



Barry L. Kluger
Inspector General

Office of the Inspector General

Metropolitan Transportation Authority
Two Penn Plaza, 5th Floor
New York, New York 10121
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September 14, 2011

Mr. Thomas Prendergast
President
MTA New York City Transit
2 Broadway, 30th Floor
New York, NY 10004

**Re: Inappropriate Use of MTA New
York City Transit Forklift
MTA/OIG #2011-14**

Dear Mr. Prendergast:

An OIG investigation has determined that on August 2, 2011, Vincent D'Antoni, Maintenance Supervisor, Department of Buses, used a NYC Transit forklift to move another NYC Transit vehicle, a GMC Jimmy. Specifically, D'Antoni lifted the back end of the GMC Jimmy and moved it several feet forward. He then parked his personal vehicle, a Dodge pick up truck, in the parking spot previously occupied by the GMC Jimmy. After this incident it was discovered that the Jimmy had a broken rear shock.

D'Antoni admitted to OIG investigators that he used a fork lift to move the Jimmy so that he could park his personal truck. He claimed that while there were other available parking spots, they did not accommodate the length of his truck. He also stated that he considers the parking spot in question to be his as he has used it for 25 years. In addition, D'Antoni said he had made numerous requests to the driver of the Jimmy to refrain from parking in that spot, but lost patience and made the space available himself when his requests were ignored.

Subsequent inspection of the GMC Jimmy revealed a broken left rear shock. D'Antoni denied damaging the vehicle and explained that the Jimmy was scheduled to be surplus at the end of August. However, OIG investigators were told that the shock was not broken when the vehicle was parked at the end of the work shift the day before it was moved by D'Antoni. Rather, the broken shock was discovered when the vehicle's crew reported to work the next day and saw that it had been moved from its original parking spot.

Prior to his interview with OIG representatives, D'Antoni's supervisors attempted to resolve the matter. Following that discussion, D'Antoni approached the driver of the Jimmy and asked "What type of cheese [he] would like?" This comment was interpreted by the driver as D'Antoni's not too subtle way of calling his co-worker a "rat," and as such, being hostile in

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nature. D'Antoni admitted he made the comment to the driver and while he claimed that the remark did not create a hostile work environment, he could not explain how it could be interpreted otherwise.

FINDINGS

D'Antoni exhibited poor judgment in using a NYC Transit forklift to move an agency vehicle. Further, D'Antoni acted in an inappropriate manner when he confronted the driver after management addressed the issue.

RECOMMENDATION

In light of the circumstances, we refer this to the agency for any action deemed appropriate.

Please advise me within 30 of any actions you take pursuant to this letter. If you need additional information feel free to contact Chris Prather, Deputy Inspector General, Investigations, at (212) 878-0279.

Very truly yours,



Michael Boxer
Special Counsel