



## PRODUCTIVITY OF ROAD MACHINISTS IN METRO-NORTH RAILROAD'S WORK EQUIPMENT DIVISION

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### OVERVIEW

The maintenance of track and supporting structures along the vast right-of-way of MTA Metro-North Railroad (Metro-North) is carried out by crews who utilize specialized equipment and tools in performing their work. Metro-North's Work Equipment Division (Work Equipment), a unit of its Track Department, is responsible for ensuring that all of the equipment and tools used by track personnel in their daily work assignments are regularly inspected and properly maintained. Road machinists from Work Equipment often accompany track crews to the work site so that they can quickly respond to an equipment malfunction. Unlike those performing particular duties each day at the same facility (e.g. shop machinists), road machinists might work at various locations over a wide area throughout any given day, and are expected to perform their duties with minimal supervision. While monitoring the performance and whereabouts of the road machinists is challenging, doing so is essential to ensure an appropriate level of productivity.

MTA Office of the Inspector General (OIG) began this review to ascertain whether the road machinists were appropriately performing their duties and productively engaged throughout their entire workday. At the outset, we conducted field observations of the road machinists, analyzed payroll and work production records, and interviewed managers and a Work Equipment supervisor. To further support and enhance our observations we also utilized information obtained through an Automatic Vehicle Location Monitoring (AVLM) system.

OIG evaluated the performance and management of five of the 18 road machinists in Work Equipment over a total of 45 tours of duty.<sup>1</sup> What we found is disturbing. During 22 percent of the tours that we analyzed, road machinists were idle for the entire workday.

However, as disturbed as we are by the lack of integrity and failed work ethic of the idle road machinists, we are even more troubled by the lack of management, supervision and oversight by the foremen and supervisors that allowed this inactivity to take place over what are often consecutive tours of duty. While Metro-North has the right to expect that their employees will fully perform their duties even on an "honor system"—the term used by one Work Equipment foreman to describe the supervisory relationship between a foreman and the road machinists that

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<sup>1</sup> These five road machinists were selected based on the high amount of overtime that they earned in 2011.

they supervise—that system is obviously not working. Indeed, close supervision is clearly needed to ensure that road machinists are productively engaged and not wasting time.

### Summary of Findings

- During ten tours of duty that OIG analyzed (22 percent of the tours analyzed), the road machinists we observed performed no productive work at all. For example, instead of working, but while getting paid, one road machinist spent most of four consecutive tours of duty at food and retail establishments, in his own home, in his vehicle at the far end of a Metro-North commuter parking lot, or visiting a family business. Another road machinist spent most of three tours of duty idle in the commuter parking lot or the Metro-North Railroad yard. The two foremen charged with supervising these employees appeared to be completely unaware of the situation.
- Between July 2012 and February 2013, one road machinist repeatedly clocked in at a location close to his home at the start of his tour of duty, instead of at his assigned quarters, in violation of Metro-North policy. Because his assigned quarters were at least an hour's drive from his residence, clocking-in near his home effectively allowed him to commute on company time. We calculate that a total of about 100 hours in work time were used by this employee for travel, because lax supervision allowed this practice to persist uncorrected for several months.
- One road machinist clocked in for an overtime tour of duty three hours earlier than requested, and another machinist clocked in for a similar tour approximately six hours too early. While both were paid from the point that they prematurely clocked-in, neither appeared to be working during these hours. The Assistant Director for Work Equipment acknowledged that there was no apparent reason for the early start times.

### Summary of Recommendations

In order to ensure that all road machinists are fulfilling their job responsibilities, Work Equipment foremen and their supervisors need to more closely and directly supervise and monitor their activities. OIG recommends that Metro-North require that Work Equipment foremen and their supervisors:

- Ensure that their road machinists have an adequate work plan for their tour of duty, and confirm that the machinists performed all work assigned;
- Conduct random spot checks to ensure that road machinists are where they are supposed to be;
- Verify the authorized overtime period; and
- Check timekeeping records to ensure that road machinists are clocking-in at their assigned location so that they are able to start work immediately.

