



W-0369 – Train Operator Removed for Electronic Device Policy Violation at Franconia-Springfield Station

April 11, 2024

Document Purpose

This WMSC written report on WMATA Metrorail's safety event investigation and review of Metrorail's findings in accordance with the WMSC Program Standard, in conjunction with the attached Metrorail investigation report that has undergone WMSC staff review, feedback, and Metrorail revision, describes the investigation activities, identifies factors causing or contributing to the accident, and sets forth ongoing, additional, or upcoming corrective actions and further oversight work (such as inspections and audits) as necessary or appropriate. The WMSC's ongoing oversight during the investigative process, including safety event reporting and verification, participation in investigative interviews, data review, consistent communication with the Metrorail investigations team, and feedback on Metrorail's reports leads to further improvements prior to consideration of the reports by WMSC Commissioners for adoption. The WMSC's safety event investigation oversight assures the sufficiency and thoroughness of Metrorail's investigations. The WMSC Commissioners are considering these documents (the WMSC review and Metrorail's investigation report) as a unified item for adoption at the Washington Metrorail Safety Commission meeting on May 13, 2025.

WMSC staff recommend adoption of this investigation.

Safety event summary:

At approximately 11:15 a.m., on April 11, 2024, at Braddock Road Station, Track 2, a Metrorail Office of Safety Oversight (OSO) Safety Officer reported that it appeared a Train Operator was using an electronic device while operating Train 410. The use of electronic devices, to include earphone devices, cellphones, electronic tablet, electronic games, etc., while operating a train or maintenance vehicle, is prohibited by Metrorail Operating Rules as well as by Metrorail's electronic device usage policy.

Prior to this event, a Metrorail Safety Officer boarded Train 410 at Rosslyn Station to conduct an audit of the Train Operator's compliance with Metrorail Standard Operating Procedure (SOP) 40. Metrorail SOP 40 pertains to station servicing, door operations and station overruns. The Safety Officer heard two voices in the Train Operator's cab but only observed the Train Operator occupying the operator's cab. The Metrorail Safety Officer then contacted the Control Center Operations Manager to report that the Train Operator of Train 410 was possibly using a cell phone while operating the train. The Control Center Operations Manager notified the Rail Traffic Controller who then directed a Rail Supervisor to board Train 410 at Braddock Road Station. During this time the Rail Traffic Controller was also providing instruction to a work crew, which caused confusion regarding response to the train and delayed the Rail Supervisor from boarding. Train 410 departed Braddock Road Station prior to the Rail Supervisor being able to board the train. The Rail Traffic Controller then instructed the Terminal Supervisor at Franconia-Springfield station to remove the Train Operator from service, upon the train's arrival.

The Train Operator was removed from service for post-incident testing per Metrorail policy. However, the toxicology testing was never performed due to an error on the Post-Accident/Post-Incident form completed by the Rail Supervisor who escorted the Train Operator to Metrorail's Office of Health and Wellness (OHAW).



A post-event investigative review of train operator cab camera footage showed that the Train Operator concealed a smartphone under their hair on their right shoulder. The footage also shows the Train Operator using the smartphone while operating the train.

Metrorail determined that the actions of the Train Operator were in violation of the Metrorail Electronic Device Policy. As a result, Metrorail terminated the Train Operator's employment.

Cause and contributing factors:

- Failure to comply with written procedures regarding electronic device use
- Failure to accurately complete the Post-Accident/Post-Incident form

WMSC staff observations

In February 2024, WMSC's submitted an initial document request to Metrorail, in preparation to perform the 2024 Fitness for Duty and Occupational Health Programs Audit. Since that time, Metrorail has refused to provide any documents related to worker safety. In October 2024 the WMSC filed a petition in the U.S. District Court in the District of Columbia. In mid-December 2024, the assigned District Court Judge referred the case to a Magistrate Judge. The WMSC has been unable to perform this audit as a result of Metrorail's refusals to produce all of the WMSC requested documents. The WMSC is prepared to conduct the audit once this matter is resolved, or when Metrorail provides the WMSC requested documents. Evaluation of various programs that are central to Metrorail personnel fitness for duty, including employee drug and alcohol programs would have been a component of the 2024 WMSC Fitness for Duty and Occupational Health Programs audit including the conduct of Metrorail post-incident testing activities that are cited in this investigation.

Separately, several months after this incident, Metrorail completed the implementation of corrective actions, through CAP C-0181 to address a 2021 WMSC finding in the Audit of Rail Operations. The finding stated that elements of Metrorail have a culture that accepts noncompliance with written operational rules, instructions and provided manuals. To address this finding Metrorail implemented its new Safety Management System for the Office of Rail Operations. This included new procedures and training for all personnel within Rail Operations on the common issues and safety-related violations and risks, a new safety risk submission tool, and a new dashboard for tracking risks and instituting mitigation by various safety committees throughout Metrorail. The WMSC monitors Metrorail's actions on an ongoing basis through the review of these CAPs during our audit, inspection, and other oversight activities. As an example, the culture of noncompliance finding that resulted in CAP C-0181, that was closed in September 2024, was examined during the 2024 Control Center and Rail Operations audit, which will be issued in the coming months.

