



## **MAXIMIZING TRACK ACCESS OPPORTUNITIES IN ELEVATED TRACK MAINTENANCE**

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### **OVERVIEW**

In November 2008, WABC-TV Channel 7 Eyewitness News (ABC 7 Eyewitness News) reported the results of its investigation into certain work practices by New York City Transit (NYC Transit) employees in Manhattan and the Bronx. The report spotlighted several employees conducting personal business reportedly on company time.

Following this broadcast, the Office of the MTA Inspector General (OIG) initiated an investigation to determine the extent to which employees used work time to conduct personal business. However, our investigation raised a more fundamental concern: track workers are often unable to access the tracks to conduct critical maintenance work during a significant portion of their regular eight-hour work schedule. That issue is the focus of this review.

NYC Transit runs the only subway system in the world that operates every hour of every day throughout the year. Clearly, this operational framework creates significant challenges for scheduling needed track repairs. Nevertheless, these challenges must be met in ways that are appropriate, cost-effective, efficient and fair to employees and beneficial to the riders.

#### **The Problem**

The Track Maintenance Day Division is responsible for maintaining the above ground (elevated) tracks in the Bronx, Brooklyn, Manhattan and Queens. The elevated tracks are maintained by two groups (T-1 and T-3) divided by area.<sup>1</sup>

Both T-1 and T-3 track workers are scheduled to work an 8:00 a.m. to 4:00 p.m. shift primarily on weekdays, with at least one of their two regular days off (RDO's) on a Saturday or Sunday. However, for safety reasons, and to avoid creating rush hour delays, NYC Transit keeps these workers off the tracks during weekdays until approximately 10:30 a.m., and requires that they leave the tracks by 2:30 p.m.

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<sup>1</sup> Given the similarities of the groups, reasons of efficiency, and because it was the focus of the ABC 7 Eyewitness News report, our review focused on T-1.

As a result, on any given weekday, these track workers normally can work no more than one-half of their 8-hour shifts on the tracks. Of course, the time that workers are unable to access the tracks has a cost. Indeed, just for track workers employed by T-1, we estimate that the time off the tracks costs NYC Transit about \$3.7 million annually in salaries and benefits. Significantly, T-3 employs nearly twice as many workers as T-1. Therefore, if T-3 were included in our estimate we project that the total cost in salaries and benefits to NYC Transit for time off the tracks would exceed \$10 million.

Since workers generally have unrestricted access to the tracks on weekends, they can accomplish more track work at that time. It seems clear then, given the potential benefits in productivity and cost savings, that NYC Transit should concentrate more of the elevated track maintenance workforce on weekends. Thus far, however, NYC Transit has not employed that strategy. And in any event, whether or not more workers are added as we suggest, NYC Transit must work through certain issues to get the full benefit of unrestricted track access on weekends.

For starters, many track workers, like the rest of us, prefer to have their weekends free. It is not surprising, therefore, that our study of the average number of T-1 employees assigned to track work by day of the week revealed that workforce levels were highest on Tuesday, Wednesday and Thursday and lowest – by more than half – on Saturday and Sunday. While it is certainly not in the agency’s interest to have workforce levels sink to their lowest point when work opportunities are at their highest, NYC Transit has not avoided that result.

For example, as we have already seen, workers employed by T-1 are scheduled to take at least one RDO on weekends. Further, Track Maintenance policy permits employees to take up to 10 vacation days, and other types of Discretionary Leave, such as personal days, in single days, subject to 48-hour notice and supervisory approval. Meanwhile, Track Division’s policy, if strictly enforced, would severely limit and in certain circumstances totally prohibit workers in a given title and location from taking leave. In any event, we learned that T-1 does not strictly enforce its policy. Predictably, workers employed by T-1 opted to take a higher percentage of single day vacations and other similar forms of leave on Saturdays and Sundays than during weekdays.

But the problem extends beyond the skewed assignment of track workers to inefficiencies in obtaining track access.

As noted, given the absence of rush hour considerations, track access is generally unrestricted on Saturday and Sunday. Therefore, we analyzed five weekend workdays in June and December 2008, to determine how quickly workers got on the tracks. We found that on all five of these days the process for clearing workers to enter the tracks for the start of work took between 50 minutes and two hours to complete. This inefficiency unnecessarily reduced the amount of productive time that workers spent on the tracks. The delays are due to recurring communications and coordination problems involving maintenance and operations personnel.

Additionally, on both work days in December, the trucks that brought equipment, tools and materials to the work site were not coordinated with the time that workers were scheduled to

work on the tracks. On one of the days, the work trucks arrived 90 minutes after track workers were scheduled to begin work; on the other day the work trucks arrived more than two hours after.

### Summary of Recommendations

In essence, we recommend that NYC Transit and its Track Maintenance Division use managerial authority, augmented where appropriate by labor negotiation strategies, to increase and better use available track access time, through more efficient coordination, communication, worker assignment and equipment delivery. While results may be more dramatic on the weekends, our review suggests that increased efficiencies could produce benefits on weekdays as well.

Generally speaking, NYC Transit simply needs to assign more elevated-track workers on the weekends. This may take a combination of authority, negotiation, overtime, or other benefits to balance the needs of the agency to run cost-effectively and efficiently with the workers' needs to have quality time for themselves and their families.