In a previous report on excessive engine idling,<sup>2</sup> OIG recommended that Metro-North fully deploy AVL M on its fleet of more than 600 vehicles. OIG has previously found AVL M to be a valuable analytical tool in other reviews and investigations. Metro-North plans to procure an AVL M system and install it on vehicles over 11,000 pounds, which includes vehicles used by the road machinists.

- When Metro-North's AVL M system becomes operational, require that Work Equipment supervisors utilize it to monitor their road machinists on a daily basis.

### Summary of Agency Response

Metro North President Howard Permut began his written response to this OIG report as follows:

We have received and reviewed the preliminary report on the productivity of road machinists. MNR [Metro-North Railroad] management is troubled by the findings, which revealed both unacceptable individual employee conduct and a lack of managerial oversight, and we are taking immediate action to improve productivity and accountability within the unit.

Mr. Permut declared that based on the OIG report, disciplinary charges were brought against five Road Machinists and two of the unit's Foreman.

Mr. Permut also assured the OIG that Metro-North is in the process of procuring an Automated Vehicle Location Monitoring (AVLM) system to help ensure accountability.

The AVL MN will provide management a viable way to monitor vehicle locations, which can help address the oversight problems identified in your review. We expect to begin implementing the AVL M system in the fall of 2013. Installation will include all the vehicles in the Work Equipment unit.

Mr. Permut noted however "that the installation of the AVL M alone will not address the supervision issues raised in the report, and we are in the process of implementing other measures to ensure accountability within the unit..." He then assured the OIG that Metro-North will implement all of the recommendations made in this report. The Railroad will establish a process that requires foreman and supervisors to sign-off on work assignments that have been completed by the road machinists. Metro North will also instruct Work Equipment supervisors and foreman to conduct and document regular on-site field inspections of road machinists, and will establish a formal verification process for overtime authorizations. Finally, Metro North will reinstruct foreman to check timekeeping records to ensure that road machinists are swiping in and out at their assigned locations, and will reissue instructions to all of its employees on their obligation to swipe in and out only at assigned locations.

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<sup>2</sup> OIG Report 2012-06, *Excessive Idling of Highway Vehicles at Long Island Rail Road and Metro-North Railroad*.

Mr. Permut also noted that Metro North is in the process of reviewing Work Equipment's managerial staffing levels. He went on to state that the current ratio of a single manager (the Assistant Director) overseeing 52 employees is likely a contributing factor to the problems that OIG's managerial review uncovered.

OIG is encouraged by Metro-North's response and we will assist the railroad in its efforts to ensure individual accountability. Going forward, OIG will continue to monitor the activities of the Work Equipment Division to ensure that increased productivity and better accountability are lasting improvements.

## BACKGROUND

### Metro-North's Work Equipment Division

The maintenance of track and supporting structures such as railroad ties and ballast (explained below) is performed by crews who utilize specialized equipment and motorized tools to maintain the tracks and keep the right-of-way clear of vegetation. In total, the Track Department has about 250 pieces of specialized equipment (Figure 1)<sup>3</sup> and about a thousand motorized tools.<sup>4</sup> This equipment is an essential part of railroad maintenance. Ensuring that this equipment is performing as intended is the responsibility of the Work Equipment Division.



**Figure 1:** Examples of Track Equipment used by Metro-North. A ballast regulator (left) spreads the stone and distributes it evenly. A ballast tamper (right) is used to pack the ballast under tracks to make the tracks more durable.

Work Equipment employs 37 machinists. Nineteen machinists are permanently assigned to one of three Work Equipment facilities—the repair shop at North White Plains yard, the repair shop at Croton-Harmon yard or the parts room in Springdale, Connecticut. These “shop machinists” work throughout the day at their assigned facility and may perform major repairs to the track equipment, such as an engine overhaul, or manage parts and supplies.