The 2024 WMSC Audit of Metrorail Revenue Vehicles resulted in Metrorail preparing a corrective action plan (C-0146) to address the WMSC recommendation that Metrorail railcars do not include inward and outward facing, audio and video image recording devices in all of its operating compartments. The work to install these audio and video surveillance equipment will be completed in 2026.



Washington Metropolitan Area Transit Authority
Department of Safety (SAFE)
Office of Safety Investigations (OSI)
FINAL REPORT OF INVESTIGATION A&I E24291

Date of Event:	April 11, 2024
Type of Event:	Operator Removed for Electronic Device
Incident Time:	11:15 Hours
Location:	Franconia-Springfield Station
Time and How received by SAFE:	April 12, 2024 - 09:20 Hours – SAFE/MAC
WMSC Notification Time:	April 12, 2024 – 09:27 Hours
Responding Safety Officers:	WMATA: Office of Safety Oversight (OSO) WMSC: None Other: None
Rail Vehicle:	Train ID 410 (L7438/39x7335/34x7395/94T)
Injuries:	None
Damage:	None
SMS I/A Incident Number:	20240412#116119

Franconia-Springfield Station – Operator Removed for Electronic Device

Incident Date: 04/11/2024 Time: 11:15 hours
Final Report – Electronic Device Violation
E24291

Drafted By: SAFE 707 – 04/25/2024
Reviewed By: SAFE 707 – 06/10/2024
Approved By: SAFE 707 – 06/10/2024

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Abbreviations and Acronyms

CAP	Corrective Action Plan
CCTV	Closed-Circuit Television
CMOR	Office of the Chief Mechanical Officer
IIT	Incident Investigation Team
MICC	Metro Integrated Command and Communications Center
MOR	Metrorail Operating Rulebook
NOAA	National Oceanic and Atmospheric Administration
OAP	Operations Administrative Policy
OM	Operations Manager
OSO	Office of Safety Oversight
RTC	Rail Traffic Controller
RTRA	Office of Rail Transportation
SAFE	Department of Safety
SMS	Safety Measurement System
SOP	Standard Operating Procedure
WMATA	Washington Metropolitan Area Transit Authority
WMSC	Washington Metrorail Safety Commission

Washington Metropolitan Area Transit Authority
Department of Safety – Office of Safety Investigations

Executive Summary

**Note that all times listed are approximate and may contain minor variations due to differences between systems of record. **

On Thursday, April 11, 2024, at 11:15 hours, the Train Operator of Train ID 410 was observed manipulating a cellular phone while operating the train after departing Braddock Road Station on track 2.

Prior to the event, an Office of Safety Oversight (OSO) Specialist boarded Train ID 410 at Rosslyn Station to perform an audit of the Train Operator on Standard Operating Procedure (SOP) 40 – Door Operations and Station Servicing. During the audit, the OSO Specialist observed the Train Operator having a conversation and heard two voices, but no one else was in the operating cab with the Train Operator.

At 11:06 hours, the OSO Specialist contacted the Metro Integrated Command and Communications (MICC) Center Operations Manager (OM) and reported that the Train Operator was possibly utilizing their cellular phone while operating the train. The OM informed the Radio Rail Traffic Controller (RTC).

At 11:10 hours, the Radio RTC attempted to contact an Office of Rail Transportation (RTRA) Rail Supervisor located at Braddock Road Station to intercept the train. Train ID 410 arrived at Braddock Road Station at 11:11:12 hours and departed at 11:13 hours. The Rail Supervisor was not able to board the train before the departure of the train.

At 11:15 hours, the Train Operator was observed manipulating a cellular phone while operating the train. The Button RTC instructed the Terminal Supervisor at Franconia-Springfield Station to remove the Train Operator from service upon arrival.

At 11:27 hours, Train ID 410 arrived at Franconia-Springfield Station.

In adherence to Standard Operating Procedure 102-01-02, which outlines the protocol for Removing an Employee from Service for involvement in an operational safety event, the Radio RTC dispatched a Rail Supervisor to relieve the Rail Vehicle Operator from duty for post-incident testing.

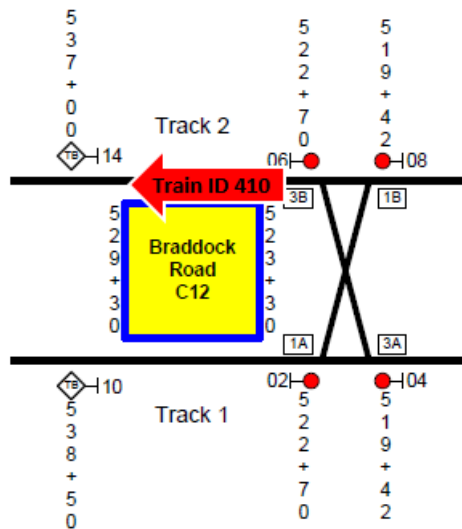
In accordance with the Office of the Chief Mechanical Officer (CMOR) Incident Investigation Team (IIT) Operations Administrative Policy (OAP) 102.06, the Metro Integrated Command and Communications Center (MICC) promptly initiated the removal of Train ID 410 from revenue service for post-incident investigative measures. This action adhered to the Rail Vehicle Event Investigation Policy, ensuring a comprehensive examination of the incident.

