

**Los Angeles County
Metropolitan Transportation Authority
Office of the Inspector General**

**Bus Operator Safety and
Compliance Checks for the Period
July to September 2012**

*The majority of bus operators are performing their duties at a high level.
However, rule violations were noted during approximately 9 percent of the rides
in areas related to ADA Compliance and Safety.*



Metro

**Los Angeles County
Metropolitan Transportation Authority**

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DATE: April 2, 2013

TO: Chief Executive Officer
Metro Board of Directors

FROM: 
Jack Shigetomi
Deputy Inspector General for Audits

SUBJECT: Bus Operator Safety and Compliance Checks for the Period July to September 2012 (Report No. 13-AUD-07)

The Office of the Inspector General implemented an undercover “ride along” program to monitor bus operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition on use of cell phones while driving, calling out stops if the automated system is not in use, and various Americans with Disability Act compliance matters.

This report summarizes our observations of bus operations for the period July to September 2012. During the period, we completed 170 observations of Metro bus operators. Overall, we found that most operators performed their duties in accordance with Metro policies and rules. We found rule violations in 15 of the 170 observations made; during three observations, more than one violation was observed. In total, there were 20 violations observed and 12 written notifications issued. For all of the written notifications, management took appropriate corrective action.

On March 25, 2013, we provided Metro management with a draft report for their review, and no comments were received.

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INTRODUCTION

In October 2009, the Office of the Inspector General (OIG) implemented an undercover “ride along” program to monitor bus operator performance to assist Metro in improving the efficiency and effectiveness of operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition on use of cell phones while driving, calling out stops if the automated system is not in use, and various Americans with Disabilities Act (ADA) compliance matters. The OIG Audit and Investigation Units jointly performed this review. This report summarizes our observations of bus operator performance during the period July to September 2012.

As part of this monitoring program, OIG observers issue written notifications¹ to bus operators who commit significant violations. These violations include actions such as using personal cell phones, not wearing a seat belt, and not following certain ADA policies such as wheelchair securement. The immediate notification of the violations observed provides information to operators and management in a timely manner which is in accordance with union policy and gives management the ability to take further action, if deemed necessary.

This is our 12th quarterly report to Metro management since the inception of the OIG “ride along” program. Two previous reports covered contract bus operations. Each quarterly report had a different focus for selecting the operators to be observed, such as Metro bus lines with the greatest number of complaints, bus operators who received the most complaints, and bus lines that received the most ADA complaints.

OBJECTIVES AND SCOPE OF REVIEW

The objectives of our review were to determine whether bus operators were complying with safety and customer service policies as well as various ADA compliance laws and regulations.

For this quarter, we focused on lines with the most ADA compliance complaints received by Metro during the period of January to May 2012. We analyzed a report² that showed ADA related customer complaints by bus line for this time period. Based on this report, we selected 14 bus lines that had the most ADA complaints for observation. During the period July to September 2012, we completed 170 observations of Metro bus operators. We used a checklist to evaluate operator performance.

¹ The OIG modified the TOS Initial Report Forms by crossing out “TOS” and adding “OIG” on the forms. One copy of the form is given to the operator and a copy is sent to the applicable division manager.

² Report prepared by the Customer Relations Department.

This review is not an audit; therefore Government Auditing Standards are not applicable to this review.