Most of the 18 remaining “road” machinists, in contrast, are permanently assigned to specific track crews, and are responsible for maintaining the equipment and tools assigned to the crew.<sup>5</sup> Unlike a shop machinist, who performs his/her duties each day at the same facility, a road

<sup>3</sup> For example, ballast tampers, ballast regulators and cranes. Ballast is loose stone that supports railroad ties and tracks. A ballast regulator spreads the stone and distributes it evenly. A ballast tamper is used to pack the ballast under tracks to make the tracks more durable. This machine also corrects the alignment of the rails to make them parallel and level, in order to achieve a more comfortable ride for passengers.

<sup>4</sup> For example, chainsaws, leaf blowers, abrasive saws, and power drills.

<sup>5</sup> Two of the 18 machinists are assigned to maintain and repair various tools and machinery used by Metro-North's Structures Department.

machinist usually accompanies the track crew when the latter are replacing tracks, railroad ties, and ballast, and might work at various locations over a wide area throughout any given day.

A road machinist plays an especially important role when the track work requires that his crew use specialized equipment or tools. Because even a minor equipment failure could disrupt the work schedule of the track crew and leave workers idle, a road machinist must stay in close proximity to the track crew so that he can respond within minutes to an equipment malfunction.

### **Supervision of Road Machinists**

Each road machinist is assigned a Metro-North owned truck, and required on work days to report to the headquarters of the assigned crew or other designated location.<sup>6</sup> Upon arrival, each road machinist will discuss upcoming work with the track supervisor, who is responsible for the planning and overall management of work performed by the crew.

In discussing planned work, the road machinist will learn whether the crew will be performing work that will require his support. If his support is needed, then the machinist is expected to accompany the crew to the work site and to stay in close proximity to the crew until the day's work is completed. However, if the track crew is performing minor repairs or other tasks that do not require support, then the road machinist is supposed to find other productive work to perform such as inspecting and maintaining the track crew's equipment and tools.

According to the Assistant Director of Work Equipment (Assistant Director), the head of the division, each morning the road machinist will also speak by phone with the machinist's immediate supervisor, a Work Equipment foreman. They will discuss what work the road machinist performed the previous day and the current day's work plan. The foreman, in turn, reports to his own immediate supervisor within Work Equipment.

When asked to explain his expectations for the Road Machinist job title, the Assistant Director referenced the "Qualifications" section of a recent job posting for a road machinist which reads: "must be capable of performing [his/her] duties with a minimum amount of supervision." He told OIG that he expects that a road machinist will know what equipment to inspect or repair without being told to do so by his foreman. The road machinist should also make sure that the equipment is kept in good condition to reduce the likelihood of failure. He went on to state that "there is always something [for a road machinist] to do to keep the equipment ready [to help ensure] that it doesn't break down at the job site." Lastly, when asked what a road machinist should do if inspections and maintenance are up-to-date on his equipment and he has no other work to perform, the Assistant Director told us that he expects that the road machinist will inform his foreman of the situation so that he can be reassigned.

We interviewed one Work Equipment foreman, who supervises four road machinists, and inquired about his daily management of the workers. He told us that he speaks with each of his

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<sup>6</sup> Road machinists may also report directly to the location where track work is expected to take place. In these cases, they are usually made aware of the new reporting location by the supervisor of their assigned track crew.

machinists in the morning and that road machinists work on the “honor system,” meaning that they have a great deal of latitude in planning and carrying out their work. He also told us that he does random spot checks on his workers to verify their locations, but admitted that these spot checks were not very frequent. The foreman noted that in addition to his supervisory role, he delivers parts when needed to the road machinists, and will assist those who are having trouble fixing a machine. He told us that the road machinists will call him when they are finished for the day to tell him what they did that tour and note any overtime worked. However, when we spoke to the Assistant Director about the level of daily supervision, he told us that after the morning phone conversation between the road machinist and his foreman, the two may have no further contact for the remainder of the day, which suggests that road machinists are subjected to even less monitoring than that described by the foreman that we interviewed.

We also interviewed three track supervisors in order to better understand how they interacted with the road machinist assigned to their crew. These three supervisors told us that they speak with their road machinist every work day and discuss the day’s work plan. When asked if they managed their road machinist, all three supervisors told us that they were not responsible for monitoring or documenting their road machinist’s whereabouts or work activities. Indeed, all three told us that these tasks are the responsibility of the Work Equipment foreman. While it is true that a road machinist’s immediate supervisor is his Work Equipment foreman, in our view the track supervisors should at least assign a track foreman<sup>7</sup> to monitor their machinist’s whereabouts when he is supporting the crew.