The probable cause of the Operator Removed from Service for Electronic Device on April 11, 2024, at Braddock Road Station was due to the poor judgment of the Train Operator when they were utilizing an electronic device while operating a revenue train. A contributing factor was heavy radio transmissions when the Rail Supervisor located at Braddock Road Station was unable to clarify if the RTC had contacted them prior to the Train Operator departed Braddock Road Station.

Incident Site

Franconia-Springfield Station, track 2

Field Sketch/Schematics



**Locations are approximate. Not to scale.*

Purpose and Scope

The purpose of this accident investigation and candid self-evaluation is to collect and analyze available facts, determine the probable cause(s) of the incident, identify contributing factors, and make recommendations to prevent a recurrence.

Investigative Methods

The investigative methodologies included the following:

- Site Assessment through video and document review
- Formal Interviews – SAFE interviewed one individual as part of this investigation. The interview included persons present at, during, and after the incident, those directly involved in the response process, and representatives from the Washington Metrorail Safety Commission (WMSC). SAFE interviewed the following individual:
 - Train Operator – Train ID 410
- Documentation Review – Collection of relevant work history information and process documentation contained in WMATA systems of record. These records include:
 - Train Operator Training Records
 - Train Operator Certifications
 - Train Operator 30-Day work history review
 - Metrorail Operating Rulebook (MOR)
 - National Oceanic and Atmospheric Administration (NOAA)
 - Metro Integrated Command and Control (MICC) Incident Report
 - Maximo Data
- System Data Recording Review – Collection of information contained in Metro Data Recording Systems. This data includes:

- Audio Recording System (ARS) playback
- The Office of Chief Mechanical Officer (CMOR) Incident Investigation Team (IIT) Vehicle Monitoring and Diagnostic System (VMDS)
- Closed-Circuit Television (CCTV)

Investigation

On Thursday, April 11, 2024, at 10:55 hours, an OSO Specialist boarded Train ID 410 at Rosslyn Station to perform an audit of the Train Operator on SOP 40 – Door Operations and Station Servicing. During the audit, the OSO Specialist observed the Train Operator having a conversation and heard two voices, but no one else was in the operating cab with the Train Operator.

At 11:06 hours, the OSO Specialist contacted the MICC OM and reported that the Train Operator was possibly utilizing their cellular phone while operating the train. The OM informed the Radio RTC.

At 11:10 hours, the Radio RTC attempted to contact an RTRA Rail Supervisor located at Braddock Road Station to intercept the train¹. The Rail Supervisor advised that they were located at Braddock Road Station. The Radio RTC Instructed the Rail Supervisor to take over operating the train on track 2, but there was no response.

At 11:11 hours, Train ID 410 arrived Braddock Road Station, and at 11:13 hours the train departed Braddock Road Station. The Rail Supervisor was not able to board the train before the departure of the train.

As, the train departed Braddock Road Station, the Office of the Chief Mechanical Officer, Incident Investigation Team (IIT) analysis revealed that the Train Operator began to manipulate a cellular phone while operating the train.

At 11:15 hours, the Radio RTC attempted to contact the Rail Supervisor at Braddock Road Station and inquired if they were aboard the train, but there was no response. The Button RTC contacted the Terminal Supervisor at Franconia-Springfield Station and instructed them to remove the Train Operator from service.

¹ During the same transmission, the RTC provided instructions to personnel from the Office of Track and Structures.



Image 1 – Image of the Train Operator utilizing a cellular phone while operating the train.

At 11:16 hours, the Rail Supervisor walked from the parking lot and then entered Braddock Road Station. The Rail Supervisor contacted the Button RTC and inquired if the RTC was attempting to contact a track unit or the Rail Supervisor. The Button RTC advised that they were looking for the Supervisor to board the train that had already departed the platform for the report of an Operator on their cell phone. The Rail Supervisor advised that they were unable to determine if the RTC was calling for the Rail Supervisor or track personnel, and that they would respond to Franconia-Springfield Station.

At 11:24 hours, the Rail Supervisor walked from the Braddock Road Station to the parking lot.
At 11:27 hours, Train ID 410 arrived at Franconia-Springfield Station.

At 11:51 hours, the Rail Supervisor arrived at Franconia-Springfield Station to transport the Train Operator for post-incident testing.

The Office of Health and Wellness (OHAW) declined to perform post-incident testing of the Train Operator due to the Rail Supervisor selecting No on question #5 of the Post-Accident/Post-Incident Determination Referral Form; OHAW determined that the answered questions on the Post-Accident/Post-Incident form did not match the description which resulted in the Collector not performing the drug and alcohol collection. OHAW has committed to coaching the Collectors to have discussions with the escorting Supervisors upon their arrival for testing on completing the Post-Accident/Post-Incident form to ensure the answered questions match the description of what happened.