Along these lines, NYC Transit should establish and enforce a reasonably restrictive Discretionary Leave policy in the Track Maintenance Division regarding use of weekend days. In developing such a policy, NYC Transit should consider lengthening the notice and approval period for use of Discretionary Leave. The agency should also set a maximum threshold for use of leave on weekends that is enforceable, and consistent with both the interests of the agency in retaining more workers for weekend work and fairness to workers with exceptional needs.

As noted, though, adding more weekend workers is only one step. To improve efficiency, NYC Transit should also:

- Improve the communication and coordination of maintenance and operations units to ensure that workers are safely cleared to enter the tracks as close to the scheduled start of track access as possible.
- Ensure that the arrival of tools and materials at the work site is better coordinated with track access start times.
- Consider the use of split shifts (6:00 a.m. to 2:00 p.m., and 10:00 a.m. to 6:00 p.m.) for the workers responsible for loading and driving the trucks to the work site on Friday night and weekends; or authorizing overtime or differential pay for these workers when doing so would provide an exponential increase in productivity.

*NYC Transit officials agreed that available track access time needs to be more efficiently and effectively used. To this end, NYC Transit officials stated that in December 2009, they intend to submit a new work plan to the Transport Workers Union (TWU) that will concentrate more of the elevated track maintenance workforce on weekends. During our audit, NYC Transit added five dispatchers to the function responsible for managing track access requests in order to improve communications between maintenance and operations personnel. It has also agreed to*

*authorize limited overtime for drivers to ensure the timely arrival of tools and equipment to the job site on weekends, thereby significantly increasing overall productivity. While NYC Transit officials disagreed on the need for a reasonably restrictive leave policy regarding the use of weekend days, it stated that its managers would be more vigilant in enforcing current policy.*

## **Conclusion**

While the ABC 7 Eyewitness News report certainly portrayed a disturbing image of track workers idle during the work day, a more fundamentally disturbing question is: Why they were idle? One answer, even for the most dedicated and conscientious of workers is: NYC Transit rules prevent weekday track workers from working on the tracks for fully half of their shift.

The reason behind the rules is straightforward: For safety reasons, elevated track work may only be performed during daylight. In order not to create delays during the morning and evening rush hours, which fall during the daylight work shift (8:00 a.m. to 4:00 p.m.), track work is further restricted to the time period of 10:30 a.m. to 2:30 p.m. – four hours of the eight hour shift.

The way to accomplish more track work without compromising safety or concern for the riders is equally straightforward: Do most of this work on the weekend. Our recommendations describe how this can be done. And our findings show that by doing so, NYC Transit will not only have fewer idle workers, it may well save millions of dollars in the process.

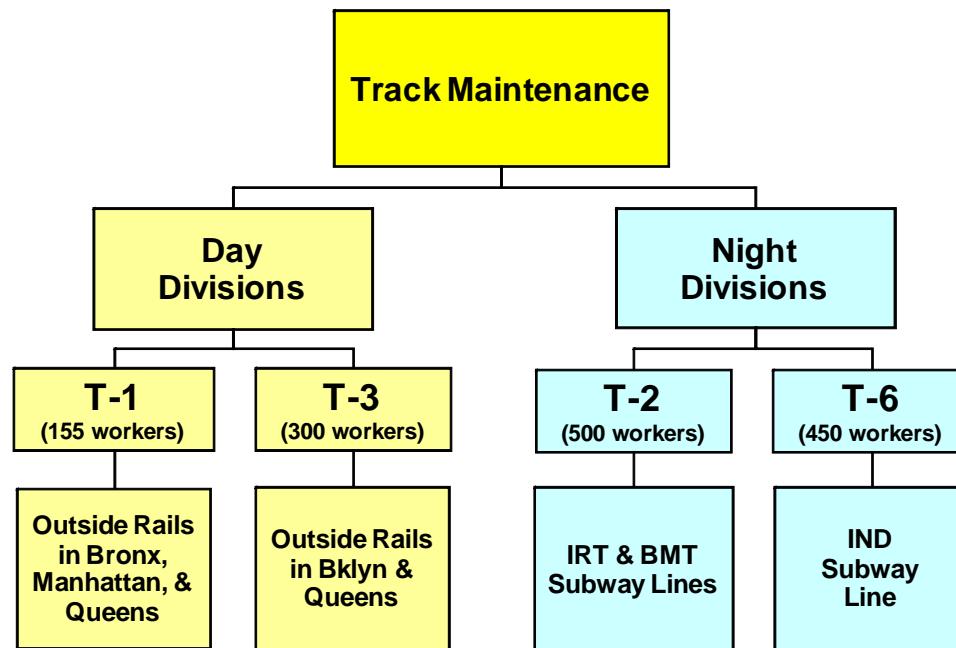
## **BACKGROUND**

NYC Transit Track Maintenance is divided into day and night divisions. There are about 450 daytime track employees who work from 8:00 a.m. to 4:00 p.m. and are responsible for maintaining all above ground (elevated) tracks. The night division, which employs about 950 employees, works from 10:00 p.m. to 6:00 a.m. and is responsible for repairing the tracks that run underground (Exhibit 1).