Keeping track of the road machinists is especially important, because the amount of time that a road machinist actually spends supporting work performed by a track crew can vary depending on the crew. Interestingly, one track supervisor that we interviewed told us that most of the time he did not need his road machinist, because his crew often performs work that only requires the use of hand tools. In contrast, another supervisor indicated that he needs his road machinist most of the time. He went on to say that on some days, he may need his road machinist to support track maintenance occurring at three different locations.

As described in more detail below, our analysis of the work patterns of five of the 18 road machinists reveals that when their assigned crew did not specifically require their support, the road machinists were often not productively engaged. And, as we also show, the responsibility for this lack of productivity is shared between the workers who do not work and the managers who do not manage.

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<sup>7</sup> A Track Department foreman directly supervises track workers and reports to the Track Department supervisor.

## FINDINGS

In order to ascertain whether the road machinists were appropriately performing their duties and productively engaged throughout their entire workday, OIG evaluated the performance and management of five of the 18 road machinists over a total of 45 tours of duty. These five road machinists report to two of the four Work Equipment foremen who supervise road machinists. At the outset of our review, we relied on information obtained through our field observations of the road machinists. In addition to our observations, and to further support and enhance them, we analyzed work orders completed by these road machinists; daily work activity logs (daily logs) completed by the foreman of their assigned track crews for these same dates; payroll records; and records from an AVLM system.

The work orders and daily logs are critical tools for assessing a road machinist's productivity. Whenever a road machinist inspects, maintains, or repairs a piece of equipment or a motorized tool, he is required to document the task and the time that it took to perform it on a Work Equipment work order form. At the end of each month, road machinists submit completed work orders to their foreman. Track crews are also required to document their daily work activities, and an analysis of these daily logs shows where these crews worked and whether the work that they performed required the support of a road machinist.

### Zero Productivity Tours of Duty

OIG's analysis of the daily logs found that during ten of the tours of duty that we analyzed (22 percent) involving four road machinists, the track crew performed tasks that did not require the support of their road machinist. As noted above, the road machinist should then have found other work, on his own or through his foreman, whereupon such other work (e.g. any inspections or maintenance performed by the road machinist) would be documented in a work order. However, we found no corresponding listing in the work orders submitted by the four road machinists that corresponded to the dates when they were not required to support their assigned crew. Therefore, we conclude that for the tours at issue these machinists performed no work (Table 1). Furthermore, judging by the lack of productivity over what are often consecutive work dates, there is no indication that any of these employees requested reassignment.

**Table 1**

Field Machinist	Zero Productivity Tours of Duty
One	1
Two	4
Three	2
Four	3
<b>TOTALS</b>	<b>10</b>

OIG's analysis of the corresponding AVLM records and observations sheds some light on the activities of the four idle road machinists during these tours of duty.

*Machinist 1*



One road machinist, “Machinist 1” was observed at home by OIG from 1:00 p.m. until 3:45 p.m. on April 20, 2012 mowing the lawn and cleaning the yard. Our analysis of the daily log prepared by the foreman for his assigned crew showed that crew members conducted track inspections that day—a work activity that does not require support by a road machinist. Apparently Machinist 1’s foreman did not speak directly with the supervisor of the track crew and verify whether Machinist 1 supported the crew during this tour of duty. Also, after reviewing his work orders, we conclude that Machinist 1 did not perform any inspections or maintenance during his tour of duty on April 20.