**OCCUPATIONAL HEALTH AND WELLNESS'
DRUG AND ALCOHOL COMPLIANCE PROGRAM
POST-ACCIDENT/POST-INCIDENT DETERMINATION REFERRAL FORM**

Federal Transit Administration (FTA) regulations and WMATA's drug and alcohol policy require employees involved in an accident/incident to submit to testing for prohibited drugs and alcohol as soon as possible following the occurrence. FTA regulations and WMATA's policy also require the testing of any other individual whose performance may have contributed to the accident/incident.

EMPLOYEES MUST BE ESCORTED

(Testing will not commence without supervisory escort.)

GENERAL INFORMATION (Please Print)

Employee Name	Employee ID Number	Job Title
Supervisor	Supervisor	Phone #
Dept/Location		

ACCIDENT / INCIDENT INFORMATION

Accident / Incident Date	4-11-24	Accident / Incident Time	11:10 AM
Reported to Supervisor Date	4-11-24	Reported to Supervisor Time	11:15 AM

Please provide a brief description of what happened:

THE OPERATOR WAS REMOVE FROM SERVICE BECAUSE OF A SAFETY VIOLATION. CELL PHONE POLICY.

DECISION MAKER QUESTIONNAIRE

Select One: DOT Safety Sensitive Non-Safety Sensitive (Non-DOT test ONLY)

- | | | |
|---|--------------------------------------|-------------------------------------|
| 1. Did the occurrence involve the <u>operation of a revenue service vehicle</u> ? | YES <input checked="" type="radio"/> | NO <input type="radio"/> |
| 2. Was there a fatality? | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| 3. Has any individual suffered bodily injury and immediately received medical treatment away from the scene of the accident/incident? | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| 4. If the vehicle involved was a bus, van, or automobile was there disabling damage as a result of the occurrence and any vehicle removed from the scene by a tow truck or other vehicle? | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| 5. If the vehicle was a railcar, was the vehicle removed from revenue service as a result of the occurrence? | YES <input type="radio"/> | NO <input checked="" type="radio"/> |

If you responded "NO" to question number one, please proceed with Non-DOT testing as appropriate.

Escorting Supervisor (Print Clearly)	ID Number	Phone Number
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Please Continue to Next Page

Not Tested Per [Redacted]

Document 1 – OHAW Post-Accident/Post-Incident Referral Form completed by the Rail Supervisor whose response to question #5 was No, which led to OHAW declining to test the Train Operator.

RTRA performed an investigation and determined that the Train Operator was in violation of the Electronic Device Policy. On May 9, 2024, the Train Operator was terminated.

Chronological Event Timeline

A review of ARS playback, i.e., phone and radio communications, revealed the following timeline:

Time	Description
10:13:59 hours	Train ID 410 departed Downtown Largo Station. [Radio LG-YD]

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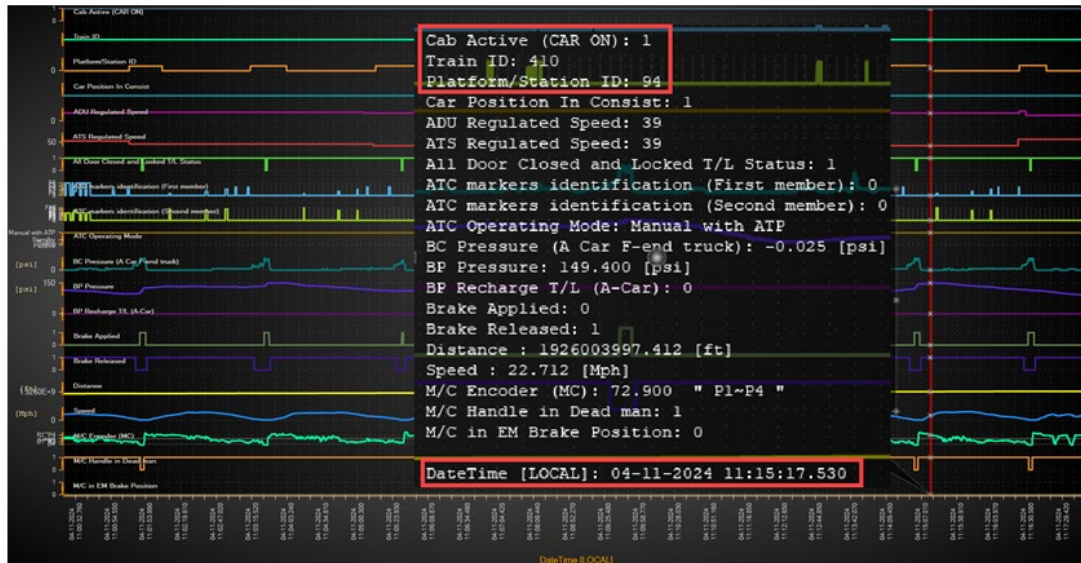
Time	Description
10:54:50 hours	Train ID 410 arrived at Rosslyn Station. [SPOTS]
10:55:31 hours	OSO Specialist boarded the train. [CCTV]
11:06:19 hours	OSO Specialist notified OM. [Phone Rail 1]
11:09:23 hours	OM notified the RTC. [Phone Rail 1]
11:10:09 hours	<u>Radio RTC</u> : Attempted to contact a Rail Supervisor to intercept Train ID 410. <u>Rail Supervisor</u> : Reported located at Braddock Road Station. <u>Radio RTC</u> : Instructed the Rail Supervisor to take over operating the train on track 2. <u>Rail Supervisor</u> : No response. [Radio Ops 3]
11:12:02 hours	<u>Radio RTC</u> : Attempted to contact a Rail Supervisor at Braddock Road Station. <u>Rail Supervisor</u> : No response. [Radio Ops 3]
11:12:47 hours	Train ID 410 arrived at Braddock Road Station. [CCTV]
11:13:19 hours	Train ID 410 departed at Braddock Road Station. [CCTV]
11:15:01 hours	<u>Radio RTC</u> : Attempted to contact the Rail Supervisor at Braddock Road Station. Inquired if they were aboard the train. <u>Rail Supervisor</u> : No response. [Radio Ops 3]
11:15:18 hours	The Train Operator was observed manipulating a cellular phone while operating the train. [CCTV]
11:15:36 hours	<u>Button RTC</u> : Instructed the Terminal Supervisor at Franconia-Springfield Station to remove the Train Operator from service. [Phone Yel/Grn]
11:16:33 hours	The Rail Supervisor walked from the parking lot, and then entered Braddock Road Station. [CCTV]
11:17:05 hours	<u>Rail Supervisor</u> : Inquired if the RTC was trying to contact the track unit or the Supervisor. <u>Button RTC</u> : Responded, looking for the Supervisor to board the train that had already departed the platform for the report of an Operator on their cell phone. <u>Rail Supervisor</u> : Responded that they were unable to determine if the RTC was calling for the Supervisor or track personnel. Advised that they would respond to Franconia-Springfield Station. [Phone Yel/Grn]
11:24:25 hours	The Rail Supervisor walked from the Braddock Road Station to the parking lot. [CCTV]
11:27:47 hours	Train ID 410 arrived at Franconia-Springfield Station. [SPOTS]
11:28:11 hours	The Rail Supervisor walked from the parking lot and then entered Braddock Road Station. [CCTV]
11:31:19 hours	The Rail Supervisor walked from the Braddock Road Station to the parking lot. [CCTV]
11:51:59 hours	The Rail Supervisor arrived at Franconia-Springfield Station to transport the Train Operator for post-incident testing. [Ambient J03]