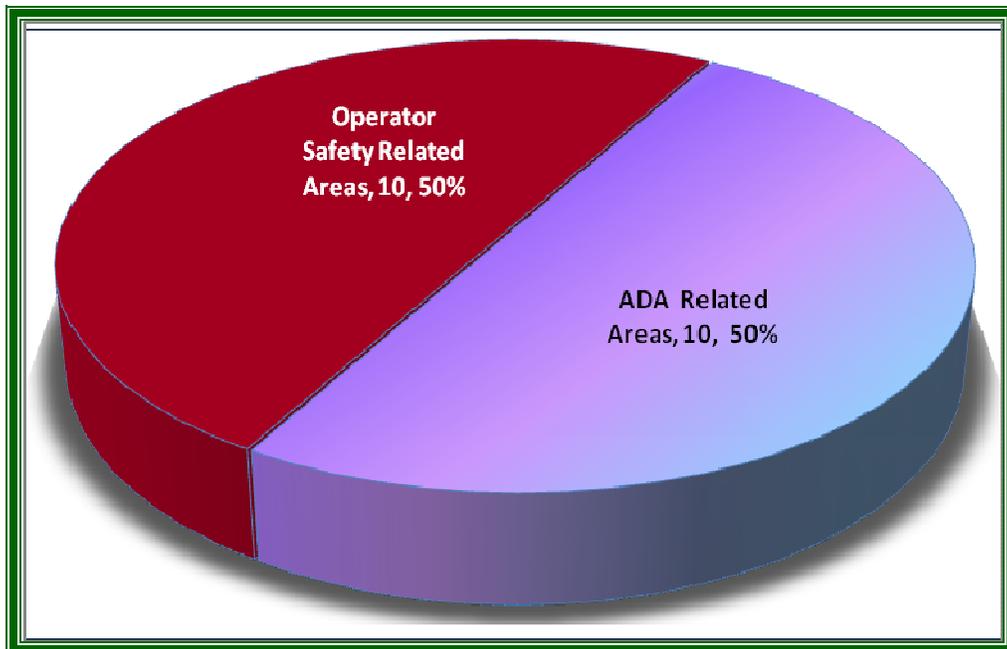
BACKGROUND

The Operator’s Rulebook and Standard Operating Procedures (SOPs) contains policies and procedures governing Metro bus operator performance. The rules and SOPs in the manual are based on the principles of safety and customer service, and the premise that every individual who boards a bus deserves a high standard of care and deserves to be treated with respect and dignity. The manual covers areas such as vehicle operations, operator’s code of conduct, customer relations, and fare collection.

RESULTS OF REVIEW

Our observations of bus operator performance showed that the majority of operators complied with Metro policies and rules. Of the 170 observations made by OIG observers, no violations were found during 155 (91%) observations. However, 20 violations were found during 15 (9%) of the observations (three observations had more than one violation). A total of 12 written notifications were issued. The 20 violations observed were in the areas of ADA (10) and safety (10); see chart below.

Chart 1: Violations by Category



A. ADA Related Areas

We observed 10 ADA related incidents:

- There were six incidents³ where bus operators did not fully adhere to Metro’s wheelchair securement policy,
- One operator did not inform the customer that the wheelchair would be secured, and
- Three operators did not send the required notification to Bus Operations Control (BOC) that a wheelchair patron declined to be secured.

1. Wheelchair Securement Instructions Not Followed

During the 36 observations where a wheelchair customer boarded a Metro bus, we observed four bus operators who did not adhere fully to Metro’s wheelchair securement policy. During two of these observations, the bus operator was observed twice not following policy. Therefore there were a total of six instances where this policy was not adhered to. Specifically, the bus operator did not rise from his/her seat and move to the securement area as required by policy. Operations General Notice OPS# 11-070⁴ states: “When boarding a customer using a wheelchair, the Operator is required to:

- Rise from the operator’s seat,
- Move to the securement area,
- Request that customers who may be seated in the designated wheelchair securement area move to another seat, and
- Lift the seat and prepare the area for wheelchair securement.”

We provided each of the four operators with a written notification of this violation. Division management advised us that the following actions were taken:

- One operator, who was cited twice, was given counseling and training for the first violation and a written warning for the second violation.
- Another operator who also was cited twice was given two major rule violations.
- The remaining two operators were disciplined for a major rule violation and given counseling/training.

³ The six instances involved four bus operators.

⁴ Operations General Notice OPS# 11-070 has been revised effective October 10, 2012 (OPS# 12-065). However, requirements for rising from the seat and preparing the securement area remain the same.

2. Operator Did Not Inform Customer That Wheelchair Would Be Secured

Operations General Notice OPS# 11-070 also states: When customer has boarded and is in the securement area, the Operator must: Announce in a clear, distinct voice, “With your permission, I am going to secure your wheelchair or other mobility device.” We observed one bus operator who did not comply with this requirement. We provided the operator with a written notification of this violation. Division management advised the OIG that the operator was receiving training and counseling for this violation.

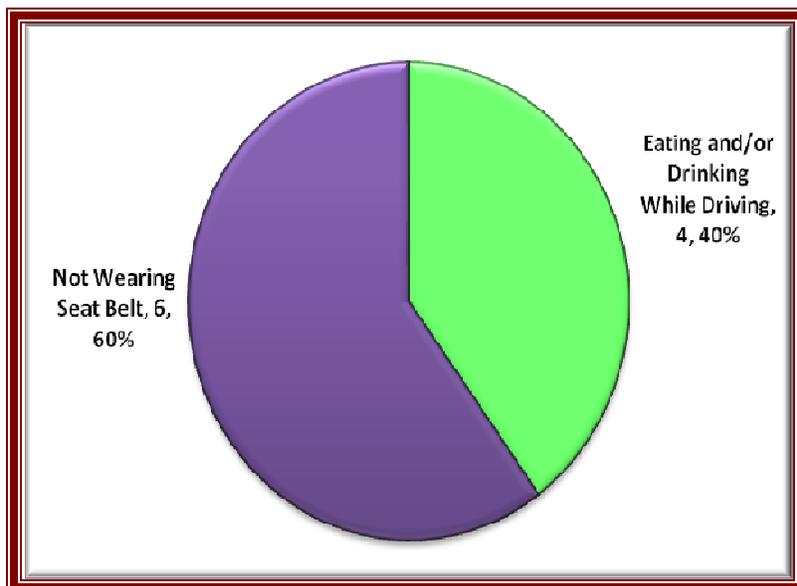
3. BOC Not Called When Wheelchair Unsecured

Out of the 36 wheelchair customers who boarded Metro buses during our observations, 31 declined securement. However, in three of these instances, the operator did not send the required notification to BOC that the wheelchair customer declined to be secured. Section 7.110 of the Operator’s Rulebook and Standard Operating Procedures states: “In the event a customer in a wheelchair refuses to be secured, Operators may not refuse to transport the customer; however, notify BOC of the customer’s refusal to be secured at the time the wheelchair boarding is reported.” We provided each of the three operators with a written notification of this violation. Division management advised the OIG that the operators were cited for a major rule violation.