Machinist 1 also claimed on his payroll records that he worked through lunch on this tour, a claim which was approved by his foreman, and therefore received additional compensation. According to the Assistant Director, road machinists are entitled to a 30-minute lunch break, and are required to take that break between 12:00 p.m. and 12:30 p.m. They are also entitled to be paid extra if required to remain with the track crew during their lunch period while the crew is maintaining the tracks. Authorizing track workers to work through lunch is one way that Metro-North tries to take advantage of available track access time to boost productivity. However, as noted, the crew did not perform any track maintenance work, and an analysis of the crew’s payroll records indicates that none of the track workers were paid for lunch on April 20. We conclude that Machinist 1 was not entitled to the additional compensation, and that his foreman authorized the payment without appropriate verification.

#### *Machinist 2*

Over four consecutive tours of duty beginning on Friday June 29 and ending Thursday July 5, 2012,<sup>8</sup> Machinist 2 was assigned to work with the Poughkeepsie and the Croton-Harmon track crews as a fill-in for the machinist who usually worked with these two track crews, but was on vacation. Machinist 2 spent most of these four consecutive tours at food and retail establishments, visiting a family business, at his home, or remaining idle with his vehicle at a Metro-North commuter parking lot.

On July 3, 2012, for example, Machinist 2 left Poughkeepsie Yard at 7:43 a.m. (his tour began at 7:30 a.m.), and drove to a Home Depot, although there was no apparent work-related reason for the stop. He then drove home, where he stayed for approximately 45 minutes. After he left home he drove to a McDonald’s Restaurant, and then to an auto repair shop in Cortlandt Manor. OIG determined that this private business is owned by a relative of Machinist 2. The Assistant Director told us that Metro-North Work Equipment does not conduct business with this service station, so there was also no apparent work-related reason for this stop. After Machinist 2 left the auto repair shop he drove to a spot near Metro-North’s Garrison station where he spent more than an hour, although no track work was going on in the area. At 12:13 p.m., Machinist 2 left the site near Garrison station and drove to an Arby’s Restaurant. At 1:27 p.m. he left the Arby’s Restaurant, and stopped at a private residence (not his home) for 30 minutes, before returning to the Metro-North facility at Beacon to clock out at 4:00 p.m.

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<sup>8</sup> July 4, 2012 was a holiday, and Machinist 2 did not work on this date.

On June 29, July 2 and July 5, 2012, the three other dates that we observed him, Machinist 2 exhibited essentially the same behavior. More troubling, is that Machinist 2's foreman repeatedly assigned him to work with the Poughkeepsie and Croton-Harmon crews, although neither crew had any apparent need for his services. This demonstrates a serious failure of supervision on the foreman's part, because it suggests that the foreman had no communication at all with the supervisors of the Poughkeepsie and Croton-Harmon track crews to find out whether they even needed a machinist.

#### *Machinist 3 and Machinist 4*

In contrast to Machinist 2, who spent much of four tours of duty conducting personal business on private property, OIG's analysis of the records pertaining to Machinist 3 found that he spent two tours of duty on Metro-North property, in Croton Yard, but performed no work. Similarly, we found that Machinist 4 spent most of three tours of duty in a Metro-North railroad yard or commuter parking lot, but performed no work. On June 21, 2012, for example, Machinist 4 clocked in at 7:01 a.m. at North White Plains Yard, his reporting location. AVL records show that he left the yard at 8:25 a.m. drove to an industrial supply store where he spent more than 30 minutes, but for no apparent work-related reason. He then drove to and spent the next 2 hours and 30 minutes at the far end of the commuter parking lot at North White Plains station, although no track work was occurring at this location, before clocking out at for the day at 11:40 a.m. Once again, the foreman appeared to be completely unaware of the situation.

On one other date that Machinist 3 was not needed to directly support his assigned track crew (June 26, 2012), OIG found that he was productively engaged in other work (maintaining the equipment of his assigned track crew) for only four hours of his eight-hour tour. Similarly, on June 19, 2012, Machinist 4 was productively engaged in other work for only half of his eight-hour tour.<sup>9</sup>

Thus, when not required to support their assigned crews, the four road machinists highlighted above showed little inclination to perform any other work.

While Metro-North has the right to expect that their employees will perform their duties even on an "honor system"—the term used by the foreman that we interviewed—that system is obviously not working. Instead, the foremen must be far more proactive in managing and monitoring the activities of their machinists to ensure that they are fulfilling their responsibilities. For starters, the foremen should be in close communication with the track supervisors, particularly in the morning, so that they can find out if their machinists will be needed by the crews. The foremen and their supervisors should also conduct random spot checks to find out if their machinists are where they are supposed to be.