For safety reasons, the elevated tracks segments of the system are inspected and serviced only during the day. However, according to the Chief of Staff for the Department of Subways, daytime track workers are not permitted on the tracks during the weekday rush hour in order to minimize service disruptions. By contrast, underground track maintenance occurs during late night and early morning hours when there are almost no access restrictions.

Track workers normally report to pre-selected crew quarters at the start of their shift to sign in, hear necessary safety instructions and wait to receive their assignments for the day. Day division workers usually receive their work assignments between 8:30 a.m. and 9:30 a.m. After receiving their assignments they travel to the work site; usually at 3:30 p.m. they return to the crew quarters and wait until 4:00 p.m. to sign out for the day.

Exhibit 1: NYC Transit Track Maintenance



## FINDINGS

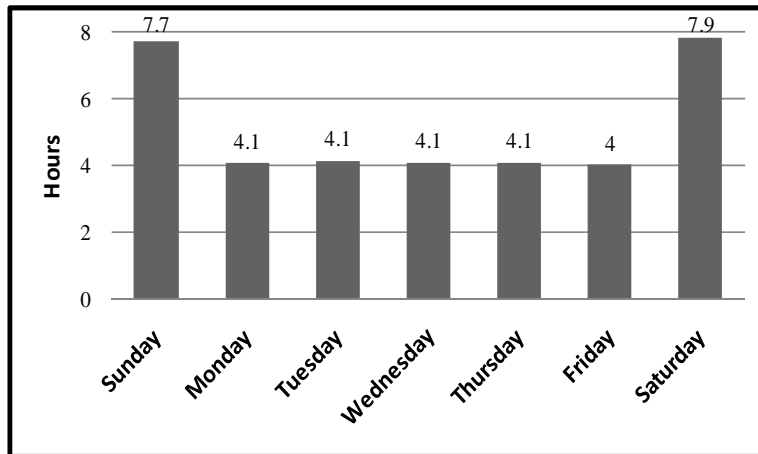
### Track Access is Most Limited on Weekdays

According to officials with the divisions of Rapid Transit Operations (RTO) and Track Maintenance, before track maintenance work can begin, trains must be rerouted from the planned work site and third-rail power must be shut off in the affected area. In order for the needed service changes to occur, RTO must issue a General Order (GO), which authorizes the removal of a specific section of track from service for a specified period, and grants access to the maintenance crews that are planning to work on that segment of track.

For analytical purposes, the approved GO identifies the specific section of track that is to be removed from service and the duration of the planned outage. We charted all of the approved GOs in the area covered by T-1 for June 2008,<sup>2</sup> and found that from Monday to Friday track access was generally limited to about four hours, usually between 10:30 a.m. and 2:30 p.m. By contrast, we determined that on average track access during the weekend 8-hour shift was essentially unrestricted (Exhibit 2).

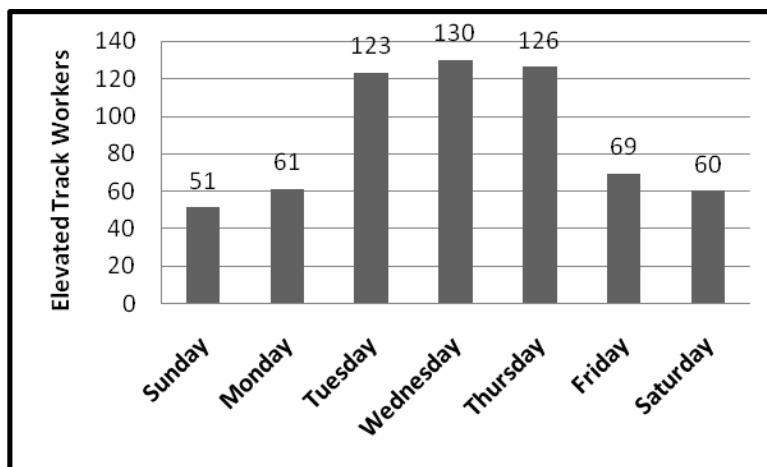
<sup>2</sup> While ABC 7 Eyewitness News did not provide OIG with the timeframe of its investigation, based on their news video, which showed NYC Transit workers in tee-shirts, we selected June 2008 as the timeframe for our analysis.

**Exhibit 2: Average Duration of Track Access on 8-Hour Shift by Day of Week, June 2008**



To determine how many workers were affected by the track access limitations, we obtained the daily employee assignment sheets for T-1 for June 2008 (see Exhibit 3).

**Exhibit 3: Average Number of Workers Assigned by Day of the Week, June 2008**



As illustrated in Exhibit 3, average workforce levels were highest on Tuesday, Wednesday and Thursday. On these days, more than 120 workers were limited to about four hours of track time because of access restrictions. Access to the tracks is critical for the productivity of the track maintenance workforce. Most of the track workers interviewed by the OIG stated that when not working on the tracks, or traveling to and from the assigned work site, they spent most of the remaining time either waiting to get on the tracks, or doing personal business.

For example, one track maintainer stated that while waiting for his job assignment he reads or uses his personal digital assistant. He added that in the afternoon he usually arrives back at the crew quarters at 3:30 p.m., but is assigned no additional work. Another track maintainer told us that while waiting for his job assignment, which he receives between 9:00 a.m. and 9:30 a.m., he reads or talks to other workers. He also stated that he is never assigned work when he returns to the crew quarters in the afternoon.

