



**ITEM ID:** 2023-325-0

**TRANSMITTAL DATE:** October 6, 2023

**MEETING DATE:** October 13, 2023

**TO:** Contracts, Operations, Maintenance, and Safety Committee

**FROM:** Frank Castellon, Chief System Safety, Security and Compliance Officer

**SUBJECT:** System Safety and Compliance - CY23 Quarterly Update Q2

### **Issue**

Staff is providing a quarterly update on the Authority's safety and compliance status and activities, including strike data, reportable injuries, rule violations, compliance audits, regulatory inspections, and public outreach. This update covers the 2nd quarter of Calendar Year (CY) 2023.

### **Recommendation**

Receive and file.

### **Strategic Commitment**

This report aligns with the Strategic Business Plan commitment of:

- **Safety is Foundational:** We will stay on the leading edge by deploying new technologies and processes to enhance the safety and security of our riders, fellow employees, and the communities we serve. The Authority's System Safety, Security, and Compliance Department identifies and works to mitigate existing and potential hazards in the system through oversight, compliance audits, training, public outreach, and statistical data analysis.

### **Background**

The Authority's mission is to provide safe, efficient, dependable, and on-time transportation

service for the southern California region. The System Safety, Security, and Compliance (SSSC) Department works to optimize the agency's safety and promote a positive safety culture in the workplace through education, engineering, and enforcement, as well as auditing and inspecting for safety and regulatory compliance. Using a data-informed approach, the department utilizes leading and lagging data indicators coupled with management experience, research, and professional expertise to understand current trends and make decisions about the use of Agency resources in areas of focus.

Additionally, the SSSC Department tracks and evaluates inspections conducted by the Federal Railroad Administration (FRA) and other regulatory agencies. These inspections apply the general and permanent rules published in the Code of Federal Regulations (CFR), Transportation (Title 49 CFR Part 200-299) to oversee agency compliance and assess penalties for violations against freight and commuter railroad agencies. The FRA conducts inspections and audits agencies' records to monitor and enforce railroad safety regulations specified in Title 49 CFR. The Authority places paramount importance on safety and regulation compliance.

## **Discussion**

### **Systemwide Strikes**

In Quarter 2 (Q2) of CY2023, there were 20 total strikes systemwide, a decrease of 37% compared to Q2 of CY2022 when there were 32 strikes systemwide. The yearly trend from Q3 CY22 through Q2 CY23 has plateaued.

In response to the increase in strikes and trespasser reports in CY 2022, staff continued the directed law enforcement efforts through LASD, resulting in a rise in targeted enforcement in areas that, according to data trends, correlated to higher trespasser activity and strikes. This approach has resulted in a sustained reduction of trespasser strike occurrences. In addition, staff has used data trends resulting in targeted right-of-way law enforcement patrols, outreach to homeless shelters in targeted areas, and engineering strategies that deterred trespassing along the right-of-way. Directed law enforcement actions contributed to the decrease in strikes in Q2 of this year when compared to Q2 of last year.

The Authority has taken significant steps to address the issues of trespassers and homeless encampments in historically problematic areas of our rights-of-way. These efforts are a collaboration between our Metrolink Sheriff's Bureau, maintenance of way contractors, and social service outreach agencies that assist individuals in need of help or support. A Trespasser Prevention Task Force made up of SSSC department staff was established in January to address the areas on our system that have historically been more prevalent to strikes and trespassers. The task force takes an organized approach to strike mitigation by performing a site-risk assessment to identify the elements that may contribute to trespassing in a given area of focus. Risk assessments are used to communicate to law enforcement the increased likelihood of conditions that make sustained encampments possible. The results of the risk analysis are then quantified with a risk ranking of each area that assists us in creating a strategic mitigation plan that makes the most of the available resources.

The SSSC Department outreach continues to address strikes on our system that fall under the category of suicides and deliberate acts. Staff has developed and deployed suicide prevention training for frontline employees, contractors and law enforcement to learn how to spot the

warning signs of a person that may be in crisis and contemplating ending their life. In Q2, 14 suicide prevention courses were provided by department staff with a total of 155 employees trained. As part of our suicide prevention plan which includes training employees and contractors on suicide prevention and awareness, suicide helpline signs on the right of way and messaging on electronic message boards at stations, we are implementing a plan to add “Stay Connected. There is hope. 988-Suicide & Crisis Lifeline” signs at all stations systemwide. We currently have 48 signs along SCRRA rights-of-way and are in the process of getting another 130 signs located at all Metrolink stations across the system. Placement of the signs at each station is determined based on station configuration to fit uniformly with existing signage while maintaining visibility and effect of messaging.

SCRRA commissioned a research study in June on railroad trespassing and its causes and means to prevent it. This was done through grant funding from the Department of Transportation (Caltrans). The research is being done to support other efforts to improve public safety. SCRRA will work with the University of California, San Diego, and Kansas State University as the subject matter experts in mental health conditions contributing to suicide. SCRRA will coordinate and collaborate with the researchers to complete the study on railroad trespassing to help identify the key characteristics of the people likely to commit suicide on the railway.

In Q2, Public Safety outreach coordinated assessment efforts with governmental and non-governmental groups to aid in raising awareness of focus areas near the Santa Ana River Floodway and Van Nuys Pedestrian Bridge to reduce trespasser strikes and promote community engagement.