We discussed the details of our findings with the Assistant Director who concurred with our conclusion that no work was performed by the road machinists on the dates that we discussed. He also agreed that the root cause of the lack of productivity was lax management. He told us

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<sup>9</sup> Road Machinist 5 was engaged in support work for the five tours of duty that OIG observed.

that inspections and maintenance on some specialized equipment and tools is overdue. When not needed by their assigned track crews, the road machinists could and should have been redirected by their foreman to perform the overdue inspections and maintenance. He said that instead of driving around “wasting time” during his tour of duty, Machinist 2 could have been maintaining equipment at yards in Croton-Harmon, Peekskill or Poughkeepsie.

The Assistant Director noted that one of his biggest problems is the lack of communication between the road machinists and their foremen, and between the Work Equipment foremen and the track maintenance supervisors. He also noted that, as evidenced by OIG’s observations, poor communication inhibits the foremen’s ability to properly assign the road machinists, and results in a greater loss of productivity.

Further, he told us that Work Equipment foremen and their supervisors need to “pay more attention to what the [road] machinists are doing on a daily basis.” He added that instead of allowing road machinists to “drive around [and] wait for something to happen,” the foremen and supervisors need to be “proactive” in their work, “create assignments for the machinists,” and monitor their performance through spot checks in the field.

In addition, the Assistant Director agreed that when Metro-North outfits the vehicles used by the road machinists with AVL M as it is proposing to do, Work Equipment supervisors should be required to use the AVL M system to periodically spot check the location of their road machinists.

### **Reporting to an Unauthorized Location**

For time-keeping purposes, Metro-North utilizes a Kronos time and attendance system. Time clocks are established at many Metro-North facilities. Road machinists are required to “swipe” their Metro-North issued identification card (ID card) at the Kronos time-keeper at their assigned quarters. Road machinists may also be directed to report directly to the work site at the start of their tour, and are then required to swipe their ID card at the Kronos timekeeper nearest the job site. Employees are expected to “clock in” at the start of their tour of duty and “clock out” at the end of their tour.

Road Machinist 1’s assigned quarters are in Bridgeport, Connecticut. According to the Assistant Director, Machinist 1 should clock in and out at Bridgeport, unless he was assigned to work at a different location. However, a review of his Kronos records indicates that from July 20, 2012 to February 6, 2013, Machinist 1 frequently swiped in at Brewster Yard, which is a five minute drive from his home, at about 7:30 a.m., his usual start time. He then made the 45 mile, one hour drive to his assigned quarters. Also, between July 20 and February 6, 2013, he frequently swiped out at Brewster Yard at the end of his tour of duty at 4:00 p.m.

On February 6, 2013 we spoke to the Assistant Director about this matter. He had no explanation. We pointed out that in effect Machinist 1 was being paid to travel to his reporting location in the morning, and that he had left his assigned worksite early. We also noted that Machinist 1’s foreman apparently had allowed Machinist 1 to swipe in at the Brewster Yard instead of his assigned location without correction. According to the Assistant Director,

Bridgeport, Connecticut has had a Kronos timekeeping system since 2011, so there was no technical reason why Machinist 1 could not have swiped in at this location. During a subsequent interview, the Assistant Director informed us that immediately following our alert he issued verbal instruction to all Work Equipment foremen to ensure that their road machinists were swiping in and out at appropriate locations. By acting promptly following our alert, the Assistant Director effectively put a stop to the objectionable sign-in practice.

We calculate that a total of about 100 hours in work time were used instead by employee for travel because lax supervision allowed this practice to persist uncorrected for several months.

