use of a prescription or over-the-counter drug endangers the employee, co-workers or the public, or has contributed to an accident, the employee may be subject to discipline, up to and including termination, under RTA policy.

## **7.4 CONFIDENTIALITY OF RECORDS AND VERIFICATION**

Medication approval forms will be kept in a confidential medical file under the control of the DER. If an employee's personal physician and the MRO differ regarding use of a medication, the DER will work with the employee's medical practitioner and the MRO to resolve the disagreement.



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## **8. EMPLOYEE ASSISTANCE PROGRAM**

### **8.1 GENERAL**

RTA's EAP offers help for employees to improve or maintain job performance by assisting with support to resolve personal problems. A component of the program is to help employees who may be experiencing some type of personal problem related to drug and/or alcohol addiction.

## **9. INFORMATION DISCLOSURE**

### **9.1 PRE-EMPLOYMENT**

To be considered for employment, transfer or promotion, all applicants who previously failed a pre-employment drug test are required to give consent to RTA for a background check of their previous USDOT-covered employer(s) over the past two (2) years as defined by 49 CFR 40.25. Information requested will include:

- Alcohol test results of 0.04 or higher alcohol concentration;
- Verified positive drug tests;
- Refusals to be tested (including verified adulterated or substituted drug test results);
- Other violations of USDOT agency drug and alcohol testing regulations;
- Information obtained from previous employers of a drug and alcohol rule violation; and
- With respect to any employee who violated a USDOT drug and alcohol regulation, documentation of the employee's successful completion of USDOT return-to-duty requirements (including follow-up tests, treatment plans)

Hiring manager(s) are responsible for posting and processing employees for safety-sensitive positions must ensure form PDER-9 is completed and part of the new hire packet. Applicants or current employees for USDOT positions must be asked if they failed or refused a USDOT pre-employment test in the previous two (2) years.

### **9.2 RETENTION AND RELEASE**

All drug and alcohol testing records will be maintained in a secure manner so that disclosure of information to unauthorized persons does not occur. Information will only be released in the following circumstances:

- To a third party, only as directed by specific and written instruction of the employee;



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- To the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on the behalf of the employee tested;
- To a subsequent employer upon receipt of a written request from the employee;
- Information obtained from previous employers of a drug and alcohol rule violation;
- To the National Transportation Safety Board (NTSB) during an accident investigation;
- To the USDOT or any USDOT agency with regulatory authority over the employer or any of its employees, or to a State oversight agency authorized to oversee rail fixed-guideway systems;
- To the employee, upon written request;
- Records will be released if requested by a Federal, State or local safety agency with regulatory authority over RTA transportation systems(s).

If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40, necessary legal steps will be taken by RTA to contest the issuance of the order.

Drug testing records shall be kept using the following guide:

**Five Year Records:**

- Records of alcohol test results indicating an alcohol concentration of 0.02 or greater;
- Records of verified positive drug test results;
- Documentation of refusals to take required alcohol and/or drug tests (including substituted or adulterated drug test results);
- SAP reports; and
- All follow-up tests and schedules for follow-up tests.

**Three Year Records:**

- Information obtained from previous employers under §40.25 concerning drug and alcohol test results of employees.

**Two Year Records:**

- Records of the inspection, maintenance, and calibration of EBTs.

**One Year Records:**

- Negative and cancelled drug test results and alcohol test results with a concentration of less than 0.02.



## **10. EMPLOYEE AND SUPERVISOR TRAINING**

### **10.1 GENERAL**

All safety-sensitive employees will undergo a minimum of one (1) hour of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training must also include manifestations and behavioral cues that may indicate prohibited drug use.

### **10.2 SUPERVISORS**

Supervisors will receive an additional 1 hour of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and one hour of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

Information on the signs, symptoms, health effects and consequences of alcohol misuse is present in the appendix section of this policy.

## **11. MINIMUM THRESHOLDS**

The DHHS establishes the minimum threshold levels for each of the five drugs tested for under USDOT testing programs including the FTA. Minimum levels are established for both the initial screening test and for the confirmatory test. A sample of urine provided by the employee/applicant is used to test for the presence of any of the drugs or drug metabolites. Federal government regulations and the USDOT testing guidelines mandate cutoffs for a minimum quantity of drug or alcohol that must be detected in the initial test and also in the confirmation test. When the initial test results reach the minimum cutoff limit, a confirmation test is conducted using the cutoff limits established for the confirmation test.

## **12. DILUTED TESTS**

If a test is issued as positive dilute, the test is treated as a verified positive test. If a negative drug test result is issued as dilute, the employee must take another drug test immediately. This second test is not under direct observation unless there is a reason other than the test was deemed/verified positive dilute and requires direct observation testing.

## **13. DISCIPLINE AND CONSEQUENCES**

- A. An employee who tests for alcohol will receive a mandatory referral to a substance abuse counselor (0.02 to 0.039 result). An employee subject to DOT testing will be referred to a SAP (0.04 result or above).



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- B. For drug and alcohol testing, an employee who refuses (outlined in section 5.4) to submit to a drug or alcohol test when required by this policy will be considered to have *and will be subject to discipline up to and including termination. A pre-termination hearing will also be provided, along with a referral to a SAP.* An employee who is subject to post-accident testing who unnecessarily leaves the scene of an accident before a required test is administered, fails to remain readily available for testing, including notifying the employer of his or her location prior to submission to the test, will be considered to have refused the test and will be considered the same as a positive test result. The employee *will be disciplined up to and including termination. A pre-termination hearing will also be provided, along with a referral to a SAP.*
  
- C. If an employee alleges that, because of medical reasons, he or she is unable to provide a sufficient amount of breath to permit a valid breath test, the BAT shall instruct the employee a second time to attempt to provide an adequate amount of breath. If the employee continues to allege an inability to provide a sufficient amount of breath for the test, RTA shall be notified that the employee has refused to be tested. The employee will be directed to obtain an evaluation within 72 hours from a licensed physician acceptable to RTA to address the employee's medical ability to provide the adequate amount of breath. If there is not a medical reason acceptable to the RTA for the employee's inability to provide the breath, the employee will be considered to have refused to submit to the alcohol test and *will be subject to discipline up to and including terminated.* A pre-termination hearing will also be provided, along with a referral to a SAP.
  
- D. If the employee claims to be unable to provide a urine specimen, the employee shall remain at the designated collection site until the specimen is provided or three hours have passed, whichever occurs first. If the employee is unable to provide such a quantity of urine, the employee will be urged to drink up to 40 ounces of fluids distributed reasonably through a period of up to three (3) hours, or until the individual has provided a sufficient urine specimen, whichever occurs first. If the employee is still unable to provide an adequate specimen after three (3), testing shall be discontinued and DER shall be notified. The employee will be directed to obtain, within five (5) working days, an evaluation from a licensed physician acceptable to the MRO, or from the MRO, if appropriate. If there is not a medical reason acceptable to the MRO for the employee's inability to provide the urine, the employee will be considered to have refused to submit to the drug test and *will be terminated. A pre-termination hearing will also be provided, along with a referral to a SAP. Exception: those non-USDOT-designated RTA employees requiring a reasonable accommodation may attach an oral test.*
  
- E. Employees returning to the workforce following completion of a drug and/or alcohol rehabilitation program, or employees who are subject to the return-to-duty provisions as outlined in the policy, will be required to undergo a return-to-duty test, and will also



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be tested on an unannounced and periodic basis for drugs and/or alcohol up to 60 months following their return to work. Employees will be required to submit to a minimum of six (6) follow-up tests within the first 12 months of resumed duty. Should an employee have a result of 0.02 to less than 0.04 on a follow-up test, there is no DOT violation and thus a SAP referral is not permitted. Any follow-up breath-alcohol test result of 0.02 or greater *will result in the employee being recommended for termination. A pre-termination hearing will be provided. (For more information see 49 CFR.191)*

**APPENDIX #1**  
**POLICY DEFINITIONS**

Accident Means:

***Under RTA Policy:***

A non-vehicular occurrence which results:

- a. In a fatality; OR

A vehicular occurrence, including non-revenue service vehicles and personal vehicles used for RTA business, which results:

- a. In a fatality; OR
- b. Any person involved requires immediate medical treatment away from the scene of the accident; OR
- c. The driver receives a citation from a law enforcement official; OR
- d. One or more motor vehicles incur disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

Under RTA's authority, any employee involved in a vehicular or non-vehicular accident/incident may be required to take a non-USDOT post-accident drug and alcohol test. In this case, the accident or incident does not need to meet FTA or FMCSA defined thresholds.