Overall, during an average week in June, excluding Saturday and Sunday, NYC Transit paid T-1 workers for about 4,000 hours, but workers spent only about half of this time on the tracks. We estimate that on an annualized basis, NYC Transit spent about \$3.7 million in wages and benefits for time that track workers were not on the tracks.

Our estimate, however, only applies to T-1. T-3, the other elevated-track maintenance division, has almost twice the number of personnel as T-1. According to NYC Transit officials, track workers employed by T-3, who also work the 8:00 a.m. to 4:00 p.m. shift, also have higher workforce levels on weekdays than on weekends. Once again, though, our review of the GO data for the areas covered by T-3 indicates that on weekdays its workers have about the same limited 4-hour level of track access, while track access on weekends remains essentially unrestricted. Therefore, if T-3 were included in our estimate we project that the total cost in salaries and benefits to NYC Transit for time off the tracks would exceed \$10 million.

When we raised the issue of down-time with NYC Transit, agency officials stated that elevated-track workers waiting for access play an important role by responding to track incidents or emergencies, such as smoke conditions or equipment trouble. These officials reported that a total of 145 such incidents occurred system-wide between 8:00 a.m. and 10:00 a.m., and 2:00 p.m. and 4:00 p.m. on weekdays in 2008 – an average of about three incidents per week.

Notably, the Track Division also has several dedicated emergency response teams – operating independently of the 400 workers assigned to the two elevated-track maintenance divisions – specifically to address track incidents and emergencies throughout the day. These teams work between 7:00 a.m. and 11:00 p.m. It is not clear to us whether responders to the 145 incidents were from elevated-track as opposed to dedicated response crews.

Thus, while occasionally a few of the 400 elevated-track workers may be temporarily assigned to respond to an emergency, we are not convinced that any such assignment accounts for a meaningful portion of unproductive track worker down-time.

## Current Work Schedules Limit the Number of Track Maintainers Available for Weekend Work

As shown in Exhibit 3, workforce levels were at their lowest on Saturday and Sunday. The main reason for the lower assignments on weekends was that about half of the employees assigned to T-1 had a regular day-off on Saturday, while the other half had an RDO on Sunday.<sup>3</sup>

At the November 2008 NYC Transit Committee meeting, NYC Transit President Howard Roberts Jr. stated that the agency was exploring options to shift more elevated track work to the weekends in order to maximize workers' time on the tracks.

In January 2009, NYC Transit entered into a stipulation with the TWU that established a pilot four-day work schedule with 12-hour shifts on both Saturday and Sunday in the *Track Construction Division*.<sup>4</sup> Through this effort, NYC Transit expects to enhance workforce productivity by concentrating the track construction workforce on weekends when access to the tracks is least restricted.

According to the stipulation, 105 Track Construction Division workers were given the option of a four-day workweek, or keeping their current five-day work schedule.<sup>5</sup> Workers who opted into the pilot program work two eight-hour shifts during the week and two 12-hour shifts on Saturday and Sunday, with eight of the 40 hours in a week paying time and a half. The optional schedule gives these workers Monday, Tuesday and Wednesday off, rotating every sixth week to allow for workers to take Saturday, Sunday and Monday off. The pilot began on February 1, 2009 and will continue to December 31, 2009. According to NYC Transit officials, 37 Track Construction workers opted for the 4-day work week. The Vice President for the Department of Subways told us that in the fourth quarter of 2009, NYC Transit will determine the "success" of the pilot and whether it should be expanded to other work units.

We appreciate the initiative and recognition of the value of weekend work that prompted the President's statement about exploring options and the subsequent pilot program. However, the Track Construction Division and the Track Maintenance Division perform entirely different functions and present different sets of issues. Regardless of the success of this pilot in Track Construction, when and however that may be determined, Track Maintenance is losing productivity now. Therefore, it is imperative that NYC Transit immediately address the issues we raise here concerning Track Maintenance to get the full benefit of unrestricted track access on weekends without further delay.

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<sup>3</sup> Generally, track workers are scheduled to work Sunday to Thursday and have their RDO's on Friday and Saturday, or they work Tuesday to Saturday with RDO's on Sunday and Monday.

<sup>4</sup> The Track Construction Division is responsible for major reconstructions in accordance with the MTA's approved capital plan. In contrast, Track Maintenance is responsible for the day-to-day upkeep of NYC Transit's right-of-way, which duties include replacing broken railroad ties and defective rails.

<sup>5</sup> The 105 workers are about 20 percent of the Track Construction Division's workforce.