### **Unauthorized Overtime/Unauthorized Absence during Overtime**

According to the Assistant Director, requests for a road machinist to work overtime must be made in writing by a track supervisor on a “Proposed Overtime Machinists Request Form,” and must include the date of the work, start time, reporting location, description of the work to be performed and the name of the road machinist who normally works with the crew.<sup>10</sup>

We reviewed 18 overtime requests, and found that on two of the dates a road machinist began an overtime shift several hours earlier than requested by the track supervisor. We also found that on one of the dates the road machinist was absent for almost two-and-a-half hours during his overtime shift. In both cases the foreman in charge of the road machinist inexplicably approved the employee’s time sheet—including the overtime claims—without any question.

#### *Overtime: Incident One*

On June 13, 2012 the track supervisor for North White Plains (N.W.P.) requested that Machinist 4 report to Metro-North’s facility at N.W.P. that evening at 10:00 p.m., which was after his regular tour of duty. According to his Kronos time-keeping records, however, Machinist 4 swiped in just before 7:00 p.m. at the N.W.P. yard, more than three hours before the requested start time. But thereafter, according to AVLM records, Machinist 4 made a brief stop apparently to purchase food, and then drove to Metro-North’s Fleetwood Station where he stayed until 8:51 p.m. although no work was occurring at this location. He then drove 26 miles and parked at a location close to the work site. He arrived at this location at 9:35 p.m. Obviously, Machinist 4 had no work to do on the overtime shift at least until he arrived at the site where work was to take place.

According to the Kronos timekeeping report and payroll records, Machinist 4 claimed that he began the overtime shift at 7:00 p.m. on June 13, and ended the overtime shift at 7:30 a.m. on June 14. Therefore, he claimed that he worked 12 hours and 30 minutes of overtime. However, in addition to his questionable start time, AVLM records indicate that Machinist 4 was actually at home between 4:50 a.m. and 7:01 a.m., rather than at work as he claimed. AVLM records

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<sup>10</sup> According to the Assistant Director, the road machinist who normally works with the crew is given the option of working the overtime or turning it down. If he declines, the assignment will be offered to another machinist.

further indicate that after leaving home at 7:01 a.m. on June 14, Machinist 4 drove to the yard at N.W.P., where he arrived at 7:24 a.m. in order to begin a new tour of duty. Machinist 4's foreman inexplicably approved his time sheet although the request for overtime and the employee's Kronos records did not match, and without questioning the nature and extent of the work that he performed during the overtime.

#### *Overtime: Incident Two*

On June 22, 2012, the track supervisor for the "surfacing crew" headquartered at Bridgeport<sup>11</sup> requested a road machinist to work overtime that evening. The surfacing crew's usual road machinist, Machinist 1, was off duty and thus unavailable to work overtime. Road Machinist 5 accepted the assignment.

According to the Proposed Overtime Machinists Request Form, the supervisor requested a machinist to report at 10:00 p.m. on the evening of June 22. According to the Assistant Director for Work Equipment, Machinist 5 "was facilitating an equipment move from New Haven to Bridgeport" to be used for track repair. In other words, the specialized equipment was parked in New Haven, and was to be driven by members of the crew to Bridgeport Connecticut where the track work was needed. Machinist 5 was expected to follow the crew in order to be close by in the event of a breakdown. According to payroll records, however, Machinist 5 inexplicably began his overtime shift at 4:00 p.m.—six hours earlier than requested

According to AVL M records, Machinist 5, who normally works the 7:30 a.m. to 4:00 p.m. shift, actually left New York from a site near a Metro-North facility at 2:44 p.m. and then drove to New Haven Connecticut. He arrived at 4:38 p.m. and stopped on Ella Grasso Boulevard near the New Haven Fire Training Academy (Fire Training Academy), which is about a mile from the entrance of the Metro-North facility. Machinist 5 remained in this vicinity for the next six hours, except when he left briefly to go to a gas station. There was no indication that he facilitated the movement of equipment to Bridgeport in any way during the time that he was parked near the Fire Training Academy. Rather, it appears that the equipment move first began at 10:56 p.m. when the AVL M shows Machinist 5 leaving New Haven and then driving 17 miles to Bridgeport where he arrived at 11:22 p.m.

