



April 11, 2001

Metropolitan  
Transportation  
Authority

Mr. James Williams  
General Chairman  
United Transportation Union  
15999 Cypress Avenue  
Irwindale, CA 91706

One Gateway Plaza  
Los Angeles, CA  
90012-2952

Subject: Labor/Management Safety Oversight Committee

Dear Mr. Williams:

The MTA is working hard to improve our safety record and reduce the number of work-related injuries MTA employees' experience. Over the last ten years, workers' compensation injuries have more than tripled. Financially, it is a disaster for the agency and is draining precious resources from our operating budget.

Transit Operations, the Office of System Safety and Security, and Risk Management have developed a draft Accident and Loss Prevention Plan to address this serious problem in order to ultimately reverse this negative trend. Our goals are to improve the safety of the work environment, improve our assistance to employees who are off work due to injury, and to reduce the number of lost time injuries and associated cost of those injuries.

A major component of the draft plan is the Labor/Management Safety Oversight Committee and Local Safety Committee at each division that was agreed to during the recent contract negotiation. We have attached for your review a draft charter to describe how the committees may be organized and what role they will play.

I am formally inviting you and the leadership of the ATU and TCU to participate with MTA executive management as member of the Authority Safety Oversight Committee. We will coordinate a kick-off meeting at our offices to discuss the implementation of these committees. Staff will call your offices early next week to set up a meeting time that is mutually agreeable to all parties.

To be truly effective in reducing workplace injuries, labor and management must partner. Thank you for your continued support and participation.

Sincerely,

Allan Lipsky  
Chief Operating Officer

Attachment

Cc: Dick Brumbaugh  
Tom Conner  
Brenda Diederichs

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION  
AUTHORITY SAFETY OVERSIGHT COMMITTEE  
DRAFT CHARTER  
April 12, 2001**

**INTRODUCTION**

The recently authorized Labor Agreements with MTA's operating Unions recognize, for the first time, the need for a joint labor-management approach to attacking the rising cost and severity of Worker's Compensation injuries and the impact on the viability of the Authority.

All of the Unions agreed, in principle, to launch safety committees as part of the new Labor Agreements to improve the quality of administering benefits to employees who are injured, seek ways to improve the safety environment for our employees and co-workers, and reduce the cost of claims and other associated expenses. The areas selected for action include: staff training, the hiring of a neutral Ombudsperson, making improvements to the Physician's network, implementation of safety oversight committees, and the preparation of handbooks and materials for distribution.

It has long been understood that prevention is the first and foremost defense against injuries. Once injuries occur, however, it is imperative to obtain quality medical care as fast as possible so that the employee can return to normal duties as quickly as possible. A third avenue is to seek improvements in how employees are treated once in the system. Delays in obtaining treatment or lengthy review procedures may give rise to unwanted and untimely calls for litigating issues when reasonable approaches short of legal action cannot be readily obtained.

As an agency, we need to find the means to settle issues through the use of alternative dispute resolution techniques that safeguard the employee's rights and uphold Authority's responsibilities as well as reduce the time needed to restore the individual to health. This program is founded on the assumption that the employee wants to

return to work and that the Authority will vigorously pursue that goal in partnership with the employee.

A final avenue that must be explored deals with issues of abuse and alleged fraud. No one benefits from Worker's Compensation abuse. The MTA is not intending to invest huge sums of money to prosecute employees nor is the Authority interested in continuing to pay substantial financial benefits to people who aren't in need of support. This condition harms the financial capacity of the Authority and places all of our employees' jobs in jeopardy.

Hence, the agency is seeking a four-pronged approach to reducing the injury rate and the financial burden, while at the same time ensuring that our employees receive appropriate and timely care after injury.