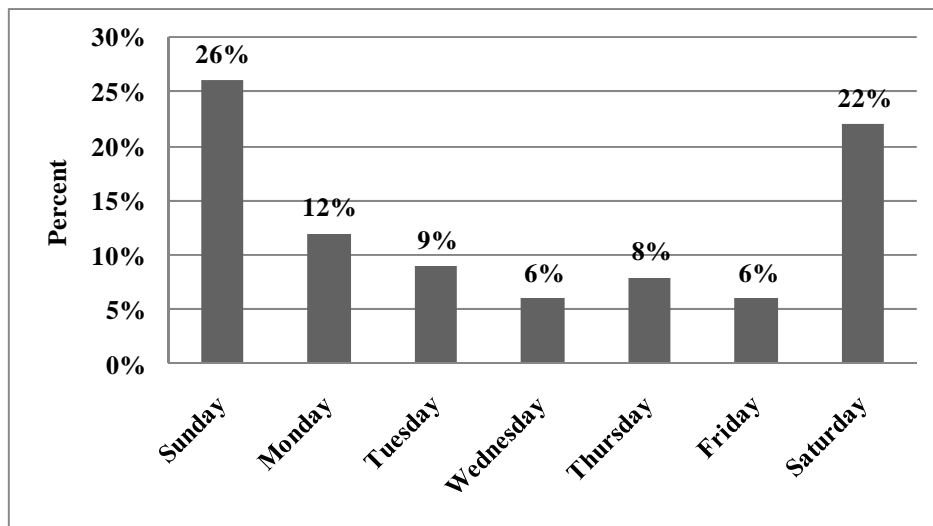
## Workforce Levels Depressed by Higher Discretionary Leave On Weekends

In accordance with Section 2.4 of the CBA, each Track Division employee receives an annual vacation allotment based on the time and duration of their active employment prior to the beginning of the vacation year. The annual vacation allowance is not accruable, and cannot be carried over from one year to another except upon approval of NYC Transit, and then only under extraordinary circumstances.<sup>6</sup>

Track employees can take their vacation time in weekly allotments, which they select during the annual vacation pick in May. Under NYC Transit policy, track workers can also take a maximum of 10 vacation days in single days subject to 48-hour written notice, and supervisory approval. Further, track workers are entitled to a variety of other leave that is also subject to 48-hour notification and approval. For example, workers are entitled to one or two personal leave days per year.

For each day of the week in June 2008, we totaled all leave days used by T-1 workers that required 48-hour notice and approval (Discretionary Leave) and divided it by the number of workers that received a work assignment for that day of the week. We found that track workers took a significantly higher percentage of Discretionary Leave on Saturdays and Sundays than during weekdays (Exhibit 4).

**Exhibit 4: Discretionary Leave as Percent of the Assigned Workforce, June 2008**



<sup>6</sup> Employees are allowed to cash in their unused vacation time at the end of the year.

Discretionary Leave represented 22 and 26 percent, respectively, of the average number of workers assigned on Saturday and Sunday – nearly double the highest weekday average. According to a manager in the Department of Subways, the Track Division has a policy that no more than 20 percent of employees in a title, who report to the same location, are allowed to take Discretionary Leave at the same time. However, T-1's 155 employees report to 11 different locations. At some locations there are less than five workers with the same title. Thus, if the policy were strictly enforced at these locations none of the workers with these titles would be allowed to take leave. When asked, the General Superintendent for T-1 stated that he does not strictly enforce the policy; rather, he will deny leave requests only if he is trying to meet production goals, or when there is an emergency.

Clearly, it is in NYC Transit's interest to maximize productivity by ensuring that workers are available on weekends when track access opportunities are essentially unrestricted.

### **Weekend Track Access Opportunities Not Fully Utilized**

Given the unrestricted track access on Saturdays and Sundays, we tested whether T-1 workers were on the tracks for the full time authorized on weekends in June 2008 and December 2008. To conduct this test, we charted the approved GO start-time, and the actual time that third-rail power was shut off for all weekend GO's obtained by T-1. We also obtained the daily truck inspection sheets and charted the arrival and departure times of the work truck(s) to and from the work site. The General Superintendent for T-1 stated that track workers must wait for the truck to arrive at the work site before they can begin maintenance, because the truck brings all of the tools and equipment, and most of the materials needed at the site.

#### ***Workers Were Not Cleared to Enter the Tracks in a Timely Manner***

On the day that the General Order is effective, the maintenance supervisor in charge of the work to be performed under the GO must telephone the RTO Control Center, and receive permission from the RTO desk superintendent in charge to enter the tracks. Before authorizing access, the desk superintendent must contact the RTO Control Tower in the vicinity of the GO to ensure that the section of track to be removed from service is clear of trains. The desk superintendent must also speak with a Power Division supervisor to confirm the power-off limits for the GO.

After the tracks are clear of trains, the maintenance supervisor responsible for the GO must install safety equipment on the tracks prior to the shut-off of third-rail power.<sup>7</sup> The desk superintendent must then telephone the system operator from the Power Division, and arrange for power to be shut off, and must receive confirmation from the system operator that the power indeed is off. Once these critical steps have been completed, the desk superintendent notifies the maintenance supervisor that the GO is in effect and it is safe to enter the tracks. Although there