B. Operator Safety Related Areas

We observed 10 violations related to safety areas. The violations included eating and/or drinking while driving, and not wearing a seatbelt while operating the bus:

Chart 3: Violations Related to Operator Safety Areas



1. Eating While Operating Bus

We observed four operators eating and/or drinking while operating a Metro bus. Each operator was provided with a written notification of this violation. One operator in particular was observed holding food and drink in one hand and the other hand holding the steering wheel and condiments. Section 4.14 of the Operator’s Rulebook states: “Operators must not consume food and/or beverages at any time while operating any Metro vehicle or while riding as a passenger, whether the vehicle is in or out of service.” Eating or drinking while driving a bus could distract the operator and increase the risk of injuries or accidents. Division management advised the OIG that the four operators were issued a major rule violation and given counseling and training.

2. Operator Not Wearing Seatbelt

We observed six bus operators not wearing their seat belts while operating a Metro bus. Written notification of this violation was provided to each of these bus operators. Section 2.39 of the Operator’s Rulebook states: “The use of seatbelts and shoulder belts (if equipped) is mandatory when operating any Metro vehicle.” Usage of seatbelts helps to protect the operator from serious injury or death in case of an accident. Division management advised the OIG that the six operators were charged with a major rule violation and received counseling and training.

CONCLUSION

During the quarter July to September 2012, we completed 170 observations of Metro bus operators. We found that the majority of Metro bus operators are performing their duties at a high level and take pride in providing the best customer service to bus patrons. To ensure that operator performance stays at a high level, management should continue to stress the importance of adhering to all policies and procedures. Based on the results of our review, management should emphasize compliance with rules related to:

- Wheelchair securement,
- Calling BOC when wheelchairs are not secured,
- Wearing seatbelt when operating bus, and
- Refraining from eating or drinking while operating a bus

During our observations, we also noted operators who carried out their duties in an exemplary manner. When we noted excellent performance, we sent an email to the Division Transportation Operations Manager. Examples are:

- Although a bus operator was confronted with a loud and rude wheelchair customer, the operator maintained a professional demeanor and provided outstanding service to the wheelchair patron and other riders.
- Two intoxicated male customers carrying open containers of alcohol tried to board a bus. The operator quickly evaluated the situation, and in a firm, yet civil manner, advised the two individuals that they could not board the bus with the open beverage containers. The operator was also consistently polite and helpful to bus patrons.
- A bus operator was very polite to patrons boarding the bus and went out of his way to assist patrons with directions and answering questions.

Summary of Violations Observed July to September 2012

Observation Areas	Instances Observed
ADA Related Areas	
Operator did not rise from seat and move to securement area	6
Wheelchair patron not secured, BOC not called	3
Operator did not inform customer that wheelchair will be secured	1
Operator Safety Areas	
Eating or drinking while driving bus	4
Not wearing seatbelt	6
TOTAL	<u>20</u>

Summary of Observation Results For the Last Four Quarters

Observation Areas	Instances Observed			
	Oct to Dec 2011 (A)	Jan to Mar 2012 (A)	Apr to Jun 2012 (A)	Jul to Sep 2012 (A)
ADA Related Areas				
Operator did not rise from seat and move to securement area	3	1	4	6
Operator did not ask to secure wheelchair patron	2	1	0	1
Wheelchair patron not secured, BOC not called	7	3	2	3
Wheelchair patron denied boarding, BOC not called	1	0	0	0
Wheelchair patron passed up	0	0	0	0
Stops not announced when AVA not in use	0	0	0	0
Assistance not offered to patron who appears to have special needs	3	0	0	0
Operator Safety Areas				
Using personal cell phone while driving bus	1	0	1	0
Unnecessary conversation	0	0	1	0
Eating or drinking while driving	3	1	4	4
Not wearing seatbelt	4	3	1	6
Not obeying traffic laws	0	1	0	0
Operator Discourtesy	0	0	0	0
Bus Uniforms				
Bus Operator was not wearing approved uniform	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Violations Observed	<u>24</u>	<u>10</u>	<u>13</u>	<u>20</u>
Number of Observations Made	147	157	153	170
Number of Observations with Violations	<u>14</u>	<u>9</u>	<u>12</u>	<u>15</u>
Percentage of Observations with Violations	<u>10%</u>	<u>6%</u>	<u>8%</u>	<u>9%</u>

(A) Multiple violations were noted during some of the observations.

Report Distribution

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