****Note:** Times above may vary from other system's timelines based on clock settings and reporting source.

The Office of Chief Mechanical Officer (CMOR) / Vehicle Monitoring and Diagnostic System (VMDS) Timeline

Adopted from CMOR IIT report:

Train ID 410 had just departed from Braddock Road Station (C12-2); refer to the screenshot below. The Train's speed was 22 MPH and was in a Power Mode of "P1-P4."



At 11:15:18, the Train Operator is seen removing a cell phone that was resting on her right shoulder from under her hair; reference the screenshot below.



Office of Health and Wellness (OHAW)

OHAW determined that the answered questions on the Post-Accident/Post-Incident form did not match the description which resulted in the Collector not performing the drug and alcohol collection. OHAW has committed to coaching the Collectors on having discussions with the escorting Supervisors upon their arrival for testing on completing the Post-Accident/Post-Incident form to ensure the answered questions match the description of what happened.

Office of Rail Transportation (RTRA)

Adopted from RTRA report:

RTRA performed an investigation and determined that the Train Operator was in violation of the Electronic Device Policy. On May 9, 2024, the Train Operator was terminated.

Interview Findings

As part of the investigation launched into the event, SAFE interviewed one person. The interview identified the following key findings associated with this event. The findings detailed below include reported information from involved personnel and may conflict with other data sources contained in the report.

- The Train Operator stated that after they exited the Operator's cab someone asked them for their ID, took a picture, and mentioned something about a violation.
- The Train Operator stated that the Terminal Supervisor informed them that they were being removed from service, allegedly for a cell phone policy.
- The Train Operator stated that they were aware of the Electronic Device Policy.
- The Train Operator stated that they usually keep their cell phone in their top pocket and not in their bag because they did not want to be robbed.

Weather

On April 11, 2024, at the time of the incident, NOAA recorded the temperature as 69°F, with mostly cloudy skies, winds 17 mph, and 70% humidity. The weather was not a contributing factor in this incident (Weather source: NOAA) – Location: Alexandria, VA.

Related Rules and Procedures

Metrorail Operating Rules (MOR)

12.10 Use of Electronic Devices

12.10.1.1 It is prohibited to use a cell phone, any electronic device or wear an earphone device while operating a revenue vehicle or directly interacting with WMATA customers. Prohibited use of cell phones includes text messaging, conversations, or using any of the phone applications (calendar, camera, etc.).

12.10.1.2 While operating a rail vehicle, cell phones and electronic devices are to be turned off and stored off-person.

Policy/Instruction 10.8/3 – Electronic Device Policy

Human Factors

Fatigue

Signs and Symptoms of Fatigue

We evaluated signs and symptoms of fatigue that may have been present at the time of the incident. No signs or symptoms of fatigue were detected from the available data. Video of the incident was reviewed for signs of the Train Operator's fatigue. No signs or symptoms of fatigue were evident from the video. The Train Operator reported feeling fully alert at the time of the incident. The employee reported experiencing no symptoms of fatigue in the time leading up to the incident.