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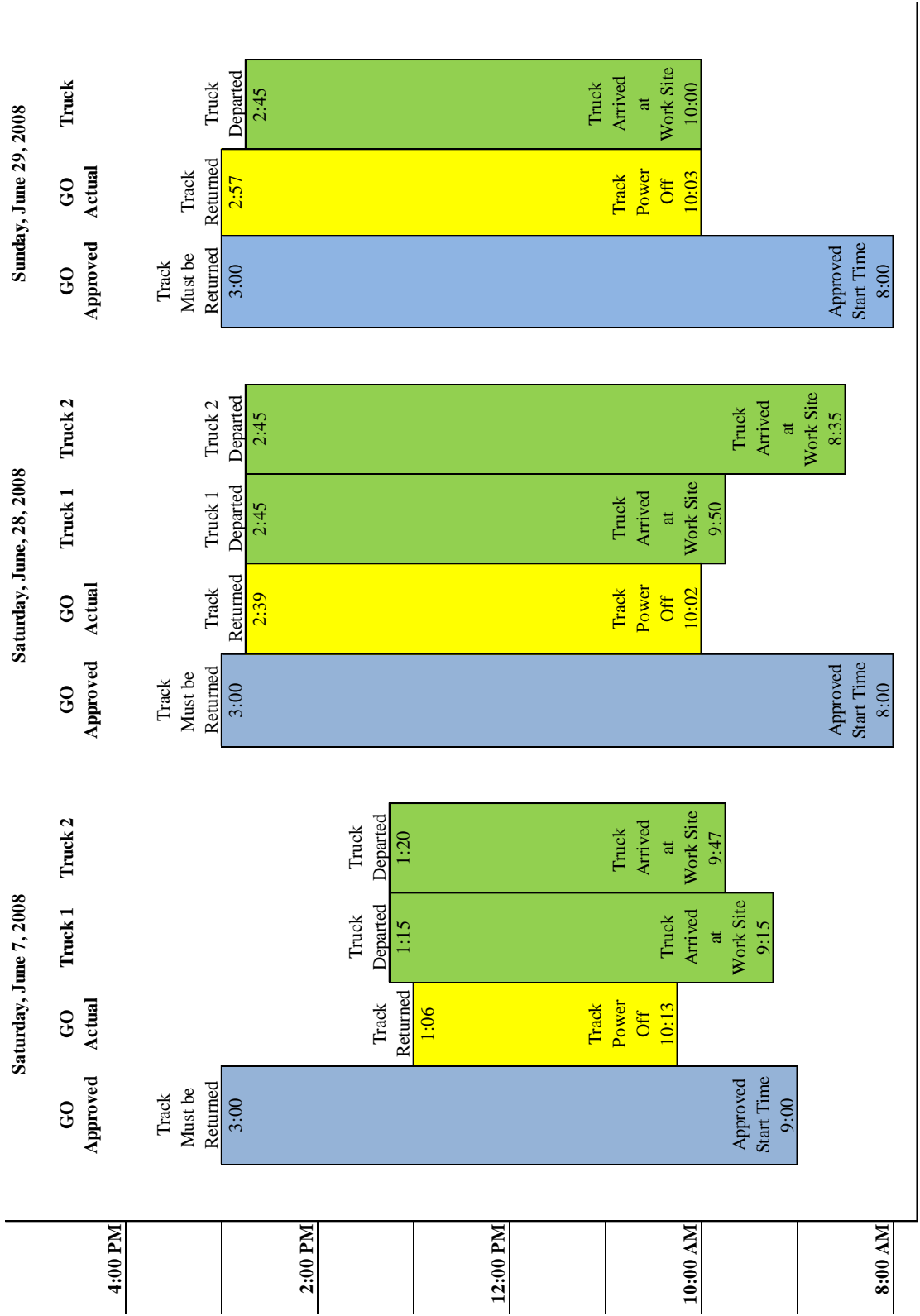
<sup>7</sup> The safety equipment referred to includes the warning lamps and train tripping devices that are set up by Track Maintenance to ensure that any train that accidentally enters the GO off-limits area will brake.

are several steps in the process of installing safety equipment, it could be completed in 10 to 15 minutes.

In June 2008, T-1 obtained GOs giving track access very early in the day, but a significant portion of that early access was unused. As can be seen in Exhibit 5, on none of the three days that we analyzed in June could workers safely enter the tracks before 10:00 a.m. (Yellow Bar). On Saturday, June 28, and again on Sunday, June 29, although the GO was scheduled to start at 8:00 a.m. (Blue Bar), third-rail power was not shut off until just after 10:00 a.m., two hours later than the scheduled start of the GO. At best, about five of the seven hours of available track access were utilized on these days.

On June 28, for example, although the tracks were clear of trains at 8:04 a.m., it wasn't until 9:39 a.m. that the maintenance supervisor contacted the RTO desk superintendent to indicate that he had installed the necessary safety equipment so that power could be removed from the tracks. However, as noted above, this process should take no more than 15 minutes to complete. On June 29, the GO didn't begin on time because the Power Division superintendent did not speak with an RTO desk superintendent until 9:52 a.m. Power was then removed at 10:03 a.m. Since the tracks were clear of trains at 8:12 a.m., the power could have been removed at 8:23 a.m., meaning that communication problems delayed track access by a full hour and 40 minutes.

**Exhibit 5: Track Access Times and Work Truck Arrival and Departure Times  
Weekend General Orders Obtained by T-1 in June 2008**



Several NYC Transit officials have stated that poor communication and coordination are a recurring problem that often delays the start of work under a GO. For example, the Chief of Staff for the Department of Subways stated that it can take a maintenance supervisor one-half hour to reach a Desk Superintendent at RTO, because other maintenance personnel are also requesting track access from the same desk. A Maintenance General Manager told us that the RTO Control Center sometimes get 100 calls between 9:00 a.m. and 10:00 a.m., and maintenance supervisors are often placed on hold and sometimes their calls get disconnected. As evidenced by the one hour and 40 minute delay on June 29, these communication breakdowns reduce the amount of productive time that workers spend on the tracks and the diminish the efficiency of the maintenance operation.