***Under FMCSA:***

An accident is defined (§382.303) as an occurrence associated with the operation of a vehicle in which:

- a. An individual die; OR
- b. Any person involved requires immediate medical treatment away from the scene of the accident: OR
- c. The driver receives a citation from a law enforcement official; OR



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- d. One or more motor vehicles incur disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

*Under FTA:*

An accident is defined (§655.4) as an occurrence associated with the operation of a vehicle in which:

- a. An individual dies; OR
- b. Any person involved requires immediate medical treatment away from the scene of the accident; OR
- c. One or more motor vehicles incur disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle; OR
- d. The mass transit vehicle involved is a railcar, trolley car, trolley bus (on a fixed guideway or overhead wire), or vessel and is removed from operation; AND
- e. When the Regional Transit Authority cannot completely discount the employee's Conduct as a contributing factor to the accident.

**Alcohol Test** means a test for the presence of alcohol in the body as determined through the use of a breath-alcohol test, evidential Breathalyzer test, saliva test, or blood screening. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

**Canceled Test** with respect to the results of a drug test means a test result that the MRO declares invalid. A canceled test is neither a positive, nor a negative test. A sample that has been rejected for testing by a laboratory is treated the same as a canceled test. If the analysis of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, or if the split specimen is unavailable, inadequate for testing or un-testable, the MRO shall cancel the test and report the cancellation and the reason for it to the USDOT, the employer, and the employee/applicant.

In alcohol testing, a test that is deemed to be invalid is neither a positive nor a negative test.

**Commercial Motor Vehicle** means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:



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- a. Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- b. Has a gross vehicle weight rating of 26,001 or more pounds; or
- c. Is designed to transport 16 or more passengers, including the driver; or
- d. Is of any size and is used in the transportation of materials found to be hazardous as defined by the Hazardous Materials Transportation Act and requires the motor vehicle to be placarded under the Hazardous Materials Regulations.

**Confirmed Illegal Involvement/Activity** means an admission to, or conviction of, being involved or participating in activity that is illegal according to federal, state, and local laws. The involvement/activity includes, but is not limited to, possessing, selling, buying, making, dispensing, distributing, or using illicit drugs.

**Confirmation Test for Alcohol** means a second test, following a screening test with a result of 0.02 or greater which provides quantitative data of alcohol concentration.

**Confirmation Test for Controlled Substances** means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for the five (5) Substance Abuse and Mental Health Services Administration (SAMHSA) drugs.

**Conviction** means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.

**Criminal Drug Statute** means a criminal statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.

**Direct Observation** means observations that are performed by a collection site employee

**Drug** means a controlled substance as listed in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812), or NC GS 90-87(5), or a metabolite thereof.

**Medical Review Officer (MRO)** is a licensed physician or Doctor of Osteopathy with specific training in the area of substance abuse. The MRO not only has knowledge of substance abuse disorders, but also has been trained to interpret and evaluate laboratory test results in conjunction with an employee's medical history. A MRO verifies a positive drug test result by reviewing a laboratory report and an employee's unique medical history to determine whether the result was caused by the use of prohibited drugs or by an employee's medical condition.



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**Negative, with respect to the results of a drug test**, means a test result that does not show presence of drugs at a level specified to be a positive test.

**Negative, with respect to the results of an alcohol test**, means a test result which indicates a breath alcohol concentration of less than 0.02.

**Obstruction** means conduct that obstructs the testing process that includes providing a urine specimen that has been adulterated, substituted, and/or any other action that results in a urine specimen that cannot be properly tested for illicit drugs.

**On Call** means being subject to a call to immediately report to work for RTA.

**On Duty** means when an employee is at his or her workplace, when an employee is performing job duties, when an employee is on call, and during any other period of time for which an employee is entitled to receive pay from RTA.

**Other Substance** means any substance that has the potential to impair appreciably the mental or physical function of a person who does not have an unusual or extraordinary reaction to such substance.

**Pass an Alcohol Test** is a negative alcohol test. The test showed no evidence or insufficient evidence of a prohibited level of alcohol.

**Pass a Drug Test** means that the result of a drug test is negative. The test either:

- Showed no evidence or insufficient evidence of a prohibited drug or drug metabolite; or
- Showed evidence of a prohibited drug or drug metabolite but there was a legitimate medical explanation for the result as determined by a certified MRO.

**Positive, with respect to the results of a drug test**, means a laboratory finding of the presence of a drug or a drug metabolite in the urine or blood (if applicable) of an employee at the levels identified by SAMHSA, or for drugs not subject to SAMHSA guidelines, at the levels identified by RTA; all "positive" tests will be confirmed using a different technology than the first test, such as the gas chromatography mass spectrometry (GC/MS) process.

**Positive**, with respect to the results of an alcohol test, means the presence of alcohol in an employee's system at the 0.04 level or greater.

**Pre-placement Testing** is testing conducted on an applicant prior to his being hired. It is also conducted on a current RTA employee prior to his being promoted, transferred or demoted into a safety-sensitive position as defined by USDOT guidelines or City policy guidelines.

**Qualified Negative**, with respect to the results of a drug test, means a test in which the lab result is consistent with legal drug use.

**Random Testing** is conducted on an employee assigned to RTA “safety sensitive” position, chosen by a method that provides an equal probability that any employee from a group of employees will be selected. RTA administers random testing unannounced, spread reasonably throughout the year, on all days and during hours of operation.

**Reasonable Suspicion** Section 655.43(b) states "An employer's determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee."

A supervisor, who has received the required training in detecting the signs and symptoms of probable drug and/or alcohol use, can substantiate specific current articulable observations concerning appearance, behavior, speech, or body odor or other physical indicators of probable drug or alcohol use. Bad behavior or performance issues by themselves do not constitute reasonable suspicion. Being moody, having a bad attitude, or fighting, for example, does not constitute reasonable suspicion alone. Only when these actions happen in concert with a supervisor’s observations of facts are they attributable to drug use or alcohol misuse and relevant to a reasonable suspicion determination.