Fatigue Risk

We evaluated incident data for fatigue risk factors. No significant risk was identified. The incident time of day did not suggest an increased risk of fatigue-related impairment. The Train Operator reported keeping a regular sleep schedule in the days leading up to the incident. The Train Operator worked one shift in the days leading up to the incident. The Train Operator was awake for **8.5** hours at the time of the incident. The Train Operator reported 6 hours of sleep in the 24 hours preceding the incident. The off-duty period was **14.35** hours which provides an opportunity for 7-9 hours of sleep. The employee reported no issues with sleep.

Post-Incident Toxicology Testing

Post-Incident Toxicology Testing was not conducted for this event.

Findings

- The OSO Specialist was conducting an audit when the event was revealed.
- The Train Operator was utilizing their cellular phone while operating the train between multiple stations.
- The Rail Supervisor was unable to board the train before the train departed Braddock Road Station.
- The OHAW Collector declined to perform post-incident testing.

Immediate Mitigation to Prevent Recurrence

- The Train Operator was removed from service.

Probable Cause Statement

The probable cause of the Operator Removed from Service for Electronic Device on April 11, 2024, at Braddock Road Station was due to the poor judgment of the Train Operator when they were utilizing an electronic device while operating a revenue train. A contributing factor was heavy radio transmissions when the Rail Supervisor located at Braddock Road Station was unable to clarify if the RTC had contacted them prior to the Train Operator departed Braddock Road Station.

Recommended Corrective Actions

Corrective Action Code	Description	Responsible Party	Estimated Completion Date
116119_SAFE CAPS_RTRA _001	The Tran Operator received disciplinary action in accordance with the Disciplinary Administration Program.	RTRA	Completed

Appendices

Appendix A – Interview Summary

The below narratives summarize the incident and represent the statements made by the involved individual. As such, times and details may present a conflict with the data contained in systems of record.

RTRA

Train Operator

The Train Operator is a WMATA employee with ten years of service and one year of experience as a Train Operator. The Train Operator holds a Roadway Worker Protection (RWP) Level 2 certification that expires in November 2024.

During the formal interview, the Train Operator stated that when they arrived at the Division, they parked their car, and went inside to get their manifest. The Train Operator stated that they contacted the Tower and performed a ground walk-around before taking the train from the yard.

The Train Operator stated that they had already completed a round-trip and was heading back to Franconia-Springfield Station.

The Train Operator stated that they arrived at Franconia-Springfield Station when the Terminal Supervisor instructed them to come to the block house. The Train Operator stated that after they exited the Operator's cab someone asked them for their ID, took a picture, and mentioned something about a violation. The Train Operator stated that the Terminal Supervisor informed them that they were being removed from service, allegedly for a cell phone policy.

The Train Operator stated that they informed the Safety Officer that they were talking to themselves and was not on the phone.

The Train Operator stated that they love operating the train.

The Train Operator stated that they were aware of the Electronic Device Policy.

The Train Operator stated that they have approved FMLA to take care of a family member.

The Train Operator stated that they usually keep their cell phone in their top pocket and not in their bag because they did not want to be robbed.

Appendix B – Train Operator Certification



TRAIN OPERATOR AND ROAD SUPERVISOR JOB TASK PROFICIENCY EVALUATION



Name:	[REDACTED]	Emp.No:	[REDACTED]	Division:	Training	Date:	03/22/2023
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Reason for Certification: *Please place a check in an area below.*

☒ Certification: Student ☐ Pre-certification: Student ☐ Division Request ☐ Re-Certification ☐ Return to Duty ☐ Other _____

Exam Administered	Score	Date Taken	Equipment (current/working condition)	Yes	No
MSRPH version #:	84%	2/17/2023	MSRPH	✓	
TVOIM/TOIM	81%	2/17/2023	Perm/Temp/Special Orders	✓	
Supervisor Combination	%		Troubleshooting Guide	✓	
Practical attempt #:1	QL-2	03/22/2023	Flashlight	✓	
			Safety Vest	✓	
			Footwear	✓	
			Identification (One Badge, RWP)	✓	