### *Tools and Equipment Arrivals Were Not Coordinated With the Start of Work*

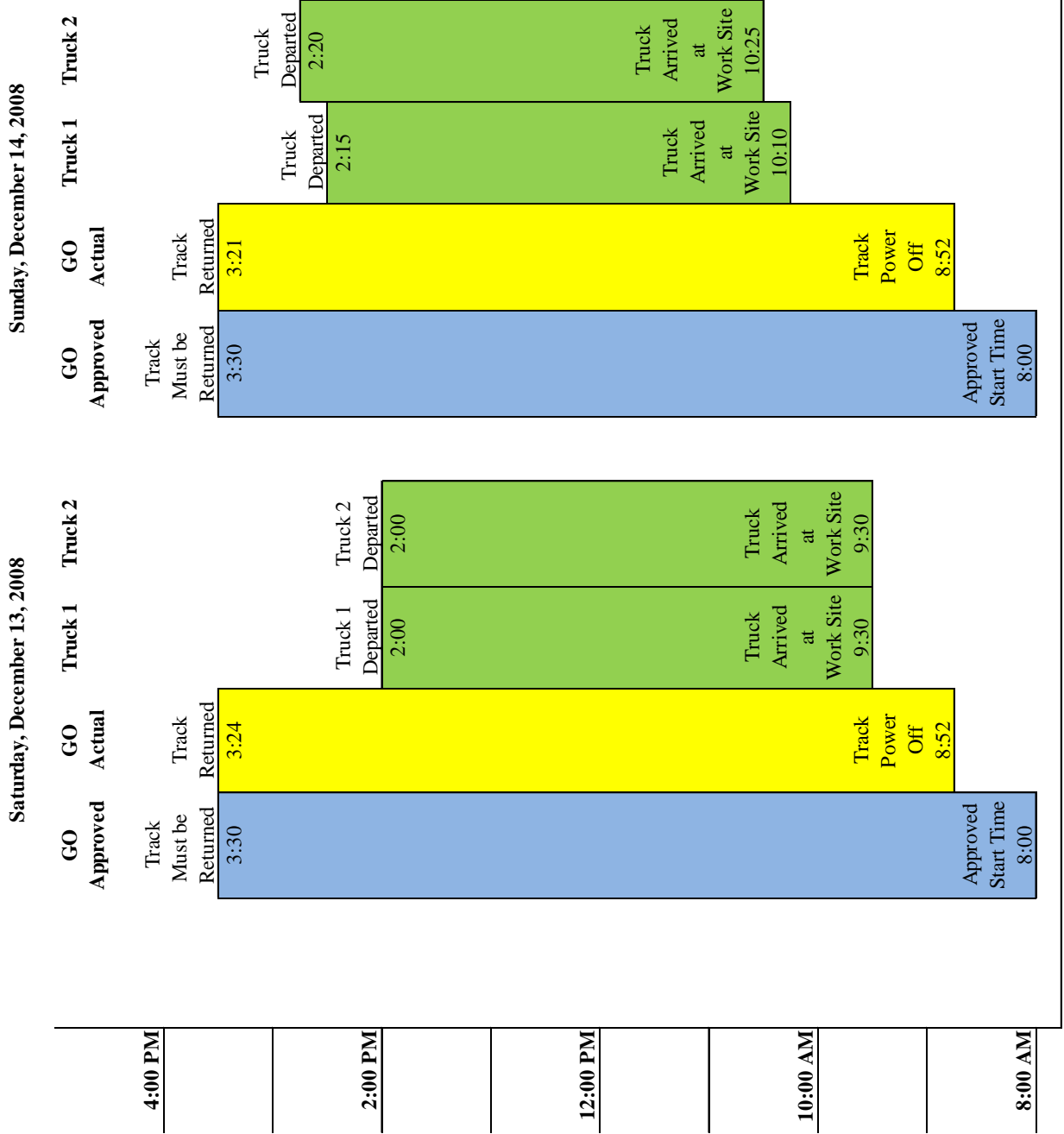
Similar to our observations for June 2008, T-1 work crews did not fully utilize the track access provided by the GOs that they obtained in December 2008. On both December days that we reviewed, track workers could not safely enter the tracks until more than 50 minutes after the scheduled start of the GO. However, even if they had RTO permission to enter the tracks closer to the start of the GO, the workers would not have been able to begin work, because the arrival of the trucks at the work site was not coordinated with the time that workers were authorized to begin working on the tracks.

According to the Superintendent for T-1 in the Bronx, he usually assigns between 10 and 20 workers to a maintenance job. On the morning of the job, two or three members of a work crew are responsible for loading the trucks with tools and materials and driving to the work site, while the rest of the work crew travels to the site by subway.

The Green Bars indicated in Exhibit 6 shows that on December 13, the trucks arrived at 9:30 a.m., 90 minutes after the GO was scheduled to begin and almost 40 minutes after power was shut off. On December 14, the first work truck arrived at the job site at 10:10 a.m. This is particularly troubling, because the GO was approved to begin at 8:00 a.m. – more than two hours earlier.

