

**AMALGAMATED TRANSIT UNION
LOCAL 689**

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**U.S. SENATE SUBCOMMITTEE ON TRANSPORTATION, HOUSING and URBAN
DEVELOPMENT, and RELATED AGENCIES
WEDNESDAY, MAY 19, 2010
Dirksen Senate Office Building Room 138**

**STATEMENT OF JACKIE JETER, PRESIDENT
AMALGAMATED TRANSIT UNION LOCAL 689**

I would like to begin by thanking Chairwoman Murray for convening this hearing and allowing us to participate in this important discussion. Senator Mikulski, thank you for your insight concerning the Federal Transit Administration's audit that has identified several serious underlying safety problems. Your introduction of Senate Bill 1506 on WMATA safety shows the dedication that needs to be given to this issue.

Every WMATA stakeholder has a vested interest in making sure we discuss the issues, but more importantly making sure that we find solutions that enable us to move forward. As a stakeholder, Local 689 is fully aware that each safety, funding, and operations issue is interdependent. It is incumbent on all of us to rebuild the public's confidence in our good but aging transit system.

I will address each part of this equation: 1) FY2011 budget request for WMATA; 2) Local 689's efforts to improve safety and operational reliability; and 3) concerns of metro workers and needed improvements.

FY2011 Budget Request for WMATA

In order to realistically develop a plan of action that will address the various safety issues facing the transit system, we must begin with the funds necessary to operate and improve it. The infrastructure of the WMATA rail system is over 30 years old and as such, an investment must be made to improve technology, repair the place where the structure has weakened, and provide for the growth of the system.

While the need for more transportation has increased, the amount given to fund that necessity has not. That is evident from the current much publicized events at WMATA. The impact of insufficient funding has had a devastating effect on workers, riders, businesses and overall development in the three jurisdictions hosting the system. Public transportation will never be profitable; it is a public service. The critical nature of funding and the lack thereof has a major impact on the riding public and WMATA employees.

Proper fiscal planning must be a cornerstone of this system. We have debated wage and benefit issues for the last three years and have been victimized by WMATA's failure to adequately plan for expected labor cost increases. Beyond the impact on wages and benefits is the impact on the public as service cuts are becoming standard practice to help close budget gaps. I will emphasize the need for flexibility in the capital budget allocation in order to allow the use of capital funds to cover operating costs. The ability to purchase a bus or rail car is only one part of the equation. If the federal government does not establish flexibility in the use of funds, it will be guilty of weakening the system. As users and providers, ATU Local has spent many hours developing and outlining these suggested measures:

- Extend the Federal Transit Benefit at the \$230 per month level (Currently set to expire and revert to \$120 per month as of December 31, 2010).
- Require the Federal General Services Administration to appoint the two remaining WMATA board members, (1 voting, 1 non-voting) with at least one with a transit advocacy background, such as an environmental group or labor union.
- Support the passage of the Carnahan/Brown Bill to permit large systems flexibility in use of federal capital funds to cover operating costs.
- Passage of an "Emergency Assistance" bill that would help transit agencies through this recession.
- Move on six-year federal re-authorization bill that provides a permanent funding plan for transit agencies. (Extension of current authorization expires 12/31/2010. WMATA had recently proposed a \$4.6 billion, six year capital program. The previous "Metro Matters" agreement spent \$2.8 billion + .2 billion in Stimulus Funds over a six year period. Adding the \$1.8 billion in federal and local "dedicated funds" would have been a \$4.8 billion program. Adding an inflation factor would make that total even higher. The current draft agreement provides for a level of spending just over \$5 billion over the next six years.)
- WMATA has identified \$11.4 billion in capital needs over the next ten years. Even with "maintenance of effort" the budget gap will not be completely closed and only maintaining the present system without providing any expansion capacity.
- The General Services Administration should be urged to locate new federal facilities in the Washington area near Metro stations and restrict the number of parking spaces at such federal facilities to a reasonable ratio of automobile vs. transit usage.
- Support Obama's "Public Transportation Safety Program Act" (SB 3015)

- Review carefully the formula grant that is used as the basis for federal funding to consider adjusting the percentage allocated to Metro.
- Lobby to establish a dedicated funding source from the jurisdictions.
- Consider recapturing tax incentives given to businesses that surround the metro stations. They should bear a greater share of the costs because they gain a greater benefit as a result of their location.
- The Federal transit benefit should be indexed to both increased use (riders) and inflation. It would get an annual increase automatically that reflects the real costs of providing increased services and any increase costs resulting from inflation
- Consider supporting the development of the outer spokes of the system to increase ridership and revenue from business development likely to occur around the stations

Local 689's efforts to improve safety and operational reliability

We have addressed this holistically by defining safety as a three pronged stool-our internal process, interactions with WMATA and the need to keep public safety at the forefront of our decisions, and consideration of all other components of a plan, including funding, that impact everything we do.

Our Internal process includes:

- a) In cooperation with WMATA, relying on the Joint/Labor Management Safety Committee to address issues as they occur
- b) In our orientation process and during union meetings we openly discuss safety issues and solutions
- c) Forging a proactive media campaign and release of public statements to apprise the public of issues and possible solutions to safety problems with Metro
- d) Testifying before local and federal agencies in regard to safety issues, incidents and accidents to publicize the changes and improvements needed to ensure greater safety throughout the system

Concerns of Metro Workers and Needed Improvements

In the last several weeks there has been an effort to look more closely at the overall safety issues affecting the system. Although I have been pleased to see recommendations given to the WMATA Board, I am not confident that those changes will be implemented immediately. WMATA has inculcated a culture of

deferment which postpones needed improvements and changes to the system. Finally, I would note that there is a tendency to blame the individual employee, instead of looking for underlying systemic causes of safety related incidents.

Local 689's experience concerning the investigations, leads us to the belief that to date, WMATA has not implemented several key measures that would make the Metrorail system safer.

Urgency and rapidity should be the hallmark of the suggested changes we are offering below. WMATA must consider instituting the following without delay:

1. Multiple layers and redundancy of safety protections
2. Codification of standards for track worker safety similar to Federal Railroad Administration track worker safety standards
3. Clear and concise communication between workers and controllers
4. Clear notification and designation of work areas and zones on the right of way
5. Development of a safety communications plan that alerts all WMATA employees immediately to incidents
6. Immediate notification of the union when a safety incident occurs
7. Firm commitment to respect the rights of workers to have a union representative present during investigatory interviews after an incident
8. Effective worker safety training
9. Supervisory enforcement of safety standards
10. A process for WMATA employees, to appeal the standards they believe to be incorrect or unsafe, such as a Safety Appeal Board.
11. Meaningful whistleblower protection to insure that employees are not fearful of reporting perceived safety problems
12. Effective labor-management safety committees
13. WMATA's commitment to the rapid development and implementation of procedures and standards that are calculated to improve safety immediately and in the long term.

Thank you for your time and attention to my concerns. I would be pleased to address any questions you might have in regard to my testimony. Thank you on behalf of my members and the riding public.