### **Conductor Assaults**

During Q2 there were no assaults on conductors compared to Q2 of the previous year when there were 4 assaults. To deter unruly passengers and prevent assaults on train conductors, SCRRA staff collaborated with LASD, Allied Universal, and Amtrak to increase law enforcement and security presence in areas where data analysis suggested unruly passengers were more likely to be present.

In April 2023, the Federal Transit Administration (FTA) required commuter rail reporters, including SCRRA, to start reporting non-physical assaults on transit workers as outlined in the 2023 National Transit Database (NTD) Safety and Security Reporting Policy Manual. In CY2022 SCRRA was already reporting unruly passengers (non-physical assaults on transit workers) and will use this metric to report these non-physical assaults.

### **Rule Violations and Reportable Injuries**

Q2 of CY2023 saw six rules violations which is an increase in rule violations compared to the same time period in CY2022 where none were recorded. Three violations were related to work performed on or related to SCRRA capital construction projects. Root Cause Analysis investigations found the following violation contributing factors:

- Loss/lack of situational awareness
- Communications breakdowns
- Improper Job Briefings
- Training deficiencies

During the second quarter, there were eight FRA reportable employee injuries, which is an increase of 300% compared with the two FRA reportable injuries in Q2 of CY2022. Of these reported injuries, three were attributed to Amtrak, three to Alstom, one to Herzog, and one to DRS Contracting (Herzog Subcontractor). While none of the reportable injuries have been catastrophic, management remains committed to working closely with our contractors and contract managers to mitigate future occurrences.

The investigation of suspected rule violations and reportable employee injuries is a critical part of our operations in our proactive efforts to preventing future incidents. As such, a comprehensive Root Cause Analysis is conducted with the departments responsible for contractor oversight and the contractor/employee involved. Throughout this process, the SSSC Department collaborates with management to identify any contributing factors that may have led to such incidents and work together to recommend measures aimed at preventing and mitigating future occurrences. Once the investigation is complete, corrective actions are promptly implemented with a requirement of written confirmation from the contractor of adherence to the Authority within 30 days. This practice not only promotes a safe work environment but also helps to ensure that our agency complies with established regulatory and rulebook guidelines.

Compliance staff endeavor to reduce injuries and rule violations by conducting systemwide safety inspections, investigating and conducting Root Cause meetings, attending contractor safety committee meetings, reviewing incident trends, following up on corrective actions taken by SCRRA staff and contractors, and conducting audits for regulatory compliance on SCRRA departments and Operations contractors. During Q2 CY2023, Compliance was staffed with two of four Compliance Officer positions, and has undergone the hiring and training process to fill those vacant positions. The compliance team conducted 42 Safety Inspections, held 19 root cause meetings, and led 10 Code of Federal Regulations (CFR) 270 audits for regulatory compliance.

The SSSC Department proactively addresses workplace injuries and rule violations by conducting a quarterly Workplace Safety Campaign week aimed at enhancing employees' safety awareness and reinforcing the importance of maintaining a secure work environment. The Q2 campaign took place from May 1st to May 5th and featured the following key safety messages:

- Empowered Workplace
- Clear communication
- Practical Drift

Throughout the week, 1632 contacts were made through 204 face-to-face and virtual meetings with employees and contractors.

### **Regulatory Inspections**

Q2 of CY2023 saw a slight decrease in regulatory inspections of the Authority by the FRA and CPUC compared to the 12 inspections conducted in Q2 of CY2022. There was an 8% decrease with a total of 11 inspections. The number of defects assigned by the inspectors decreased by 75% as one defect was identified in Q2 of CY2023 compared to four in the same period in CY2022. Defects (as opposed to violations) are items noted by the inspector that require corrective action but do not result in fines. The Q2 regulatory inspections of the

Authority resulted in zero reported violations for Q2.

## **Training**

The System Safety Department continued its commitment to promoting a culture of safety awareness throughout our organization and beyond by providing training for employees, contractors, and external stakeholders, including law enforcement and fire agencies. In Q2 of CY2023, department staff conducted multiple training courses aimed at raising awareness of potential workplace and emergency response hazards and providing participants with the necessary tools to avoid them.

Overall, the department conducted 97 classes attended by 946 participants. This number represents the combined attendance of employees, contractors, and external stakeholders. The complete list of Q2 CY2023 courses is provided below:

- Active Shooter Preparedness
- General Code of Operating Rules (GCOR), Beginning and Intermediate
- Suicide Awareness, Prevention, and Crisis Intervention
- Hazardous Materials Emergency Response
- Railroad Introduction
- Train Dispatcher Manual
- Workplace Safety Campaign Overview
- Metrolink System Safety Program Plan (SSPP)
- Incident Response Plan (IRP)
- Incident Response Training
- IndustrySafe-Vector Training
- Passenger Train Emergency Preparedness (PTEPP)/ PTEPP Train Ride
- Ventura County Fire Department Equipment Familiarization

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Approved by: Frank Castellon, Chief System Safety, Security, and Compliance Officer

## **Attachment(s)**

[Attachment A - 988 Suicide and Crisis Lifeline Signs Presentation - System Safety and Compliance Quarterly Update Q2 CY2023](#)