By way of example, but not limited to any one or a combination of the following may constitute reasonable suspicion:

- Slurred speech
- The odor of marijuana or alcohol about the person
- Inability to walk a straight line
- Behavior which is so unusual that it warrants summoning a supervisor or anyone else in authority; (i.e., confusion, disorientation, lack of coordination, marked personality changes, irrational behavior, physical or verbal altercations)
- Possession of drugs
- Verifiable information obtained from other employees based on their observations
- Arrests, citations and deferred prosecutions associated with drugs or alcohol

**An employee subject to the post-accident testing requirements of the USDOT who unnecessarily leaves the scene of an accident before a required test is administered or fails to remain readily available for testing may be deemed to have refused to submit to testing.**

**Safety-Sensitive Position** means:





### ***Under RTA, Authority***

### ***Under FMCSA***

An employee is performing a safety-sensitive function if they are:

- Driving a commercial motor vehicle which requires the driver to have a commercial driver's license (CDL)
- Inspecting, servicing, or repairing any commercial motor vehicle
- Waiting to be dispatched to operate a commercial motor vehicle
- Performing all other functions in or upon a commercial motor vehicle
- Loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments being loaded or unloaded
- Performing driver requirements associated with an accident
- Repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle

### ***Under FTA an employee is performing a safety sensitive function if he/she is:***

- a. Operating a revenue service vehicle, such as a para transit van or/bus, including when not in revenue service
- b. Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License (CDL)
- c. Controlling dispatch or movement of equipment used in revenue service
- d. Maintaining a revenue service vehicle or equipment used in revenue service
- e. Carrying a firearm for security reasons

**Note:** Determination as to which positions are safety-sensitive will be based on USDOT guidelines and approval by the Human Resources Department.

**Supervisor**, in general, means any employee who has the authority to direct the job activities of one or more employees. With respect to a particular employee, the term means such employee's immediate supervisor and all persons having indirect supervisory authority over such employee.

### **Substance Abuse Counselor**

**Substance Abuse Professional (SAP)** means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee



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assistance professional, licensed marriage and family counselor, addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission), with knowledge of, and clinical experience in, the diagnosis and treatment of both drug and alcohol-related disorders.

RTA contracts its SAPs through its EAP. **The contact number is listed in the RTA phone log. Employees should ask to speak with a Care Coordinator who will make an assessment and refer the employee to a qualified SAP as mandated by the USDOT.**

**Unannounced Follow-up Testing** is testing conducted on an employee on a periodic, unannounced basis, following his or her return to work from an approved drug or alcohol rehabilitation program.

**Workplace** means the location or facility where an employee may be expected to perform any task related to the requirements of his job. This includes break rooms and restrooms, outdoor worksites, RTA or personal vehicles (while personal vehicle is being used for RTA business), computer work stations, conference rooms, hallways, private offices, open/partitioned work areas, public contact/customer service/medical services areas, and parking lots with the exception of "storage only" in vehicles which are not used for RTA business.



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## **APPENDIX #2:**

### **DRUG AND ALCOHOL AND FACT SHEET**

#### **ALCOHOL**

Alcohol is a socially-acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

#### **SIGNS AND SYMPTOMS OF USE**

- Dulled mental processes
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy or stupor-like condition
- Slowed reaction time
- Slurred speech

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

#### **HEALTH EFFECTS**

The chronic consumption of alcohol (average of three (3) servings per day of beer [12 ounces/serving], whiskey [1 ounce/serving] or wine [6 ounces/serving]) over time may result in the following health hazards:

- Decreased sexual function
- Dependency (up to 10 percent of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed "alcoholic")
- Fatal liver disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Ulcers
- Birth defects (up to 54 percent of all birth defects are alcohol related)

#### **SOCIAL ISSUES**

- Two-thirds of all homicides are committed by people who drink prior to the crime.
- Two to three percent of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends.
- Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes.



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- The rate of separation and divorce in families with alcohol dependency problems is seven (7) times the average.
- Forty percent of family court cases are alcohol problem related.
- Alcoholics are 15 times more likely to commit suicide than are other segments of the population.
- More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related.

#### **WORKPLACE ISSUES**

- It takes one (1) hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- Impairment in coordination and judgment can be objectively measured with as little as two (2) drinks in the body.
- A person who is legally intoxicated is six (6) times more likely to have an accident than a sober person.

#### **AMPHETAMINES**

Amphetamines are central nervous system stimulants that speed up the mind and body. The physical sense of energy at lower doses and the mental exhilaration at higher doses are the reasons for their abuse. Although widely prescribed at one time for weight reduction and mood elevation, the legal use of amphetamines is now limited to a very narrow range of medical conditions. Most amphetamines that are abused are illegally manufactured in foreign countries and smuggled into the U.S. or clandestinely manufactured in crude laboratories.

#### **DESCRIPTION**

- Methamphetamine is often sold as a creamy white and granular powder or in lumps and is packaged in aluminum foil wraps or sealable plastic bags. Methamphetamine may be taken orally, injected, or snorted into the nose.
- Trade/street names include Biphphetamine, Delcobese, Desotyn, Detedrine, Chetrol, Ritalin, Speed, Meth, Crank, Crystal, Monster, Black Beauties, and Rits.
- Amphetamine is sold in counterfeit capsules or as white, flat, doubled-scored "minibennies." It is usually taken by mouth.

#### **SIGNS AND SYMPTOMS OF USE**

- Hyper excitability, restlessness
- Dilated pupils
- Increased heart rate and blood pressure
- Heart palpitations and irregular beats
- Profuse sweating
- Rapid respiration



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- Confusion
- Panic
- Talkativeness
- Inability to concentrate
- Heightened aggressive behavior

#### **HEALTH EFFECTS**

- Regular use produces strong psychological dependence and increasing tolerance to drug.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to spiking of blood pressure.
- Chronic use may cause heart and brain damage due to severe constriction of capillary blood vessels.
- The euphoric stimulation increases impulsive and risk-taking behaviors, including bizarre and violent acts.

#### **WORKPLACE ISSUES**

Since amphetamines alleviate the sensation of fatigue, they may be abused to increase alertness because of unusual demands or failure to get rest. Low-dose amphetamine use will cause a short-term improvement in mental and physical functioning. With greater use or increasing fatigue, the effect reverses and has an impairing effect. Hangover effect is characterized by physical fatigue and depression, which may make operation of equipment or vehicles dangerous.

#### **CANNABINOIDS (MARIJUANA)**

Marijuana is one of the most misunderstood and underestimated drugs of abuse. People use marijuana for the mildly tranquilizing and mood/perception altering affects it produces.

#### **DESCRIPTION**

Usually sold in plastic and sandwich bags, leaf marijuana will range in color from green to light tan. The leaves are usually dry and broken into small pieces. The seeds are oval with one slightly pointed end. Less prevalent, hashish is a compressed, sometimes tar like substance ranging in color from pale yellow to black. It may also be sold in an oily liquid. Marijuana has a distinctly pungent aroma resembling a combination of sweet alfalfa and incense. Cigarette papers, roach clip holders, and small pipes made of bone, brass, or glass are commonly found and associated with marijuana use. Smoking "bongs" (large bore pipes for inhaling large volume of smoke) can easily be made from soft drink cans and toilet paper rolls. Trade/street names include Marinol, THC, Pot, Grass, Joint, Reefer, Acapulco Gold, Sinsemilla, Thai Sticks, Hash, and Hash Oil.

#### **SIGN AND SYMPTOMS OF USE**



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- Chronic fatigue and lack of motivation
- Irritating cough, chronic sore throat
- Reddened eyes (often masked by eye drops)
- Slowed speech
- Distinctive odor on clothing
- Lackadaisical "I don't care" attitude

#### HEALTH EFFECTS

- When marijuana is smoked, it is irritating to the lungs. Chronic smoking causes emphysema-like conditions.
- One joint causes the heart to race and be overworked. People with undiagnosed heart conditions are at risk.
- Marijuana is commonly contaminated with the fungus *Aspergillus*, which can cause serious respiratory tract and sinus infections.
- Marijuana smoking lowers the body's immune system response, making users more susceptible to infection. The U.S. government is actively researching a possible connection between marijuana smoking and the activation of AIDS in positive immunodeficiency virus (HIV) carriers.