The same Superintendent above told us that it can take the workers assigned to truck duty up to two hours to load and drive the trucks to the work site, and sometimes more if the workers encounter traffic. In order to better coordinate the arrival of the work trucks with a GO that starts about 8:00 a.m., he stated that he would have to authorize overtime for the workers who are responsible for bringing the tools and materials to the work site so that they can begin before 8:00 a.m. on the weekends. He pointed out that he is currently limited in the amount of overtime that he can authorize because of budgetary constraints. He went on to state that instructing workers to load the trucks the night before a job is usually not an option, since there often is not enough time at the end of the shift for the workers to do so.

**Exhibit 6: Track Access Times and Work Truck Arrival and Departure Times  
General Orders Obtained by T-1 on December 13 and 14, 2008**



On each of the days in December that we reviewed, the Superintendent assigned 19 workers to the site, including drivers. In our view, it is unacceptable that 16 workers have to wait 90 minutes or more for three of their colleagues to bring the tools and materials to the site. That the work trucks are not coordinated to arrive at the site when the GO begins diminishes the value of the earlier weekend GO start times.

## RECOMMENDATIONS

NYC Transit and its Track Maintenance Division needs to use managerial authority, augmented where appropriate by labor negotiation strategies, to increase and better use available track access time, through more efficient coordination, communication, worker assignment and equipment delivery.

1. NYC Transit needs to assign more elevated-track worker on the weekends by establishing work schedules with regular days off on weekdays. This may take a combination of authority, negotiation and overtime or other benefits to balance the needs of the agency to run cost-effectively and efficiently with the workers' needs to have quality time for themselves and their family.

*NYC Transit agreed that available track access time needs to be more efficiently and effectively used. In their comments to this report NYC Transit stated that in December 2009, it intends to submit a new work plan to the TWU that will shift a substantially higher percentage of the maintenance workforce to tours with regular days off on weekdays.*

2. Establish and enforce a reasonably restrictive Discretionary Leave policy in the Track Maintenance Division regarding use of weekend days. In developing such a policy, NYC Transit should: (a) consider lengthening the notice and approval period for use of Discretionary Leave; and (b) set a maximum threshold for use of leave on weekends that is enforceable, and consistent with both the interests of the agency in retaining more workers for weekend work and fairness to workers with exceptional needs.

*NYC Transit disagreed on the need for a reasonably restrictive leave policy regarding the use of weekend days, but stated that it would be more vigilant in enforcing current policy, with the understanding that NYC Transit will retain sole discretion to approve leaves above the current threshold on a case by case basis.<sup>8</sup> NYC Transit also stated that it considered lengthening the notice and approval period for use of Discretionary Leave, but determined that it was in the agency's interest to retain the current policy in order to maintain flexibility in staffing.*

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<sup>8</sup> As previously noted, according to NYC Transit policy, approved leaves should not exceed a 20 percent level within a given title and location.

3. Improve the communication and coordination of maintenance and operations units to ensure that workers are safely cleared to enter the tracks as close to the scheduled start of track access as possible.

*NYC Transit agreed and, based on an assessment of staffing levels, added five dispatchers to the RTO Control Center function responsible for managing requests for track access. In addition, RTO will perform periodic assessments to ensure that staffing levels are appropriate based on the volume of incoming requests.*

4. Ensure that the arrival of tools and materials at the work site is better coordinated with track access start times. To do this, NYC Transit should consider the use of split shifts (6:00 a.m. to 2:00 p.m., and 10:00 a.m. to 6:00 p.m.) for the workers responsible for loading and driving the trucks to the work site on Friday night and weekends, or authorizing overtime or differential for these workers when doing so would provide an exponential increase in productivity.

*NYC Transit agreed and evaluated the use of split shifts and overtime for workers responsible for loading and driving the work trucks on weekends. The agency determined that the use of overtime is the more efficient option and stated that truck drivers will now be brought in for pre-tour overtime to ensure timely arrival of tools and equipment to the job site. The OIG will monitor this effort. For its part, NYC Transit will need to monitor its use of overtime to ensure that it is achieving a significant increase in productivity. If overtime does not achieve this increase, NYC Transit should reassess this approach and reevaluate the use of split shifts.*

## **APPENDIX A: OBJECTIVES, SCOPE, AND METHODOLOGY**

Our overall objectives were to determine:

- The impact of track access restrictions on the productivity of elevated Track Maintenance forces; and
- Whether Track Maintenance was maximizing track access provided by General Orders

To accomplish our objectives, we focused on Track Maintenance Division T-1, which is responsible for maintaining the elevated tracks in the Bronx, Manhattan and the parts of Queens serviced by the N, W, and 7 lines, because it was the focus of the ABC 7 Eyewitness News report. Our analysis focused primarily on June 2008, since it appeared to be roughly within the undisclosed timeframe featured in the ABC 7 Eyewitness News report. We also reviewed data from December 2008, in order to provide a more recent data set for some observations. We met with officials from T-1 and RTO and developed a detailed understanding of the processes required to gain access to elevated track structures. We also obtained and analyzed copies of General Orders, GO Worksheets from RTO, and Daily Assignment Sheets and Truck Inspection Reports from T-1.