According to work orders that Machinist 5 submitted, he spent one-and-a-half hours replacing the oil, and air and fuel filters on one of the surfacing crew's vehicles. However, it is not clear from his records when he allegedly performed this work because he did not record that information. In any event, these records do not explain his 4:38 p.m. arrival in New Haven. Machinist's foreman approved his time sheet apparently without question, although there is a clear conflict with the request for overtime. After reviewing the available records, the Assistant Director could not explain why Machinist 5 left before the end of his regular tour, or why he began his overtime tour approximately six hours ahead of the scheduled start time.

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<sup>11</sup> Known as the SM-4 surfacing gang, this track crew is responsible for leveling the rails and smoothing the ballast in order to ensure a more comfortable ride.

## RECOMMENDATIONS

As stated at the outset, more active management and oversight is needed to ensure that Metro-North road machinists are productively engaged throughout their tour of duty. OIG recommends that Work Equipment issue a written directive, including the following:

1. Require that Work Equipment foremen (1) communicate each work day with track supervisors in order to ascertain whether the track crew will need road machinist support that day; (2) assign road machinists a work plan sufficient to fill their tour of duty and (3) confirm that the machinists performed all work assigned.
2. Require that Work Equipment foremen and their supervisors conduct random spot checks to ensure that road machinists are where they are supposed to be.
3. Require that Work Equipment foremen verify the authorized overtime period.
4. Require that the foreman check timekeeping records to ensure that road machinists are clocking-in at their assigned location so that they are able to start work immediately.
5. Require that Work Equipment supervisors utilize Metro-North's AVL system to monitor their road machinists on a daily basis, when this system becomes operational.

### Disciplinary Follow-up

As we made clear at the outset of this audit report, OIG began its review to ascertain whether Metro-North road machinists were appropriately performing their duties and productively engaged throughout their entire workday. In doing so, we relied on information obtained through our field observations of the road machinists. To further support and enhance our observations, we then analyzed records, conducted interviews, and utilized a vehicle location monitoring system. While our report ultimately focused on systemic issues involving reduced productivity and lax management, our observations also clearly revealed instances of wrongdoing that merit an individualized response. While we have used pseudonyms in the presentation of our findings here, we also have investigative files with the identities and evidence to support at the very least, disciplinary action. Going forward, we will work with Metro-North as appropriate to address this misconduct.

### Agency Response

*Metro North stated that it accepted all of the recommendations, is working to implement them, and has already taken action to improve the accountability of road machinists in the Work Equipment Division by:*

- *Ensuring daily communication between Work Equipment supervisors and foreman and their respective track supervisors (Recommendation 1.1);*

- *Ensuring that road machinists have sufficient work by requiring that each road machinist complete a daily preventative maintenance worksheet for every day that they are not directed to support their assigned track crew (Recommendation 1.2);*
- *Instructing Work Equipment supervisors and foreman to conduct and document regular on-site field inspections of road machinists (Recommendation 2);*
- *Implementing a formal verification process for overtime authorizations by Work Equipment supervisors and their foreman (Recommendation 3); and*
- *Reinstructing foreman to check timekeeping records to ensure that road machinists are swiping in and out at their assigned locations (Recommendation 4).*

*Metro North also indicated that it will be taking the following future actions, including*

- *Establishing a process that will require that foreman and supervisors sign-off on work assignments that have been completed by the road machinists (Recommendation 1.3);*
- *Require that supervisors utilize AVLMS to monitor the work of road machinists on a regular basis when that system is deployed at Metro North (Recommendation 5); and*
- *Reissuing instructions to all of its employees on their obligation to swipe in and out only at assigned locations.*
- *Reviewing Work Equipment's managerial staffing levels. (In its response, Metro North indicated that the current ratio of a single manager (the Assistant Director) overseeing 52 employees is likely a contributing factor to the problems that OIG's managerial review uncovered.)*

*Metro North also stated that disciplinary charges had been formulated for all five road machinists and two of the division's foreman and are being pursued.*

*OIG will assist Metro North in its efforts to ensure individual accountability and will continue to monitor the activities of the Work Equipment division in order to ensure that increased productivity and better accountability are lasting improvements.*