#### **PREGNANCY PROBLEMS AND BIRTH DEFECTS**

The active chemical, tetrahydrocannabinol (THC), and 60 other related chemicals in marijuana concentrate in the ovaries and testes. Chronic smoking of marijuana in males causes a decrease in the sex hormone, testosterone, and an increase in estrogen, the female sex hormone. The result is a decrease in sperm count, which can lead to temporary sterility. Occasionally, the onset of female sex characteristics including breast development occurs in heavy users. Chronic smoking of marijuana in females causes a decrease in fertility and an increase in testosterone. Pregnant women who are chronic marijuana smokers have a higher than normal incidence of stillborn births, early termination of pregnancy, and a higher infant mortality rate during the first few days of life. In test animals, THC causes birth defects, including malformations of the brain, spinal cord, forelimbs, and liver, and water on the brain and spine. Offspring of test animals who were exposed to marijuana have fewer chromosomes than normal, causing gross birth defects or death of the fetus. Pediatricians and surgeons are concluding that the use of marijuana by either or both parents, especially during pregnancy, leads to specific birth defects in infant's feet and hands. One of the most common effects of prenatal cannabinoid exposure is underweight newborn babies. Fetal exposure may decrease visual functioning and causes other ophthalmic problems.

#### MENTAL FUNCTION

Regular use can cause the following effects:



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- Delayed decision-making
- Diminished concentration
- Impaired short-term memory, interfering with learning
- Impaired signals detection (ability to detect a brief flash of light), a risk for users who are operating machinery
- Impaired tracking (the ability to follow a moving object with the eyes) and visual distance measurements
- Erratic cognitive function
- Distortions in time estimation
- Long-term negative effects on mental function as "acute brain syndromes," which is characterized by disorders in memory, cognitive function, sleep patterns, and physical conditions.

### **ACUTE EFFECTS**

- Aggressive urges
- Anxiety
- Confusion
- Fearfulness
- Hallucinations
- Heavy sedation
- Immobility
- Mental dependency
- Panic
- Paranoid reaction
- Unpleasant distortions in body image

### **WORKPLACE ISSUES**

The active chemical, THC, stores in body fat and slowly releases over time. Marijuana smoking has a long-term effect on performance. A 500 to 800 percent increase in THC concentration in the past several years makes smoking three to five joints a week today equivalent to 15 to 40 joints a week in 1978. Combining alcohol or other depressant drugs with marijuana can produce a multiplied effect, increasing the impairing effect of both the depressant and marijuana.

### **HEMP PRODUCTS**

#### **HEMP WARNING**

Food products containing hemp may have sufficient THC to cause impairment and produce positive marijuana drug test results. The Hemp plant, from which marijuana is derived, also produce edible seeds which can be legally imported into the United States after they are "sterilized," a process which is intended to render the seed incapable of



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being sprouted and to remove “all traces of THC.” Virtually all hemp food packaging is labeled that it “CONTAINS NO THC”.

This is apparently inaccurate. One major manufacturer advertises that they have the lowest levels of THC at only 33 parts per million. Others say residual THC in their products is under 50 parts per million and claim competitive products may contain as much as 1,300 parts per million.

Because of the concern for workplace safety, which could be jeopardized by THC from any source, employees are encouraged to refrain from using hemp-containing food products until the effectiveness of seed sterilization in removing THC can be documented through independent testing.

Job applicants or employees testing positive for marijuana, claiming use of hemp-containing food products will be considered positive. **All employees verified with positive drug-test results will be recommended for discipline up to and including termination, pending a pre-termination hearing.**

## **COCAINE**

Cocaine is used medically as a local anesthetic. It is abused as a powerful physical and mental stimulant. The entire central nervous system is energized. Muscles are tenser, the heart beats faster and stronger, and the body burns more energy. The brain experiences exhilaration caused by a large release of neuro-hormones associated with mood elevation.

## DESCRIPTION

The source of cocaine is the coca bush, grown almost exclusively in the mountainous region of northern South America. Cocaine Hydrochloride "snorting coke," is a white to creamy granular or lumpy powder that is chopped into a fine powder before use. It is snorted into the nose, rubbed on the gums, or injected in veins. The effect is felt within minutes and lasts 40 to 50 minutes per "line" (about 60 to 90 milligrams). Common paraphernalia include a single-edged razor blade and a small mirror or piece of smooth metal, a half straw or metal tube, and a small screw cap vial or folded paper packet containing the cocaine. Cocaine Base is a small crystalline rock about the size of a small pebble. It boils at a low temperature, is not soluble in water, and is up to 90 percent pure. It is heated in a glass pipe and the vapor is inhaled. The effect is felt within seven (7) seconds. Common paraphernalia includes a "crack pipe" (a small glass smoking device for vaporizing the crack crystal) and a lighter, alcohol lamp or small butane torch for heating. Trade/street names include Coke, Rock, Crack, Free Base, Flake, Snow, Smoke, and Blow.

## SIGNS AND SYMPTOMS OF USE

- Financial problems
- Frequent and extended absences from meetings or work assignment





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- Unusual defensiveness, anxiety, agitation
- Wide mood swings
- Runny or irritated nose
- Increased physical activity and fatigue
- Isolation and withdrawal from friends and normal activities
- Secretive behaviors, frequent non-business visitors, delivered packages, phone calls
- Difficulty in concentration
- Dilated pupils and visual impairment
- Restlessness
- Formication (sensation of bugs crawling on skin)
- High-blood pressure, heart palpitations, and irregular heart rhythm
- Hallucinations
- Hyper excitability and overreaction to stimulus
- Insomnia
- Paranoia and hallucinations
- Profuse sweating and dry mouth
- Talkativeness

## **HEALTH EFFECTS**

Research suggests that regular cocaine use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing irreparable damage to critical nerve cells. The onset of system illness, such as Parkinson's disease, could also occur. Cocaine use causes the heart to beat faster and harder and rapidly increases blood pressure. In addition, cocaine causes spasms of blood vessels in the brain and heart. Both effects lead to ruptured vessels causing strokes or heart attacks.

Strong psychological dependency can occur with one "hit" of crack. Usually, mental dependency occurs within days when using crack or within several months when snorting cocaine. Cocaine causes the strongest mental dependency of any known drug. Treatment success rates for cocaine are lower than for other chemical dependencies. Cocaine is extremely dangerous when taken with depressant drugs. Death due to overdose is rapid. The fatal effects of an overdose are not usually reversible by medical intervention. The number of cocaine overdose deaths has tripled since 1996. Cocaine overdose is one of the most common drug emergencies.

## **WORKPLACE ISSUES**

- Extreme mood and energy swings create instability. Sudden noises can cause a violent reaction.
- Lapses in attention and ignoring warning signals greatly increase the potential for accidents.
- The high cost of cocaine frequently leads to workplace theft and/or dealing.



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- Paranoia onset and withdrawal create unpredictable and sometimes violent behavior.
- Work performance is characterized by forgetfulness, absenteeism, tardiness, and missed assignments

## **OPIATES (NARCOTICS)**

Opiates (also called narcotics) are drugs that alleviate pain, depress body functions and reactions, and cause a strong euphoric feeling when taken in large doses.