Comments

Signatures:	Date:
Employee: [REDACTED]	3/22/2023
Examiner: [REDACTED]	3/22/2023

Document 2 – Train Operator's Certification dated March 22, 2023, Page 1 of 2



TRAIN OPERATOR AND ROAD SUPERVISOR JOB TASK PROFICIENCY EVALUATION (continuation sheet)			Emp No. [REDACTED]	Date: 03/27/2024
CATEGORIES / SUBCATEGORIES	QUALITY LEVEL	REMARKS (Remarks are required for a quality level score of 2 or 3)	Cars Used:	
I. Preparation for Service	N/A			
1. Exterior Inspection	N/A			
2. Interior Inspection - Trailing Cab	N/A			
3. Interior Inspection - Each Car	N/A			
4. Interior Inspection - Oper. Cab	N/A			
5. Rolling Test / Rolling Brake Test	N/A			
		Time Allotted: 35:00 / Actual Time: :		
II. Mainline Operation	N/A			
6. Communications	N/A			
7. Door Oper. & Station Stopping	N/A			
8. Use of Horn	N/A			
9. Speed Adherence/Manual Oper.	N/A			
10. Turn Back Moves	N/A	Location: Time Allotted: 02:00 / Actual Time:		
11. Manual Route Selection	N/A	Location:		
12. EV Shutoff	N/A	Time Allotted: 00:30 (1:00) / Actual Time: :		
III. Yard Operation	N/A			
13. Communications	N/A			
14. Yard Movements	N/A			
15. Coupling	N/A	Time Allotted: 08:00 (12) / Actual Time: :	Cars Used:	
16. Uncoupling	N/A	Time Allotted: 05:00 (7.5) / Actual Time: :	Cars Used:	
17. Isolation (Self-Recovery)	N/A	Time Allotted: 15:00 (22.5) / Actual Time: :	Cars Used:	
18. Manual Switch Operation	N/A			
IV. Miscellaneous	PASS			
19. Recovery Train Operation	1	Time Allotted: 12:00 (18) / Actual Time: 10:07	Cars Used: 7268 X 7498	
20. Troubleshooting	1			
#1 ATC Failure (ATC Power Supply Tripped Led Car Reset) #7498 12:44-12:48				1:33 QUL A
#2 Door Failure (FEEDR activated) #7269 12:49-12:51				2:12 QUL A

Document 5 - Train Operator's Certification dated March 27, 2023, Page 1 of 2

Incident Date: 04/11/2024 Time: 11:15 hours
 Final Report – Electronic Device Violation
 E24291

Drafted By: SAFE 707 – 04/25/2024
 Reviewed By: SAFE 707 – 06/10/2024
 Approved By: SAFE 707 – 06/10/2024

Appendix C – RTRA Investigative Report



WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

INVESTIGATION REPORT		DIVISION Alexandria		GARAGE N/A		FILE NO. 04112024-015446	
DATE OF OCCURRENCE April 11, 2024		TIME 10:56am		VEHICLE NO. L7394		RUN # AX-29	
SHIFT AM		BLOCK NO. ID 410		LINE Blue Line		LOCATION Between Rosslyn and Franconia-Springfield Stations Track #2	
DESTINATION Franconia-Springfield		TYPE OF CASE Violation of P/I 10.3/8 Electronic Device Policy MOR 1.1.2, 1.1.3 and 1.1.8		REPORTED BY Safety Specialist			
NAME OF EMPLOYEE INVOLVED Train Operator [REDACTED]				EMPLOYEE NO. [REDACTED]			
NATURE OF OCCURRENCE Electronic Device Policy Violation							
1. SUMMARY OF INVESTIGATION 2. STATEMENT OF EMPLOYEE 3. SUMMARY OF VIOLATION 4. ANALYSIS OF FACTS / EVIDENCE IN SUPPORT OF RULE VIOLATION 5. ASSESSMENT OF DISCIPLINE							
<p>1. On Thursday, April 11, 2024, at 10:56am, Safety Specialist [REDACTED] boarded Train ID 410 at Rosslyn Station track #2. Upon entering the train, [REDACTED] noticed that the operator was engaged in a phone conversation while in the train operator's cab. [REDACTED] did not see anyone else present in the operator's cab and he promptly reported his observations to the MICC. The operator of Train ID 410 was removed from service upon arrival at Franconia-Springfield Station.</p> <p>2. Train Operator [REDACTED] you were instructed to complete an incident report. In your incident report you stated, "Operating the train 410 when I arrived at Franconia a gentleman approached me then asked for my badge. I showed him my badge. Then the terminal supervisor told me to come and see her. Then the terminal supervisor was informing me that I was being taken out of service for cell phone policy."</p>							
ACTION TAKEN: Termination of Employment							
DATE 05/09/2024		ACTION TAKEN BY: [REDACTED]				TITLE: Superintendent	
EMPLOYEE SIGNATURE [REDACTED]							
I certify that the above has been called to my attention, and I understand that my signature does not imply admission of guilt							
EMPLOYEE MAY WRITE A STATEMENT IN THIS SPACE							

4.21 (6/79) Orig: Office of Bus Service (BUSV) or RAIL Yellow: Employee 068 00 0736 R1
Green: Employee Division File Pink: Union Gold: RTRA Admin.

Document 6 – RTRA Investigative Report, Page 1 of 3

Incident Date: 04/11/2024 Time: 11:15 hours
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Reviewed By: SAFE 707 – 06/10/2024
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3. Operator Gilchrist, this incident has been investigated and the following rules and procedures were violated:

P/I 10.3/8 Electronic Device Policy:

Definition

3.02- Electronic Device- any company-issued or personal device that makes or receives phone calls, leave messages, sends or receives text messages, sends or receives short messages service (SMS) or multimedia messaging service (MMS) or similar yet-to-be-developed technology or alerts, access the internet, receives or sends a Global Positioning System (GPS) signal, allows for uploads of data, text or images, requires any user action to operate, or provides a distraction even without user action.

