



U.S. Department  
of Transportation

**Federal Transit  
Administration**

Headquarters

1200 New Jersey Avenue, SE  
Washington, DC 20590

**SENT VIA EMAIL**

July 29, 2022

Mr. Steve Poftak  
General Manager  
Massachusetts Bay Transportation Authority  
10 Park Plaza  
Boston, MA 02116

Subject: Special Directive 22-6 Corrective Action Plans

Dear Mr. Poftak,

Thank you and your team for submitting corrective action plans (CAPs) to address the following required actions from Federal Transit Administration (FTA) Special Directive 22-6 related to the Massachusetts Bay Transportation Authority's (MBTA) Operations Control Center (OCC):

- FTA-OCC-22-004: MBTA must develop and enforce policies that require OCC personnel to work in a rested state. MBTA must modify its hours-of-service policy to require sufficient hours of rest, consistent with MBTA's hours of service policy for rail transit motorpersons.
- FTA-OCC-22-005: MBTA must adequately staff the OCC for current operational needs. MBTA must provide a plan to meet the operational needs of the system, consistent with MBTA's hours of service policy for rail transit motorpersons and meeting scheduled leave requirements.
- FTA-OCC-22-006: MBTA must identify and address major challenges in recruiting and training new rail transit dispatchers, the quality and performance of their training, and the certification of new candidates.
- FTA-OCC-22-007: MBTA must verify that all dispatchers working within the OCC are current in their certifications prior to starting their shift.

The FTA has completed its review of the MBTA's CAPs and initial submittals related to Special Directive 22-6. The CAPs are approved in part and rejected in part. Specific comments and required actions for rejected CAPs can be found in the attached CAP Evaluation Matrix.

### **FTA Approval of MBTA's CAPs for FTA-OCC-22-004 and FTA-OCC-22-007**

FTA approves the CAPs and initial submittals for FTA-OCC-22-004, including Operations Special Order #22-116, Limitation of Work Hours for Dispatchers in the OCC, and FTA-OCC-22-007, including daily and weekly submittals received since June 23, 2022, documenting certification status for all personnel in the OCC.

Please continue implementing the actions as specified.

### **FTA Rejection of MBTA's CAPs for FTA-OCC-22-005 and FTA-OCC-22-006, Resubmission Required**

FTA rejects the proposed CAPs for FTA-OCC-22-005 and FTA-OCC-22-006 and requires additional information and resubmittal as directed below.

#### FTA-OCC-22-005

FTA's review of this CAP focused on 1) the rationale and memorandum developed to establish the safe staffing model for the OCC that went into effect on June 19, 2022 and 2) the level of detail provided for the short- and medium-term hiring and staffing plan for the OCC.

- ***Rationale for Staffing Model:*** The MBTA's OCC staffing model addresses FTA's finding regarding fatigue among OCC personnel and ensures that OCC dispatchers, supervisors and managers work no more than 14 hours in a 16-hour period and are provided 10 hours off between shifts. In the rationale justifying the safety of this staffing model, the MBTA notes that this model was developed "based on institutional understanding, rules, guidelines, and procedures." The model also reviewed "Heavy Rail dispatcher absence rates, hiring and attrition rates, and hours worked, to ascertain the severity of the underlying risks and the potential duration of reduced staffing."

However, the MBTA's rationale for this staffing model does not provide data to document the adequacy of staffing determinations, particularly regarding the decision to assign only one (1) dispatcher to the Orange/Blue Line dispatching function. For example, for heavy rail dispatcher staffing determinations, the rationale does not include averages or ranges for relevant data, such as the number of train moves monitored, the number of radio calls managed, the number of track access requests and power requests managed, the number of jurisdictions served by rail transit line, or other information to show the level of activity by dispatcher.

While there are opportunities for support on the Orange/Blue line in the staffing model (e.g., break relief), and while previous policy allowed one dispatcher to manage the Orange/Blue Line overnight, the proposed model largely assigns responsibility for train movement on the Orange/Blue Lines to a single dispatcher, for all shifts throughout the week and weekend.

Over the last week, FTA has received reports from employees and their representatives regarding concerns with the safety of this approach to managing the Orange/Blue Line.

Primarily, these concerns relate to the number of discrete tasks that must be performed, and kept track of, by the single OCC dispatcher to manage both lines, as well as the speed at which these tasks must be performed to meet the needs of MBTA's Orange and Blue Line service and ensure passenger and worker safety. Also, concerns have been raised regarding the ability of the Orange/Blue line dispatcher to support maintenance work.