### **DESCRIPTION**

Varieties of opiates include natural and natural derivatives - opium, morphine, codeine, and heroin as well as synthetics, such as Meperidine (Demerol), Oxymorphone (Numorphan), and Oxycodone (Percodan). Opiates may be taken in pill form, smoked, or injected, depending upon the type of narcotic used. Trade/street names include Smack, Horse, Emma, Big D, Dollies, Juice, Syrup, and China White.

### **SIGNS AND SYMPTOMS OF USE**

- Mood changes
- Impaired mental functioning and alertness
- Constricted pupils
- Depression and apathy
- Impaired coordination
- Physical fatigue and drowsiness
- Nausea, vomiting, and constipation
- Impaired respiration

### **HEALTH EFFECTS**

Intravenous (IV) needle users have a high risk for contracting hepatitis and AIDS due to the sharing of needles. Narcotics increase pain tolerance. As a result, people could more severely injure themselves or fail to seek medical attention after an accident due to the lack of pain sensitivity. Narcotics' effects are multiplied when used in combination with other depressant drugs and alcohol, causing increased risk for an overdose.

### **SOCIAL ISSUES**

There are over 500,000 heroin users in the U.S., most of whom are IV needle users. An even greater number of medical narcotic-dependent persons obtain their narcotics through prescriptions. Because of tolerance, there is an ever-increasing need for more of the narcotic to produce the same effect resulting in strong mental and physical dependency.



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The combination of tolerance and dependency and the resulting need to acquire greater quantities of the drug creates an increasing financial burden for the users. Costs for heroin can reach hundreds of dollars a day.

### **WORKPLACE ISSUES**

Narcotics have a legitimate medical use in alleviating pain. Unwanted side effects such as nausea, vomiting, dizziness, mental clouding, and drowsiness place the legitimate user and abuser at higher risk for an accident. Workplace use may cause impairment of physical and mental functions.

### **PHENCYCLIDINE (PCP)**

Phencyclidine (PCP) was originally developed as an anesthetic, but the adverse side effects prevented its use except as a large animal tranquilizer. Phencyclidine acts as both a depressant and a hallucinogen, and sometimes as a stimulant. It is abused primarily for its variety of mood-altering effects. Low doses produce sedation and euphoric mood changes. The mood can change rapidly from sedation to excitation and agitation. Larger doses may produce a coma-like condition with muscle rigidity and a blank stare with the eyelids half closed. Sudden noises or physical shocks may cause a "freak out" in which the person has abnormal strength, extremely violent behavior, and an inability to speak or comprehend communication.

### **DESCRIPTION**

PCP is sold as a creamy, granular powder and is often packaged in one-inch square aluminum foil or folded paper "packets." It may be mixed with marijuana or tobacco and smoked. It is sometimes combined with procaine, a local anesthetic, and sold as imitation cocaine. Trade/street names include Angel Dust, Dust, and Hog.

### **SIGN AND SYMPTOMS OF USE**

- Impaired coordination
- Severe confusion and agitation
- Extreme mood shifts
- Muscle rigidity
- Nystagmus (jerky eye movements)
- Dilated pupils
- Profuse sweating
- Rapid heartbeat increase
- Dizziness

### **HEALTH EFFECTS**

The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body. Other depressant drugs, including alcohol, increase the effects of PCP and could increase the likelihood of an



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overdose reaction. Misdiagnosing the hallucinations as LCD induced and treating with Thorazine can cause a fatal reaction. Use can cause irreversible memory loss, personality changes, and thought disorders. There are four (4) phases of PCP abuse.

- The first phase is acute toxicity. It can last up to three days and can include combativeness, catatonia, convulsions, and coma. Distortions of size, shape and perception are common.
- The second phase, which does not always follow the first, is a toxic psychosis. Users may experience visual and auditory delusions, paranoia, and agitation.
- The third phase is a drug-induced schizophrenia that may last a month or longer.
- The fourth phase is PCP-induced depression. Suicidal tendencies and mental dysfunction can last for months.

#### WORKPLACE ISSUES

PCP abuse is less common today than in recent years. It is also not generally used in a workplace setting because of the severe disorientation that occurs. However, use in the workplace can expose the user and others to extreme safety hazards.



**APPENDIX #3**  
**Regional Transit Authority**  
**Designated Safety Sensitive Positions Covered under USDOT**  
**Federal Transit Administration (FTA) Regulations**

This safety-sensitive list is inclusive but not limited to the positions noted. Testing is conducted using FTA Regulations.

Maintenance Manager	Supervisor Maintenance of Way
Assistant Manager Maintenance	Supervisor Traction Power
Supervisor Bus Maintenance	Supervisor SIS
Mechanic	Railway Worker
Apprentice Tech	Metal Worker
Mechanic Supervisor	Switch Repair Technician
Hostler	Traction Power Technician
Lead Hostler	Apprentice Traction Power
Supervisor Hostler	Manager of Operations Rail
Supervisor Body Repair	Transit Supervisor
Body Repair Technician	Streetcar Operator
Manager of Maintenance Rail Shop	Manager of Operations Bus
Supervisor Shop	Bus Operator
Lead Technician	Paratransit Operator
Rail Maintenance Technician	Dispatch Supervisor
Electrician	Dispatcher
Carpenter	Manager of Operations Control
Rail Shop Supervisor	Supervisor of Operations Control
Manager of Rail Maintenance MOW	Operations/Maintenance Training Instructor



**APPENDIX #4**  
**Regional Transit Authority Designated Safety Sensitive**  
**Non-USDOT Positions**

Safety Specialist  
Director Occupational Safety & Health  
Director Operations Safety  
Manager of Physical Security  
Senior Security Coordinator  
Manager of Operations Training  
Inventory Control Clerks (depends on job description)  
Manager of Inventory Control (depends on job description)  
MOW Grounds Keeper  
Custodian  
Manager of Operations Support  
Lead Depot Clerk  
Depot Clerk  
Chief Marine Officer  
Director of Marine Operations



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## **FLOWCHART**

N/A

## **6.0 REFERENCES**

- APPENDIX #1, APPENDIX #2 APPENDIX #3, APPENDIX #4, USDOT (FTA and FMCSA)
- Drug – Free Workplace Act of 1988, Drug and Alcohol Fact Sheet
- Designated Safety Sensitive Position covered by USDOT,
- Designated Safety Sensitive Position non-covered by USDOT

## **7.0 ATTACHMENTS**

N/A

## **8.0 PROCEDURE HISTORY**

12/15/2020 Interim Board approval granted  
12/11/2020 Interim Executive Committee approval granted  
2/4/2021 Final Executive Committee approval granted  
2/23/2021 Final Board approval granted

## **9.0 SPONSOR DEPARTMENT**

Safety



## **Distracted Driving**

**(SAF2)**

### **POLICY STATEMENT**

At the New Orleans Regional Transit Authority (RTA), we deeply value the safety and wellbeing of all employees and are committed to ensuring a safe working environment. With the proliferation of electronic device and in-vehicle infotainment system use while driving, coupled with the myths surrounding a person's ability to multitask, we enforce the following distracted driving policy.

Hands-free is not risk free. The science is crystal clear on this fact and numerous studies have demonstrated that the use of handheld and hands-free devices while driving pose a significant safety risk to motorists, their passengers and others on the road.

### **PURPOSE**

To assist employees in making responsible decisions when driving company vehicles, we have established these guidelines.

### **APPLICATION**

This policy applies to all RTA employees and to all situations involving operation of company vehicles. If a conflict occurs between this policy and a collective bargaining agreement (CBA), the CBA will prevail.

