



**Barry L. Kluger**  
Inspector General

## **Office of the Inspector General**

Metropolitan Transportation Authority

Two Penn Plaza, 5<sup>th</sup> Floor

New York, New York 10121

212-878-0000

June 3, 2011

Mr. Thomas Pendergast  
President  
MTA New York City Transit  
2 Broadway, 30<sup>th</sup> Floor  
New York, NY 10004

Re: Bus Driver Off-Route  
MTA/OIG #2011-10

Dear Mr. Pendergast:

This Office has concluded an investigation into an allegation that on three separate occasions, while “dead-heading” an express bus back to the Charleston Depot, a NYC Transit Bus Driver left the Staten Island Expressway and parked for half an hour on North Gannon Avenue in Staten Island. The complainant alleged that on each occasion, when the bus was restarted, a woman exited the bus, walked to a nearby car and drove away. The Office of the Inspector General (OIG) has substantiated the allegation and recommends that bus operator Edward Meehan (pass # 596313) be appropriately disciplined, up to and including termination.

### **INVESTIGATION**

#### *Complainant's Observation*

OIG received two letters from a resident of Staten Island that detailed observations he made on two separate dates. On April 12, 2011, at 10 a.m., the complainant observed X22 bus # 4314 parked along North Gannon Avenue between Ingram and Warwick Avenue in Staten Island. At 10:22 a.m., the front door opened and a woman got off the bus. She then walked down the street to her parked car the bus then drove away. OIG learned that Edward Meehan was driving that bus on that day and that he submitted a slip claiming that he had been delayed in traffic until 10:41 a.m., 57 minutes after he was scheduled to pull into the depot. The bus route was a morning express route from Staten Island to Manhattan, and the complainant observation was made on Meehan's return trip to the depot.

On April 19, 2011, the complainant observed X22 bus # 2179 again parked along North Gannon Avenue between Warwick and Ingram at 10 a.m. At 10:22 a.m., the complainant saw the door open and the same woman he had seen on April 12, 2011 exited the bus. Edward Meehan was

again the driver assigned to bus # 2179 for the route on that day. Meehan once again submitted a slip claiming traffic delays for 62 minutes on that day.

The complainant also provided the OIG with a videotape of a third observation on April 22, 2011, during which he narrated the time sequence of the events appearing on the tape. According to the narration, the complainant arrived at North Gannon Avenue between Warwick and Ingram, this time at 9:50 a.m. and bus # 2189 was already parked at the curb with the lights out. The complainant turned the camera off, then turned it on again, narrating that it was 10:14. The lights on the bus then came on with the complainant stating that it was 10:23 a.m. About a minute later a woman, identified by the complainant as the same woman seen twice before, got off the bus and the bus then drove away. Again, records show that it was Meehan operating this bus, but that he did not claim any additional time that day.

#### *Meehan Interview*

OIG interviewed Meehan, who admitted that he had driven his bus off route, parked on North Gannon Avenue and allowed a female friend to enter the bus for a period of time. Meehan further admitted that he twice submitted a form falsely claiming that he had been stuck in traffic when, in fact, he had been parked on North Gannon Avenue.

Meehan insisted that those dates were the only two for which he had submitted forms claiming a traffic delay when in fact he had pulled off the road.<sup>1</sup> The total time for the two days was 119 minutes; time for which he was paid at his full regular rate of pay rather than the half pay he would have received while on “swing time.”

#### *Meehan's Prior Disciplinary Record*

Meehan has an extensive disciplinary record. He has been suspended 14 times in the five years that he has been employed by NYC Transit.<sup>2</sup> While the most recent disciplinary action taken against him was in February 2010 for being “AWOL,” his prior offenses have included traffic infractions such as running red lights, reckless operation, speeding, and using a radio/TV/phone while operating the vehicle. Meehan was also found to have been “off route” in 2008. In October of 2008, Meehan was charged with “gross misconduct,” as well as speeding for which NYC Transit sought his termination. On appeal the arbitrator upheld a 20 working day suspension for speeding and five day suspension for the additional misconduct.

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<sup>1</sup> There were four other occasions on which he claimed he was delayed in traffic during that time period, a total of 188 additional minutes from January 2011 through April 2011.

<sup>2</sup> Meehan admitted to OIG that he had been previously employed as a NYC Transit bus operator, but was forced to resign in 1999 due to attendance problems.

### **FINDINGS**

- 1) Edward Meehan admitted that on a “few” occasions he stopped during the course of his return trip to the Charleston Depot and invited a woman onto the bus and confirmed the three occasions reported to OIG by the complainant.
- 2) Edward Meehan admitted to claiming overtime due to traffic on two occasions when he was, in fact, pulled over on the side of the road as described in finding 1, above.
- 3) Edward Meehan has an extensive disciplinary record including 14 suspensions.

### **RECOMMENDATION**

- 1) Edward Meehan should be disciplined, up to and including termination.

Please advise me within 30 days of any action you take pursuant to this letter. If you or anyone on your staff has any questions or need additional information, please feel free to contact me or Deputy Inspector General Chris Prather (212) 878-0279.

Very truly yours,

Barry L. Kluger

Cc: Darryl Irick