5.03 Use of Electronic Devices in Vehicles:

(b) Buses, Rail Vehicles, and MetroAccess Vehicles:

(1) Unless specifically permitted in this section individuals operating rail vehicles on the roadway are prohibited from using an electronic device. Individuals operating revenue vehicles are also prohibited from wearing or carrying electronic and hands-free devices on their person. Electronic devices, including hands-free devices, that are in a bag or purse and in the OFF position (not "silent" or "vibrate") are not considered to be on the employee's person.

6.00 ENFORCEMENT

6.03- For represented employees, failure to comply with this P/I will result in discipline as follows. When administering discipline under this P/I, supervisors and managers must comply with the procedural requirements for imposing discipline under the applicable collective bargaining agreement.

(a) Revenue Vehicle:

(1) Using an Electronic Device while Operating a Revenue Vehicle:

First Offense: Discharge.

MOR 1.1.2 – Customer safety is the responsibility of every WMATA employee; however, Train Operators have the ultimate and final responsibility for the safety of the customers on their particular trains. If any Train Operator is instructed by any person, regardless of rank, title, or position, to take any action which would adversely affect the safety of customers, the operator shall stop the train, notify ROCC or the Interlocking Operator, and shall not continue until satisfied that it is safe to do so.

MOR 1.1.3 – Employees shall not permit unnecessary conversation, reading, lounging or any other action or condition of the mind to divert their attention from the safe and performance of duty.

MOR 1.1.8 - Employees shall not operate any vehicle in a reckless or unsafe manner.

4. An investigation was conducted by Alexandria Division Managers. The investigation included your incident report, statements made during your interview with Division Management, statement and video provided by Safety Specialist [REDACTED] and video from car #7394. When interviewed by Division Management, you stated that you didn't recall using your cell phone while operating the train but you did state that your cell phone was located in your pocket. In our investigation, it was confirmed that you were operating Train ID 410 when Safety Specialist [REDACTED] boarded your train at Rosslyn Station. It has also been confirmed, on video, that you used your cell phone while operating your train in revenue service.

Operator [REDACTED] as a Train Operator, the safety of our customers, employees and property are a priority. Using your cell phone while operating a rail vehicle was reckless and unsafe. Your disregard to operational procedures increased the possibilities for unforeseen occurrences, injuries or even fatalities.

Employee Initials: [REDACTED]

Document 7 - RTRA Investigative Report, Page 2 of 3

5. Operator [REDACTED] in determining the appropriate disciplinary penalty for your actions, the Division considered many factors. The records of WMATA indicate you have been an employee since July 22, 2013. The records indicate that you have been a train operator since March 26, 2023. You had one operational violation for Departing Terminal 10 minutes Ahead of Schedule which occurred on June 19, 2013, which you received a Level 2 violation with zero (0) points assessed due to positive points.

Operator [REDACTED] even though your work record only reflects one (1) operational violation within the past two (2) years, the nature of this violation of WMATA's Electronic Device Policy is extremely serious and relates directly to your responsibilities as a train operator to always operate in a safe and responsible manner. In this case, your cell phone was turned on and in your hand while you looked down to use it, taking your eyes off of and away from the roadway, while operating your train in revenue service. Based upon a review of this record, WMATA has not found any reason to mitigate or modify the disciplinary action called for in the policy. For the above proven violations and reasons stated, you are hereby terminated from the employment of WMATA, effective May 09, 2024.

Your official WMATA identification card, keys, radio, and/or uniforms and any other Authority property in your possession should be turned in to me at the Alexandria Rail Division. These items will be deducted from your final check if not immediately turned in to the Authority. Any remaining monies due to you will be forwarded to your current address of record from the Office of Finance, Secretary-Treasurer.

Signature

Date

5/9/24

Document 8 - RTRA Investigative Report, Page 3 of 3

Incident Date: 04/11/2024 Time: 11:15 hours
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Reviewed By: SAFE 707 – 06/10/2024
Approved By: SAFE 707 – 06/10/2024

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Appendix D – OHAW Document

From: [REDACTED]
Subject: FW: Train Operator not tested after incident
Date: Monday, April 15, 2024 9:47:24 AM
Attachments: [PI Referral Not Tested.pdf](#),
[image002.png](#)

Good morning [REDACTED]

It was a pleasure speaking with you.

Apologies for the confusion and the no test that occurred.

It appears that the answered questions on the Post-Accident/Post-Incident form do not match the description which resulted in the Collector not performing the drug and alcohol collection. Question 5 should have been marked yes.

Moving forward, the Collector will coach the escorting Supervisors with completing the Post-Accident/Post-Incident form to ensure the answered questions match the description.

Let me know if you have any questions.

Thanks.

[REDACTED]
Manager, Drug and Alcohol Compliance Program (Acting)
Occupational Health and Wellness (OHAW) – Safety and Readiness
Washington Metropolitan Area Transit Authority
4100 Ga [REDACTED]ve, Suite [REDACTED]yer, MD [REDACTED]
Direct: [REDACTED] | Mobile: [REDACTED] | Fax: [REDACTED]
Email: [REDACTED]
Metro [REDACTED]ety, Service Reliability, and Fiscal Responsibility



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Document 9 – OHAW Document that address coaching during form completion.