### **SAFETY OVERSIGHT COMMITTEE**

Local Safety Oversight Committees (Division level) and an Oversight Committee are to be established to "...implement the Worker's Compensation training and oversight program...."***The Safety Committees will be charged with developing and implementing the goals set by each Local Safety Committee [LSC] and the Safety Oversight Committee [SOC].***

In developing its budget for FY'02, MTA staff has proposed the following objectives:

1. **Forge a new partnership between labor and management to achieve reductions in work related illness and injury.** The Safety Oversight Committee (SOC) will provide direct support in accomplishing the remaining objectives.
2. **Increase accountability for the safety environment and adherence to safety rules, procedures, practices and protocols.** Employees and Management alike must have the requisite amount of safety training and be willing to establish a culture that once trained, everyone will participate in insuring that safe practices are followed. This

means, for example, that employees will exercise care while operating through or in the divisions and that safety gear will be worn at appropriate times. It also means that our employees will watch out for each other and take the time to remedy an immediate safety problem. It means changing the culture of the organization away from management's vs. labor's responsibility to recognizing that everyone, collectively, is responsible for safety.

3. **Obtain the services of a neutral 3<sup>rd</sup> party, mutually selected by the Unions and the MTA.** This individual, group, or firm, will individually or singly be referred to as the Ombudsperson. The Ombudsperson will facilitate the processing of claims, coordinate questions and responses between the injured employees and the claims administrator and the MTA.
4. **Reduce the number of lost workdays by 10% from the previous year.**
5. **Reduce "new" work related illness/injury by 10% per year over the previous year.**
6. **Reduce Bus and Rail traffic accidents by 5% per year over the previous year.**
7. **Provide more timely and effective claims processing and medical treatment for our employees.**
8. **Provide more timely and effective claims processing, fraud investigation, return to work.**
9. **Provide assistance to the Division Manager to manage loss prevention programs at all Divisions.**

## **Safety Oversight Committee**

The role of the **Safety Oversight Committee** will be to:

1. Engage the leadership of each organization in promoting safety and safe practices to reduce the incidence of workplace illness or injury.
2. Provide framework and agendas for Local Safety Committees discussed below.
3. Work jointly to select an Ombudsperson.

4. Seek the development of standards for timely resolution of issues relating to the program to include, but not be limited to, alternative forms of dispute resolution, work to return employees to full duty status as soon as possible, and review the available training programs related to safe operation of vehicles on street and for passengers.
5. Seek improvements in the administration and management of claims.
6. Seeks improvements in the management of employee absences, without regard to cause, as well as the management of employees on long term leave
7. Participate in joint labor-management programs with representatives of labor and management from other agencies who have experience and “best practices” to share with our employees and staff.
8. Review activities of Local Oversight Committees to insure implementation of agreed to changes.
9. Develop and/or refine, in concert with the MTA, a “treating physicians network,” to insure the swift and quality medical treatment of illnesses and injuries.

The membership of the **Safety Oversight Committee** will include:

- Executive Officer, Transit Operations - MTA
- General Chairman/President / Chief Executive of the UTU, ATU, TCU
- Executive Officer, Labor Relations - MTA
- Chief Financial Officer - MTA
- Managing Director of Risk Management - MTA
- Managing Director of the Office of Safety and Security - MTA

### **Local Safety Committee**

The role of the **Local Safety Committee** will be to:

1. Engage the leadership of Transportation, Maintenance, and Non-Contract work groups in promoting safety and safe practices to reduce the incidence of workplace illness or injury.

2. Review Division/location safety practices and make recommendations for resolution.
3. Monitor the performance of the Division / location and set courses on how best to reduce the incidence of injury. This includes the identification of hazards and their resolution.
4. Focusing on overall absence management with the aim to reduce the number of lost days due to illness or injury
5. Design and Implement a program to manage employees that are on long-term leave to insure that they are treated appropriately and that back to work plans are customized to best fit their needs.
6. Work with Ombudsperson to answer questions and seek resolution of issues on a local level.
7. Identify and implement accident prevention programs.

The membership of the **Local Safety Committee** will include:

- Deputy Executive Officer (or representative) for Transit Operations
- Division or Location Managers -- (Transportation & Maintenance)
- Local Chairmen/Union Officers from UTU, ATU, TCU
- Representatives from UTU, ATU, TCU on-site
- Senior TOS – Vehicle Operations
- Senior TOS – Instruction
- Risk Management Department Representative
- Safety Department Representative