



## Agency Safety Plans

Ron KammueLLer | JLMSC Co-Chairman - Labor

Andrew Brody | Director, Rail and Bus Safety



## Business Item Action

**2023-15 Proposed Action:** That the Metropolitan Council adopt Revision 4 of the Bus Transportation Agency Safety Plan and the Light Rail Transportation Agency Safety Plan for Metro Transit as required by 49 CFR Part 673.

As the board of directors, Metropolitan Council approval is one step towards certifying that Metro Transit has established a Public Transportation Agency Safety Plan (PTASP) that meets the requirement of 49 CFR Part 673.

# Agency Safety Plan Approval Page Example

## Agency Safety Plan Development, Approvals, & Certification

Signature of Accountable Executive/Certification of Compliance	"This certifies that Metro Transit has established a Public Transportation Agency Safety Plan meeting the requirement of 49 CFR Part 673."  <i>Wesley Kooistra</i> <small>Wesley Kooistra (Aug 4, 2022 16:15 CDT)</small>	Aug 4, 2022
	Wesley Kooistra General Manager, Metro Transit	Date Signed
Signature of the Chief Safety Officer	<i>Andrew Brody</i> <small>Andrew Brody (Aug 4, 2022 17:39 CDT)</small>	Aug 4, 2022
	Andrew Brody Director, Bus and Rail Safety, Metro Transit	Date Signed
Office of State Safety Oversight	<i>Tim Rogatzke</i> <small>Tim Rogatzke (Aug 4, 2022 17:37 CDT)</small>	Aug 4, 2022
	Tim Rogatzke Light Rail Program Manager, Minnesota Department of Public Safety	Date signed
Approval by the Board of Directors	This Agency Safety Plan was approved by the Metropolitan Council.	July 27, 2022
		Date Approved
Approval by the Joint Labor-Management Safety Committee	This Agency Safety Plan was approved by the Joint Labor-Management Safety Committee	TBD
		Date Approved
Entity that Drafted this Agency Safety Plan	Metro Transit Safety	

For rail mode only



## Accountable Executive (Metro Transit General Manager)

- Accountable Executive – a single, identifiable person who has ultimate responsibility for carrying out the PTASP/SMS of a public transportation agency; and control or direction over the human and capital resources needed to develop and maintain the agency’s PTASP, in accordance with 49 U.S.C. §5329(d), (49 C.F.R. Parts 625.5, 673.5)
  - Responsibilities
    - Sign ASP and subsequent updates
    - Ensure implementation of PTASP
    - Ensure agency’s SMS is implemented effectively and that action is taken to address substandard performance
    - Designate a Chief Safety Officer or SMS Executive for day-to-day SMS implementation

## Public Transit Agency Safety Plan (PTASP) Requirements

- **FTA Requirement:** By July 31, 2022, a transit agency that receives Section 5307 funding and serves a large urbanized area (an urbanized area with a population of 200,000 or more) must establish a Safety Committee compliant with 49 U.S.C. § 5329(d)(5).
  - Metro Transit Status: Completed on July 31, 2022
- **FTA Requirement:** Once established, the Safety Committee should begin work to meet its responsibilities as soon as practicable. If a transit agency is not yet compliant with the new PTASP requirements, FTA expects that by December 31, 2022, the Safety Committee will comply with the statutory requirement that it must approve an update to the agency's Agency Safety Plan (ASP), incorporating applicable PTASP requirements in 49 U.S.C. § 5329(d).
  - Metro Transit Status: Completed Revision 4 on December 22, 2022 following meeting with FTA. There were no substantive changes from the Revision 3 approved by the Council on July 27, 2022.

# Joint Labor-Management Safety Committee Responsibilities

- Approve Agency Safety Plan and any updates prior to board of directors (Metropolitan Council) approval
- Identify and recommend risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency's safety risk assessment
- Identify mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended.
- Identify safety deficiencies for purposes of continuous improvement.

Source: [Bipartisan Infrastructure Law changes to 49 U.S.C § 5329\(d\) \(dot.gov\)](#)

# Safety at Metro Transit

The Agency Safety Plans are one of many safety related documents within Metro Transit:

- A Workplace Accident and Injury Reduction (AWAIR) program
- Employee Safety Programs (Lockout Tagout, Fall Protection, etc.)
- Emergency Action Plans
- Bus Operations Emergency Management Plan
- Safety and Security Action Plan (SSAP)
- Transportation Safety and Security Committee (TSSC)
- Light Rail Operations Emergency Management Plan
- System Security and Emergency Preparedness Plan (SSEPP)
- Northstar System Safety Program Plan (SSPP)