### **ADOPTED BY:**

The RTA Board of Commissioners on 02/23/2021, Resolution 21-007

### **APPROVED BY:**

A handwritten signature in blue ink, appearing to read "Alex Z. Wiggins", is written over a horizontal line.

Alex Z. Wiggins  
Chief Executive Officer

Effective Date: 2/23/2021  
Date of Last Review: 2/23/2021





*Regional Transit Authority*

## **1.0 GENERAL**

These guidelines apply to any situation involving operation of a company vehicle while on company time, including during meal or rest periods. “Bluetooth” or other hands-free devices constitute as mobile devices, and are strictly prohibited.

When seated at the wheel of any company vehicle, the RTA employees shall:

- Turn on the “Do Not Disturb” feature on smartphones and other mobile devices. If the feature is not available, turn off or silence mobile devices to prevent distraction. Bus, streetcar, and paratransit operators are required to have mobile devices turned off while operating. Mobile devices may be turned on at the end of the line to check messages, provided all other guidelines are met.
- Pull over to a safe place out of traffic lanes and put the vehicle in “Park” if a call or text must be made.
- Inform associates and business partners of this company policy to explain why calls, texts or emails may not be returned immediately.
- Program any global positioning system (GPS), music device, or dashboard/voice infotainment system prior to departing. If adjustments are needed while driving, pull over to a safe place out of traffic lanes and put the vehicle in “Park” to make the appropriate adjustment.

The only exceptions to the above guidelines are as follows:

Paratransit and other On-Demand Transportation Service Operators:

- Company-provided mobile devices may not be used for any purpose other than for work-related purposes while seated at the wheel of any vehicle, regardless of whether the vehicle is powered on or off, and then only to the minimum extent necessary.
- As much as practical, company-provided mobile devices may only be used when the vehicle is not in motion.
- Whenever the use of a mobile device presents a hazard, use of the device is not permitted.

Managers, Operations Supervisors, and Transit Police:

- Company-provided mobile devices may not be used for any purpose other than for work-related purposes, and then only to the minimum extent necessary.
- As much as practical, company-provided mobile devices may only be used when the vehicle is not in motion.
- Whenever the use of a mobile device presents a hazard, use of the device is not permitted.



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- Managers or Operations Supervisors are prohibited from the use of a mobile device when operating a revenue service vehicle at any time, in or out of revenue service.

Electronic distractions are only one type of distraction. Drivers should also refrain from eating, drinking, reading and other activities that may divert attention away from the task of driving.

RTA is committed to keeping our workers safe and holding our employees to the highest standard of safety. This is so important that violations of this policy may result in disciplinary action, up to and including termination.

## **2.0 PROCEDURES**

N/A

## **3.0 DEFINITION OF TERMS**

N/A

## **4.0 RESPONSIBILITIES**

N/A

## **5.0 FLOWCHART**

N/A

## **6.0 REFERENCES**

N/A

## **7.0 ATTACHMENTS**

N/A

## **8.0 PROCEDURE HISTORY**

12/15/2020 Interim Board approval granted  
12/11/2020 Interim Executive Committee approval granted  
2/4/2021 Final Executive Committee approval granted  
2/23/2021 Final Board approval granted

## **9.0 SPONSOR DEPARTMENT**

Safety



## **Safety Management**

**(SAF3)**

### **POLICY STATEMENT**

The New Orleans Regional Transit Authority (RTA) was organized with the mission to provide safe, secure, reliable, and effective rail, bus, paratransit, and ferry transportation services to patrons and citizens of the City of New Orleans, Orleans and Jefferson Parishes, and the City of Kenner. Accordingly, safety is a principal concern that impinges on all levels of RTA activities including operations, maintenance, and administrative functions.

### **PURPOSE**

To establish and maintain RTA procedures for safe, secure, reliable, and effective rail, bus, paratransit, and ferry transportation services.

### **APPLICATION**

All employees and contractors of RTA are required to perform their jobs safely in efforts to mitigate any damaging effects, such as patron or staff injuries, RTA equipment or property loss/damage, or abjection to system safety in any RTA function. RTA employees, contractors, and patrons are vital assets that enable the transit system's success and due to this, their safety is among RTA's top priorities.

This policy applies to all RTA employees. If a conflict occurs between this policy and a Collective Bargaining Agreement (CBA), the CBA will prevail.

### **ADOPTED BY:**

The RTA Board of Commissioners on 02/23/2021, Resolution 21-007

### **APPROVED BY:**

A handwritten signature in blue ink, appearing to read "Alex Z. Wiggins", is written over a horizontal line.

Alex Z. Wiggins  
Chief Executive Officer

Effective Date: 2/23/2021  
Date of Last Review: 2/23/2021

## **1.0 PROCEDURES**

The management of safety is a core business function at RTA. It is important for all employees and contractors to understand the significance of safety as it relates to all job functions from all levels of the organization. Identifying and addressing unsafe conditions or risk to the lowest level practicable and the prevention of staff-involved accidents throughout the public transit system is not the sole responsibility of employees and contractors. These responsibilities are also an obligation of RTA's management beginning with the CEO.

### **1.1 A Safe Reporting Program**

RTA will established a safe reporting program as a feasible tool for staff to express their safety concerns or report hazards. No disciplinary action will be taken against any employee who conveys a safety concern through RTA's safety reporting program. The only exception to this is when a revelation denotes the following: an illegal act, gross misconduct and/or negligence, or a deliberate or willful disregard of RTA's rules, policies, and procedures.

Combining RTA's safety management philosophy and approach with the Federal Transportation Authority (FTA) and the National Public Transportation Safety Program (Safety Management System or SMS) approach, enables the agency to build and maintain a robust safety culture and SMS. Additional details on how the approach is applied to day-to-day safety management at RTA can be found in the Agency Safety Plan (ASP).

RTA will foster programs to encourage the safety of all staff, contractors, and patrons. We are fully committed to providing a safe work environment, safe vehicles, systems, and facilities. To that end, RTA's Chief Safety Officer (CSO) is authorized to administer an all-inclusive, integrated Agency Safety Plan.

### **1.2 RTA's Safety Objectives**

To show RTA's commitment to safety; this plan will be communicated to all staff and will be supported by the following objectives:

1. Support the management of safety through the provision of appropriate resources in order to reduce unacceptable and undesirable safety risk.
2. Achieve an organizational culture that fosters safe practices, encourages effective employee safety reporting and communication, and actively and consistently manage safely risk;
3. Integrate the management of safety among the current responsibilities of all departments/ areas and employees;



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4. Clearly define accountabilities and responsibilities of the organization's safety performance and the performance of SMS to all Staff.
5. Establish and implement effective hazard identification, analysis and mitigation source for safety information, in order to eliminate or mitigate the safety risks or the consequences of hazards to an acceptable level;
6. Ensure that no action will be taken against any employee who discloses a safety incident beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures;
7. Comply with, and wherever possible exceed, legislative and regulatory requirements and standards
8. Ensure that skilled and trained human resources are available to implement safety management processes
9. Ensure that all staff are provided with adequate and appropriate safety-related information and training.
10. Ensure that staff are provided the necessary support from management to effectively manage safety in all areas/functions
11. Establish and measure our safety performance against realistic, achievable and data-driven safety performance indicators and safety performance targets
12. Continually improve safety performance through safety assurance processes that ensure the effectiveness of current safety management action; and
13. Ensure externally supplied systems and services to support our operations are delivered, meeting all requirements of this as soon as possible.