**By no later than Friday, August 5, 2022, please provide FTA with additional information documenting MBTA's data and analysis regarding the safety of the single Orange/Blue Line dispatcher staffing model. The information should document the data analysis as well as document the resources available to support the single Orange/Blue line dispatcher, including during an emergency, such as the train fire and evacuation that occurred on July 21, 2022. In addition, please provide any other documentation that MBTA believes would be useful to FTA in understanding this staffing decision.**

- *Level of detail provided for the short- and medium-term hiring and staffing plan for the OCC:* FTA has identified a number of proposed activities and timeframes that must be clarified and expanded upon before FTA can approve this CAP. Specifically, FTA would like to see the staffing numbers for the medium-term plan and to understand how this medium-term plan differs from the long-term solution for OCC staffing issues.

**By no later than Wednesday, August 10, 2022, please respond the comments and requests for additional information in the evaluation table attached for this CAP, using the "MBTA comments" column or in a separate document.**

FTA-OCC-22-006

FTA's review of this CAP focused on the proposed timeframes for taking key actions required to address FTA's findings, such as recruiting, hiring, training, and certifying new OCC dispatchers and trainers; developing new procedures; and implementing tools to support tracking of the scheduling and certification of OCC personnel, some of which are extended well into 2024. FTA must have more details on the recruitment and retention plans to accept these CAPs.


**By no later than Wednesday, August 10, please respond to the comments and questions provided in the attached CAP evaluation table, using the "MBTA comments" column or in a separate document.**

## **Conclusion**

FTA will review the response to the comments in the CAP evaluation table. Shortly thereafter, FTA will arrange a meeting with you and your team to review your agency's responses. Following the meeting, FTA will request that MBTA resubmit the CAPs for FTA-OCC-22-005 and FTA-OCC-22-006, reflecting new dates and actions.

We appreciate your efforts to enhance MBTA's safety performance, and we look forward to working with you and your team as the MBTA addresses these findings and required actions. Please contact our SMI CAP Manager, Mr. Cyrell McLemore, by phone at (312) 886-1625 or by email at [Cyrell.McLemore@dot.gov](mailto:Cyrell.McLemore@dot.gov) with any questions.

Sincerely,



Joe DeLorenzo  
Associate Administrator and  
Chief Safety Officer  
Office of Transit Safety and Oversight

Enclosure: Special Directive 22-6 Corrective Action Plan Evaluation Table

cc: Peter Butler, Regional Administrator, FTA Region 1  
Jeffrey Gonneville, Deputy General Manager, MBTA  
Ron Ester, Chief Safety Officer, MBTA  
Dave Carney, Chief of Transit Services, MBTA  
Andrea Gordon, Assistant General Manager, Rail Operations, MBTA  
Elizabeth Cellucci, Director, Transportation Oversight Division, Massachusetts Department  
of Public Utilities



**Corrective Action Plan (CAP) Evaluation Matrix  
Special Directive 22-6: Operations Control Center (OCC)**

Identification Number	Finding and Required Action	Proposed CAP Items	Proposed Due Dates	FTA Comments	MBTA Response (if needed)
FTA-OCC-22-004	<p><u>Finding:</u> MBTA requires its OCC personnel to work in a fatigued state as a pattern and practice.</p> <p><u>Required Action:</u> MBTA must develop and enforce policies that require OCC personnel to work in a rested state. MBTA must modify its hours-of-service policy to require sufficient hours of rest, consistent with MBTA's hours of service policy for rail transit motorpersons.</p>	1. Update hours of service policy for OCC dispatchers: Document and issue SO for hours-of-service requirements for dispatchers.	6/28/22	<ul style="list-style-type: none"> <li><u>Note:</u> As part of verification activities, FTA will ensure documentation is available that also addresses changes in hours-of-service requirements for supervisors and managers.</li> </ul>	
		2. Define policy for OCC Supervisors on how to manage hours of service: Develop and issue SOP for OCC supervisors on how to manage hours-of-service limitation to ensure compliance with revised hours of service requirements, including how Supervisors are tracked if they dispatch.	9/1/22	<ul style="list-style-type: none"> <li><u>Note:</u> As part of verification activities, FTA will review how the MBTA is managing this policy in the interim prior to issuance of the policy/procedure.</li> </ul>	
		3. Create audit procedure: Create accurate management dashboards for OCC to monitor and ensure compliance with hours-of-service requirements for dispatchers.	11/1/22	No comment	
		4. Hire OCC analyst to support compliance: Hire OCC analyst dedicated to tracking and monitoring compliance with this and other OCC CAPs	1/15/23	No comment	
		5. Incorporate rule change into rulebook: Incorporate revised hours-of-service requirements into rulebook (already in update process)	4/1/23	No comment	