# Agency Safety Plan

## ASP needs to support the operation of Metro Transit:

- **Viable** – practical, healthy, capable of growth
- **Flexible** – must be able to be modified
- **Accurate** – reflect what we are doing, NOT what we want to do
- **Useful** – Can NOT be unwieldy and cumbersome that it can't be used

## ASP:

- Includes the collection and review of all transit department procedures and rules
- Reflects the agency practice
- Is reviewed and updated at a MINIMUM annually to continuously improve safety performance and implementation of Metro Transit's Safety Management System (SMS)
- Prioritize hazards by using risk-based hazard management, consistent with risk appetite levels



# Agency Safety Plan

## What it is

- FTA required regulatory document for Metro Transit's Safety Management System (SMS) and its 4 components; Safety Policy, Safety Risk Management process, Safety Assurance, and Safety Promotion.
- Documents FTA required safety key performance indicators
- Framework outlining how Metro Transit processes hazards identified within the system
- Defines Metro Transit's risk matrix with severity and likelihood of consequences to hazards

## What it is not

- Document mitigation strategies
- The only document for safety at Metro Transit
- Executable plan to reduce personal safety for the system
- Replacing or governing any OSHA mandated safety plans or committees

# What is Safety Management System (SMS)?

**SMS is a comprehensive, collaborative approach that brings management and employees together to build on the transit industry's existing safety foundation to:**

- Control safety risk better
- Detect and correct safety problems earlier
- Share and analyze safety data more effectively
- Measure safety performance more carefully

**Safety Management System (SMS)** means the formal, top-down, organization-wide, data-driven approach to managing safety risk and assuring the effectiveness of safety risk mitigations. It includes systematic policies, procedures, and practices for the management of safety risk.

The ultimate goal of an SMS is to ensure that the agency has an inclusive and effective process to direct resources to optimally manage safety.

# Joint Labor-Management Safety Committee (JLMSC) Status Update

Last meeting was February 10, 2023 from 10:00-11:30am

- Very positive meeting with a plan to move forward
- Reoccurring 90 min weekly meetings have been scheduled through March 9, 2023
  - Monthly meetings scheduled for the 3<sup>rd</sup> Thursday of every month thereafter
- Selected members to provide quarterly updates for Transportation Committee meetings
- Bylaws review were tabled to review ATU addendum items to Agency Safety Plans

# Joint Labor-Management Safety Committee (JLMSC) Status Update



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FINANCIAL SECRETARY  
TREASURER

### Addendum to Agency Safety Plans Rev. 4

- The committee will be co-chaired and co-facilitated by Andrew Brody and a representative from the union.
- Both union and management will have signatory authority, including signature lines as the JLMSC; for the purpose of ASPs approval.  
The committee will meet weekly for the next month, and monthly for the following six months. The next meeting will be co-facilitated rather than the past practice of management unilaterally determining the agenda.
- Safety First** - Management does not direct or override the Safety Department / Safety Committee on all safety issues.
- The policy of workers being disciplined for stopping the transit vehicles due to fentanyl/chemical exposure will cease immediately.
- Assaults** - curbing and supports around transit worker assault
  - Prompt and full investigations
  - Adequate paid time off (TBD) for the transit workers to recover.
  - Psychological support for transit workers who suffer assaults.
  - Quicker responses to PRT calls, silent alarms, MDTs, or calls for help
- Infectious diseases**
  - Establish sanitary standards; including testing intervals and proper cleaning/disinfecting standards and proper trainings for employees for infectious diseases, chemicals, and biohazards, i.e. meth and other narcotics contamination, on all transit vehicles.
  - Immediate removal of transit vehicles from service in the event of exposure to narcotics or biohazards.
  - Re-establish barrier committee to address the lack of safety barriers for workers.
  - PPE: workers should be issued PPE in their mailbox and trained in proper use.
- Right to Know** shall be evaluated for effectiveness and shall have a hands-on safety training component and include any other trainings the committee agrees to at these meetings.

The committee agrees to make the by-laws the first order of business at our next meeting as the "JLMSC Bylaws Draft" was received in the Union Office 09 February 2023 @ 3:12 pm not providing sufficient time for the Labor Committee to properly review.

# Business Item Action and Next Steps

**2023-15 Proposed Action:** That the Metropolitan Council adopt Revision 4 of the Bus Transportation Agency Safety Plan and the Light Rail Transportation Agency Safety Plan for Metro Transit as required by 49 CFR Part 673.

## Next Steps:

- JLMSC continues to meet on agreed-upon schedule and will discuss future changes to Agency Safety Plans.
  - Produce bylaws
  - Work on Revision 5 (can start immediately)
  - Plans must be updated at least annually, and updates require board approval.
- Transportation Committee will receive quarterly updates from management and labor representatives of the committee. This is currently documented in the draft Transportation Committee 2023 Work Plan discussed on 2/13/23.

# Thank You!

**Andrew Brody**

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