This policy will be visibly communicated through the CEO's direct efforts, that of the executive team, and through all RTA training, programs and procedures.

## **2.0 DEFINITION OF TERMS**

N/A

## **3.0 RESPONSIBILITIES**

N/A

## **4.0 FLOWCHART**

N/A

## **5.0 REFERENCES**

Employee Code of Conduct

## **6.0 ATTACHMENTS**

N/A

## **7.0 PROCEDURE HISTORY**

7/15/2020 This document is the original issue of the RTA Agency Safety Plan

12/15/2020 Interim Board approval granted



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12/11/2020 Interim Executive Committee approval granted  
2/4/2021 Final Executive Committee approval granted  
2/23/2021 Final Board approval granted

## **8.0 SPONSOR DEPARTMENT**

Safety



## General Accident and Injury

(SAF4)

### POLICY STATEMENT

The New Orleans Regional Transit Authority (RTA) conducts prompt, accurate and thorough investigations of all accidents, incidents, illnesses, and identified hazards.

### PURPOSE

The goal of this policy is to promote safety and prevent reoccurrences of accidents and incidents that can cause injury or illness. Accidents and incidents, collectively referred to as safety events, are thoroughly investigated to determine the cause or causes of the event, as well as the contributing factors that led to the event. Investigations are conducted in accordance with departmental Standard Operating Procedures (SOPs) and RTA's Agency Safety Plan. Investigations of workplace injuries, illnesses, and other occurrences not otherwise classified as safety events, are conducted at the discretion of the Chief Safety Officer (CSO).

### APPLICATION

This policy applies to all RTA employees and Board members. If a conflict occurs between the policy and a collective bargaining agreement, the collective bargaining agreement will prevail.

### ADOPTED BY:

The RTA Board of Commissioners on 02/23/2021, Resolution 21-007

### APPROVED BY:

A handwritten signature in blue ink, appearing to read "Alex Z. Wiggins", is written over a horizontal line.

Alex Z. Wiggins  
Chief Executive Officer

Effective Date: 2/23/2021  
Date of Last Review: 2/23/2021

## 1.0 PROCEDURES

Upon notification of a work-related injury or illness, the appropriate supervisor or manager will arrange for first aid or medical services, as necessary, and promptly conduct a thorough investigation into the safety event that led to the injury or illness, in accordance with departmental SOPs. The supervisor or manager will determine if the injury or illness is work-related in accordance with U.S. Department of Labor guidelines, in coordination with the CSO or designee.

Supervisors or managers must report work-related injuries to the CSO immediately, and in all cases no later than 24 hours after the incident occurs and ensure that the appropriate State Worker's Compensation Report is received. Supervisors/managers will comply with state claims reporting and filing procedures. Management will be involved with discipline for all injuries determined to have been preventable by the Safety Department, as determined by department SOPs.

## 2.0 DEFINITION OF TERMS

**Accident** - when any part of a vehicle other than the bottom surface of the tires come in contact with anything other than the top surface of the roadway resulting in death, bodily injury, property damage, or physical damage or impact, regardless of the nature, extent, or dollar amount of injury or damage.

**Preventable collision** - a motor vehicle collision, regardless of department or vehicle type, in which the employee did not do everything reasonable to avoid a collision, committed an error, or failed to react to the errors of others. Note: Accidents not cited by law enforcement authorities may still be determined preventable based on RTA safety standards herein.

**Non-preventable collision** - a motor vehicle collision, regardless of department or vehicle type, in which the employee committed no driving error and reacted reasonably to the errors of others.

**Preventable passenger injury** - a passenger injury in which the operator failed to do everything reasonable to prevent the injury including committing an error or failing to react to the errors of others. Passenger injuries are preventable when they are caused by faulty operation of the vehicle or its safety features (e.g., wheelchair tie downs). Emergency action by the operator to avoid a collision that results in a passenger injury should be checked to determine if proper driving prior to the emergency would have eliminated the need for the evasive maneuver.





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**Work-related injury or illness** - is defined as a personal injury or illness sustained by an employee through his/her role as an employee. The injury or illness must arise out of the employee's job duties or out of a relationship with his/her work.

**Preventable employee injury** - when the employee failed to do everything possible to prevent the injury.

### **3.0 RESPONSIBILITIES**

Employees are required to report any injury or accident, regardless of severity, immediately after its occurrence.

Employees that do not report an accident, as defined herein, immediately, will be subject to disciplinary action up to and including termination.

Employees are subject to their individual department's SOPs related to: accident preventability, investigation of causal and contributing factors, and mandatory post-accident training as necessary.

Department Heads are responsible to ensure completion of all Occupational Safety and Health Administration (OSHA) logs and reports as related to any injuries or illnesses in their respective department(s), in consultation with the Chief Safety Officer.

Disciplinary schedules may be established in each department in regard to preventable accidents. Employees should refer to their department's manuals or SOPs.

### **4.0 FLOWCHART**

N/A

### **5.0 REFERENCES**

- Drug and Alcohol Free Workplace Policy (SAF1)
- Distracted Driving Policy (SAF2)
- Safety Management Policy (SAF3)

### **6.0 ATTACHMENTS**

N/A

### **7.0 PROCEDURE HISTORY**

12/15/2020 Interim Board approval granted  
12/11/2020 Interim Executive Committee approval granted  
2/4/2021 Final Executive Committee approval granted  
2/23/2021 Final Board approval granted

### **8.0 SPONSOR DEPARTMENT**

General Accident and Injury (SAF4)



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Safety



## Safety Committee Structure

(SAF5)

### POLICY STATEMENT

The New Orleans Regional Transit Authority (RTA) is committed to developing, implementing, maintaining, and continuously improving processes to ensure that all transit service-delivery activities take place under a balanced allocation of organizational resources, aimed at achieving the highest level of safety performance and meeting established standards.

### PURPOSE

This policy establishes roles, responsibilities, and procedures for the inter-departmental safety committee framework at RTA, consisting of two main types: executive-level and departmental committees.

### APPLICATION

The safety committee framework is designed to engage all employees and contractors in the agency's Safety Management System (SMS), under the direction of the Safety Department and as outlined in this policy. If a conflict occurs between this policy and a Collective Bargaining Agreement (CBA), the CBA will prevail.

APPROVED:

\_\_\_\_\_  
ADOPTED: Board Chair

\_\_\_\_\_  
Chief Executive Officer

Effective Date: \_\_\_\_\_

Date of Last Review: \_\_\_\_\_



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## **1.0 GENERAL**

The agency-wide safety committee framework is comprised of executive-level and department-driven activities. The executive leadership team and designated senior leadership participate in the Executive Safety and Security Committee (ESSC) (formerly the Operations Safety & Security Review Committee). Departmental Safety Committees (DSCs) are administered locally, facilitated by Safety Department staff, and report to the ESSC.

This policy also addresses other safety and security committees that may meet on an as-needed basis and are managed by individual departments.

Each safety committee plays a critical role in ensuring all aspects of RTA's Agency Safety Plan are fully implemented and the SMS performs as designed. Safety committees support the Safety Department and executive leadership in implementing measures to reduce injuries, promote and maintain safe working environments, and build a strong safety culture.

### **1.1 Executive Safety and Security Committee (ESSC) – Executive-level Committee**

The ESSC is responsible for taking a proactive position in implementing SMS and identifying and mitigating hazards to ensure the highest practical degree of safety for RTA customers and employees.