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Identification Number	Finding and Required Action	Proposed CAP Items	Proposed Due Dates	FTA Comments	MBTA Response (if needed)
FTA-OCC-22-005	<p><u>Finding:</u> MBTA's OCC is significantly understaffed.</p> <p><u>Required Action:</u> MBTA must adequately staff the OCC for current operational needs. MBTA must provide a plan to meet the operational needs of the system, consistent with MBTA's hours of service policy for rail transit motorpersons and meeting scheduled leave requirements.</p>	1. Define safe minimum levels of staffing and their implications: Develop safe minimum level of staffing that allows for train operations, and define and monitor implications for service and track access.	6/19/22	<p><b>Action Required</b></p> <p>1. Submit to FTA an updated data analysis and rationale for establishing a safe minimum level of staffing NLT 5 August 2022. FTA will continue to follow-up with the MBTA on this analysis and may require further action on the staffing plan.</p>	
		2. Develop and implement updated OCC schedules: Develop revised OCC staffing plan based on availability of workforce, revised hours-of-service limitations, and short-term availability of additional dispatchers.	6/19/22	<p><b>Action Required</b></p> <p>1. Provide any additions or updates to the OCC staffing plan that support the information provided to address the updated data analysis and rationale for establishing a safe minimum level of staffing.</p>	
		3. Increase workforce availability in short term with existing MBTA employees: Recall employees who recently held the position of dispatcher on short-term basis via agreement with Local 453.	6/19/22	<p><b>Action Required</b></p> <p>1. Provide additional information regarding how the MBTA will potentially extend the agreement with Local 453 allowing recall of dispatchers beyond the 4-month period identified in the agreement.</p> <p>2. Provide dispatcher staffing numbers for heavy rail and light rail under the short-term plan.</p>	
		4. Develop a mechanism for utilizing former employees in the short term: Develop mechanism to utilize former employees to increase capacity	7/22/22	<p><b>Action Required</b></p> <p>1. Submit mechanism or agreement with unions to support bringing back former employees to staff the OCC and any additional</p>	



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		either as support or to provide dispatching services.		information regarding how many former employees may be interested in pursuing this opportunity.	
		5. Medium term staffing plan: Develop data-driven staffing plan and rationale for all critical positions in the OCC, accounting for revised hours-of-service plans.	9/1/22	<b>Action Required</b> <ol style="list-style-type: none"> <li>1. Clarify that, as part of this action item, MBTA will submit to FTA the medium-term staffing plan.</li> <li>2. Clarify if and how the medium-term plan relates to a longer term or full OCC staffing plan. This CAP does not include an action item devoted to a long-term plan for full OCC staffing.</li> <li>3. Provide dispatcher and supervisor staffing numbers for heavy rail and light rail under the medium-term plan.</li> <li>4. Either add the longer-term staffing plan to this CAP or clarify that the medium-term plan is the ultimate OCC staffing plan.</li> </ol>	
		6. Workforce planning: Develop reasonable hiring plan and timeline (by department) to accomplish OCC staffing plan, including waterfall effects on other classifications as well as projected attrition.	10/15/22	<b>Action Required</b> <ol style="list-style-type: none"> <li>1. Clarify that, as part of this action item, MBTA will submit to FTA the hiring plan and timeline.</li> <li>2. Clarify that, as part of this action, MBTA will develop a workforce planning document related to full staffing of the OCC (unless the medium-term staffing plan is the ultimate staffing plan).</li> <li>3. Include milestone action items for the long-term workforce hiring</li> </ol>	



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				plan as needed or include reference to FTA-OCC-22-006.	
		Performance Metrics	10/15/22	<b>Action Required</b> 1. Provide numerical value for each performance metric.	
FTA-OCC-22-006	<u>Finding:</u> MBTA faces major challenges in recruiting and training new rail transit dispatchers. <u>Required Action:</u> MBTA must identify and address major challenges in recruiting and training new rail transit dispatchers, the quality and performance of their training, and the certification of new candidates.	1. Recruitment campaign for dispatchers: Plan and execute targeted campaign to recruit potential dispatcher candidates.	Ongoing through end of CY22	<b>Action Required</b> 1. Clarify that, as part of this action item, MBTA will submit to FTA the recruitment plan and timeline. 2. Revise to indicate that the MBTA will NOT stop or close recruiting but will continue on an ongoing basis. 3. Provide additional detail and milestones regarding recruitment activities.	
		4. Increase immediate nonfinancial benefits of dispatcher role: Repost modified Heavy Rail Dispatcher job posting, which will include hiring directly into Permanent position (vs. Spare) and opening position to Light Rail Dispatchers (will require additional training if LR Dispatchers selected).	6/21/22	<b>Action Required</b> 1. Provide additional detail regarding the non-financial benefits. (Consider breaking this action item into to two or more discrete items (direct hiring to permanent position and opening position to Light Rail Dispatchers).	
		3. Increase immediate financial benefits of dispatcher role: Negotiate temporary \$10,000 signing bonus for new Heavy Rail Dispatchers with the relevant union.	7/15/22	<b>Action Required</b> 1. Clarify that, as part of this action item, MBTA will submit to FTA documentation regarding the hiring bonus.	