The ESSC operates under the authority of the Accountable Executive, the RTA Chief Executive Officer (CEO). As Chair of the ESSC, the Chief Safety Officer (CSO) bears the primary responsibility for coordinating and leading the committee's actions in accordance with the Agency Safety Plan. The Deputy CEO Chief Operating Officer supports the CSO in the capacity of Co-Chair.

#### **1.1.1 Membership**

ESSC voting members include:

- Chief Safety Officer (chair)
- Deputy CEO Chief Operating Officer (co-chair)
- Deputy CEO Administration
- Deputy CEO Planning & Infrastructure
- Chief of Staff
- Chief Security Officer
- Chief Marine Officer
- Chief Human Resources Officer
- Chief Financial Officer
- Director of Operations Bus & Rail
- Director of Mobility Services & Alternative Modes



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- Director of Rail Maintenance
- Director of Bus & Rail Communications
- Senior Director of Operations
- Director of Customer Service
- Director of Occupational Safety & Health
- Director of Physical Security/Emergency Management
- Transit Police Commander
- Risk Management Analyst
- Louisiana Department of Transportation and Development (LADOTD) State Safety Oversight (SSO) Program Manager

In addition to the voting committee membership, other RTA staff and contractors are welcome to attend meetings as non-voting participants. A section of the agenda is reserved for matters brought forward by non-voting participants.

#### 1.1.2 Meeting Frequency

The committee meets monthly. The Chair and Co-Chair will determine an appropriate schedule and will coordinate with each member to ensure full participation.

#### 1.1.3 Duties and Responsibilities

The committee functions as the executive-level, cross-departmental unit empowered to lead RTA in its safety risk management efforts.

At the direction of the Chair and Co-Chair, the ESSC:

- Reviews accidents and incidents that involve fatalities or serious injuries, as well as other events, near-misses, and reported hazards;
- Ensures the safety risk management process is functioning as described in the Agency Safety Plan;
- Reviews and collaborates on: hazard identification and analysis, risk assessment, Corrective Action Plans (CAPs), and risk mitigations; and
- Reviews results/findings from audits, inspections, reviews, and Safety Assurance activities.

In addition to the duties listed above, the Chair and Co-Chair may task the committee (or a smaller, focused sub-committee) with one or more SMS processes, including but not limited to: collection/review of department hazard tracking log(s); data analysis; review of safety and security procedures and training; review and revision of the Agency Safety Plan and other high-level safety and security policy documents; establishment of goals and objectives for safety and security; and review of system changes that may result in new hazards or increased levels of risk (“management of change”).



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ESSC members advise their respective direct reports or other staff and coordinate with one another, as needed.

The ESSC assesses system-wide safety and security issues and verifies that safety and security are considered and incorporated in any new programs that span multiple areas, such as shared procedures, training programs, facilities, and designs (as required by the Agency Safety Plan).

**1.1.3.1 Chair and Co-Chair Responsibilities**

The Chair shall ensure that an agenda is prepared and distributed at least 48 hours in advance of the ESSC meetings.

The Chair shall ensure that approval and review of any supporting documentation, if needed, is distributed in sufficient time prior to the meeting, but not less than 48 hours in advance.

The Chair may establish sub-committees or working groups focused on specific tasks, as necessary.

The Chair shall call on voting committee members to vote on key agenda items as necessary.

The Chair shall ensure that meeting minutes are distributed to all ESSC member in a timely manner. Approval of minutes shall be recorded in subsequent meetings.

The Chair shall ensure that updates related to safety risk mitigations or other actions in response to hazards that were either identified by or elevated to the ESSC, are promptly disseminated to all staff and contractors, in accordance with the Agency Safety Plan. If the hazard was elevated to the ESSC's attention by a DSC, the update will be provided directly to the DSC, in close coordination with the DSC Chair.

**1.1.3.2 Member Responsibilities**

Committee members are required to act in good faith to ensure the safety and security of the system by full participation in the committee.

Committee members should ensure they are prepared for all meetings. Preparation for said meetings should include:

- Reading and understanding all requirements and provisions of the SMS;
- Implementing the SMS by guidance and example in a visible manner; and
- Being accountable to the CEO for their implementation of the SMS in their respective area(s).



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Committee members may not delegate their responsibilities to any other person; however, they may vote by proxy if unable to attend with the consent of the Chair. The Chair should be notified as soon as practicable in the event a proxy is required. Members shall ensure that key personnel under their supervision whose expertise is required to address agenda items attend the ESSC meeting.

Members who serve as DSC Chairs shall provide a brief status report for their respective DSC during monthly ESSC meetings, detailing: hazards/concerns discussed at previous meetings, hazards that require ESSC review (per the Agency Safety Plan), action items, and updates to any other safety- or security- critical activities or programs that were not otherwise addressed in the meeting.

### **1.2 Departmental Safety Committees (DSCs)**

Development and ongoing administration of departmental safety committees will be the onus of the department heads and/or Chiefs. To qualify as a DSC, the committee must be chaired by a member of the ESSC.

#### **1.2.4 Membership**

Department managers or directors determine the appropriate standing membership for DSCs, as appropriate.

In addition to standing membership, departments should invite the participation of other staff, union representatives, and contractors in their respective area(s). Safety Department staff may join a DSC meeting to provide information or resources or to seek information from department staff, as necessary.

#### **1.2.5 Meeting Frequency**

DSC meetings should be convened on an appropriate frequency based on local/department needs and the safety criticality of agenda items to be discussed, but not less than quarterly.

#### **1.2.6 Duties and Responsibilities**

The senior leadership for the department shall identify an ESSC member who will serve as Chair of the DSC. Typically, this will be a director or chief that is listed in Section 1.1.1 of this policy.

The DSC Chair is responsible for setting and distributing meeting agendas, keeping minutes, leading meetings, and providing copies of all meeting materials to senior leadership (as applicable) and to the Safety Department for their records. Agendas should be distributed to employees and contractors at least seven (7) days in advance of each meeting.

Employees and contractors are encouraged to report any safety issue or hazard to their respective DSC Chair or ESSC representative.



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All hazards that are discussed in DSC meetings shall be added to the department's hazard log (as applicable) and routed to the Safety Department in a timely manner, consistent with SMS procedures.

If any agenda item or hazard to be discussed in the DSC meets any reporting thresholds dictated by the LADOTD's Program Standard and Procedures and/or RTA's Agency Safety Plan, the CSO will be responsible for notifying LADOTD as early as practicable.

The technical support of the Safety Department is available if DSCs need support with: facilitating meetings, analyzing hazards and risks, tracking action items, or collaborating with other departments as necessary.

## **2.0 Other Safety Committees**

Other safety- and security-focused committees are convened on an as-needed basis, in accordance with departmental policies, procedures, and/or in response to specific projects, programs, or initiatives.

To the extent practical, designated Chairs and Co-Chairs of official RTA safety and security committees are expected to invite, collaborate with, and report critical agenda items to the CSO or his/her designee.

### **2.1 Safety and Security Certification Review Committee (SSCRC)**

Implementation of RTA's Safety and Security Certification (SSC) Program requires a cross-departmental committee—the Safety and Security Certification Review Committee (SSCRC)—focused on the safety and security certification of major capital projects and other projects deemed by RTA management to require a thorough safety review.

## **4.0 FLOWCHART**

N/A

## **5.0 REFERENCES**

- Safety and Security Certification Program Plan (SSCPP)
- Agency Safety Plan

## **6.0 ATTACHMENTS**

N/A

## **7.0 PROCEDURE HISTORY**

Supersedes SOP 004-001 – Safety Committee Structure

## **8.0 SPONSOR DEPARTMENT**

Safety