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				2. Confirm whether this signing bonus will be provided to existing dispatchers as a retention bonus, include supporting documentation. If MBTA does not intend to offer retention bonuses, confirm steps MBTA is taking to ensure retention of current Dispatchers.	
		4. Certification verification: Document and confirm process to ensure all new dispatchers have up-to-date certifications for their mode prior to the start of training.	8/1/22	No comments	
		5. Develop OCC training strategy: Develop strategic plan for specialized Training group to focus on OCC, including job descriptions and reporting structure.	9/1/22	<b>Action Required</b> 1. Clarify that, as part of this action item, MBTA will submit to FTA the OCC training strategic plan, including job descriptions and reporting structure.	
		6. Develop and sustain audit procedure: Hire OCC analyst dedicated to tracking training, certifications and monitoring compliance with this and other CAPs.	1/15/23	No comments	
		7. Plan to improve long-term attractiveness of dispatcher role: Review options to restructure OCC work to increase appeal to potential	4/1/23	<b>Action Required</b> 1. Explain why this plan and options will take until April 2023 to complete.	



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		candidates and identify most effective approach.		2. Clarify that, as part of this action item, MBTA will submit this plan and options to FTA. 3. Include milestones to support ongoing evaluation of CAP implementation.	
		8. Implement long-term attractiveness of dispatcher role: Plan and implement most effective strategies for improving appeal, accounting for resources necessary to support OCC dispatchers.	Depends on initiatives	<b>Action Required</b> 1. See previous item.	
		9. Hire OCC training team: Hire OCC trainers.	7/1/23	<b>Action Required</b> 1. Explain rationale for waiting until March 2023 to begin hiring OCC trainers. 2. Clarify that, as part of this action item, MBTA will submit documentation regarding the hiring of OCC trainers to FTA, including their qualifications and capabilities. 3. Include milestones to support ongoing evaluation of CAP implementation.	
		10. Develop formal training program: Develop training manuals and formal training program for OCC dispatchers (all modes), including training the trainer.	7/1/23	<b>Action Required</b> 1. Explain timeline for developing formal training program, including manuals, and interim activities MBTA intends to implement. 2. Clarify that, as part of this action item, MBTA will submit the	



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				<p>developed training manuals and formal training program to FTA.</p> <p>3. Include milestones to support ongoing evaluation of CAP implementation.</p>	
		11. Expand potential candidates for dispatcher based on other agencies: Review option and plan for recruiting dispatchers externally and/or from other MBTA classifications, based on best practices from other transit agencies.	7/1/24	<p><b>Action Required</b></p> <p>1. Explain rationale for waiting until January 2023 to begin considering outside recruitment.</p> <p>2. Clarify that, as part of this action item, MBTA will submit the option and plan for recruiting dispatchers externally or from other MBTA classifications to FTA.</p> <p>3. Include milestones to support ongoing evaluation of CAP implementation.</p>	
		General		<p><b>Action Required</b></p> <p>1. Add action item for expanding consoles, radios, lay-out as mentioned in the budget/cost estimate.</p> <p>2. Add action item to develop an audit process to ensure quality and performance of training.</p>	
		Performance Metrics	7/1/24	<p><b>Action Required</b></p> <p>1. Provide numerical value for each performance metric.</p>	
FTA-OCC-22-007	<u>Finding:</u> MBTA allows dispatchers who are not current in their certifications to work in the OCC.	1. Document requirements: Document and issue Special Order (SO) for certification requirements and intervals required for dispatchers (or	7/29/22	No comments	



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	<p><u>Required Action:</u> MBTA must verify that all dispatchers working within the OCC are current in their certifications prior to starting their shift.</p>	<p>those providing dispatching services).</p>			
		<p>2. Short-term recertification verification: Develop procedures to ensure all dispatcher (all modes) or those providing dispatching services have up-to-date certifications prior to any worked shift.</p>	9/1/22	No comments	
		<p>3. Include requirements in next rulebook update: Incorporate requirements for recertifications and expected intervals in current rulebook update.</p>	4/1/23	No comments	
		<p>4. Formal tracking and notification system: Develop digital centralized tracking system that allow supervisors to proactively oversee and manage process (will be done as part of FTA-LC-22-002 CAP).</p>	7/1/23	<ul style="list-style-type: none"> <li><u>Note:</u> FTA will verify implementation at quarterly intervals (minimum).</li> </ul>	
		<p>5. Specialized dispatcher certification: Develop Heavy &amp; Light Rail dispatcher recertification program that is unique to job classification.</p>	1/1/24	<ul style="list-style-type: none"> <li><u>Note:</u> FTA will verify implementation at quarterly intervals (minimum).</li> </ul>	